

CITY OF CHARLEVOIX
210 STATE ST. CHARLEVOIX, MICH. 49720
PLANNING COMMISSION PUBLIC MEETING AGENDA

MONDAY, FEBRUARY 11, 2019 AT 6:00 PM in the Council Chambers, 210 State Street,
Charlevoix, MI

- A. Call to Order/Pledge of Allegiance
- B. Roll Call
- C. Inquiry into Potential Conflicts of Interest
- D. Approval of Agenda
- E. Approval of the Minutes
 - 1. January 14, 2019 Minutes
- F. Call for Public Comment Not Related to Agenda Items
- G. New Business
 - 1. Site Plan review: Irish Boat Shop CYC, 220 Ferry Avenue
 - 2. Zoning ordinance Amendment 2019-001
 - 3. Zoning Ordinance Amendment 2019-002 Accessory Dwelling Units
- H. Old Business
- I. Staff Updates
 - 1. New City Code Book
- J. Requests For Next Months Agenda or Research Items
- K. Adjournment by 8:00 PM unless extended by a motion.

The City of Charlevoix will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon one weeks' notice to the City of Charlevoix. Individuals with disabilities requiring auxiliary aids or services should contact the City of Charlevoix Clerk's Office in writing or calling the following: City Clerk, 210 State Street, Charlevoix, MI 49720 (231) 547-3250.

CITY OF CHARLEVOIX

Approval of the Minutes

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: January 14, 2019 Minutes

DATE: February 11, 2019

ATTACHMENTS:

▣ January 14, 2019 draft minutes

CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
Monday, January 14, 2019 - 6:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

A. Call to Order

The meeting was called to order at 6:00 p.m. by Chair Chamberlain.

B. Roll Call

Chair: Sherm Chamberlain

Members Present: Ben Edwards, Toni Felter, Brian Gelb, Rick Golding, Dennis Halverson, Jennifer Muladore, Phillip Parr, RJ Waddell

Members Absent: None

Staff Present: Mark Heydlauff, City Manager; Kathy Egan, Community Planner; Jonathan Scheel, Zoning Administrator

C. Inquiry into Potential Conflicts of Interest

D. Approval of Agenda

Motion by Member Golding, second by Member Edwards to approve the agenda as presented. Motion passed by unanimous voice vote.

E. Approval of the Minutes

1. December 10, 2018 Minutes

Member Felter noted that the meeting date needed to be changed from November 12, 2018 to December 10, 2018. Motion by Member Gelb, second by Member Muladore to approve the minutes of December 10, 2018 as corrected. Motion passed by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. Novus Software Training

City Manager Heydlauff presented an informal training session and responded to questions from the members.

2. Election of Officers

Motion by Member Felter, second by Member Halverson to nominate Sherm Chamberlain as Chair for the next year. Motion passed by unanimous voice vote.

Motion by Chair Chamberlain, second by Member Muladore to re-appoint RJ Waddell as Vice Chair for the next year. Motion passed by unanimous voice vote.

3. Bylaws Review

Planner Egan summarized the recommended changes to the bylaws. Motion by Member Parr, second by Member Waddell to approve the changes to the bylaws as recommended. Motion passed by unanimous voice vote.

4. Sign Illumination – Draft Language Review

Planner Egan stated that current Zoning Ordinance language does not account for new types of lighting such as halo lighting. Administrator Scheel explained the proposed language, and specific types of halo lighting. Planner Egan stated that she would present a few changes for the Commission to review again before scheduling a public hearing.

H. Old Business

1. Accessory Dwelling Unit (ADU) Standards

Planner Egan reviewed each section of the proposed draft standards for accessory dwellings. After discussion the general consensus was to stay with two parking spaces and no additional parking required for the ADU.

Chair Chamberlain questioned if they could legally state that a property owner could not designate an ADU as a condominium. Planner Egan suggested that the City Attorney could answer that question. The Commission discussed various scenarios and Administrator Scheel stated that ADUs have everything except stoves in their units. Member Parr questioned if the addition of a stove in an ADU was prohibited. Administrator Scheel replied yes but, in the proposed ordinance the unit with the addition of a stove, could become a second living unit in new and retrofitted construction. Discussion followed regarding

the occupancy standard. Planner Egan stated that her next step was to incorporate ADU standards into a Zoning Ordinance amendment and to bring that back to the Commission for review.

2. Review of Draft Definitions for "Building Height" and "Dwelling Unit"

Planner Egan stated that the "Building Height" definition was adjusted to account for rooftop mechanics and a slight change to the definition of "Dwelling Unit" and an addition for "ADU". Administrator Scheel further explained the proposed change that defined the vertical distance that would exclude structural elements not intended for habitation and not exceeding 15' above the minimum building height. Discussion followed regarding the specifics of the building height change, mechanical components that could be on a roof, 15' perimeter, and screening requirements. Member Golding noted his commercial property management experience and he disagreed with the height. He noted that a 3-story building can be serviced by a hydraulic elevator. Member Parr questioned if the Hotel Earl project wanting to put an elevator to the roof was the reason for this discussion. Administrator Scheel agreed. Planner Egan referenced Section 5.66 (5). Member Gelb recused himself since he was an adjacent homeowner to the property being discussed. Members Golding and Parr reiterated their objection to the 15' height. Member Golding stated for a hydraulic elevator to be able to service four floors they were not talking about a mechanical room going to the roof, they were talking about a structure that's going to provide access to the mechanical room. It was generally agreed to limit mechanical units and elevators to a maximum of 6' on roofs. Planner Egan referenced the revised definitions for the various categories of dwelling units and there were no additional changes.

3. Recreational Vehicle (RV) Storage Draft Language

Administrator Scheel explained the contradictions in the current Zoning Ordinance regarding RV storage. There was discussion as to whether storage of canoes, kayaks, boats, jet skis, etc. were covered by these regulations. Dialog continued regarding noise, sanitation, and parking issues; and the number of days to allow RVs to be used for lodging purposes on a parcel with a principal building. The consensus was to allow RVs for lodging purposes for no more than seven days. Chair Chamberlain stated they will public notice the seven-day limitation within 60 days, parking in the front yard would be a Zoning Board of Appeals issue, and allowing outdoor under storage to be added under the fifth bullet. Planner Egan stated that she would present draft changes at their next meeting.

I. Staff Updates

1. Miscellaneous Follow-up from December Meeting

The Commission concurred to obtain only one monthly copy of the P & Z News and Michigan Planner newsletter that could be shared among the members.

J. Request for Next Month's Agenda or Research Items

Planner Egan reported that City Council wanted to help promote year-round housing availability, so they want to look at short-term rentals again to tighten up the regulations. Administrator Scheel stated that he received approximately 80 short-term rental applications for the first year and they had numerous complaints about one particular property.

Administrator Scheel stated that he was doing a Level A review on a wharf whereby the property owner was asking to remove the existing rotted waterside decks and rebuild larger decks. He stated that he also received an application for a multi-use facility at 220 Ferry Avenue which would become the new home of the Charlevoix Yacht Club with rental facilities on the upper floors.

K. Adjournment by 8:00 PM Unless Extended by Motion

Motion by Member Felter, second by Member Halverson to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 7:56 p.m.

Joyce M. Golding/fgm

City Clerk

Sherm Chamberlain

Chair

CITY OF CHARLEVOIX

New Business

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Site Plan review: Irish Boat Shop CYC, 220 Ferry Avenue

DATE: February 11, 2019

BACKGROUND

There are seven attachments for this Level B Site Plan Review.

The steps for the review will be:

1. Introduction of the request from Zoning Administrator, Jonathan Scheel
2. Presentation by the applicant
3. Planning Commission questions related to the application
4. Public hearing/public comment
5. Planning Commission discussion
6. Review the Findings of Facts and Staff Report
7. Decision: One of four options -
 - Approval
 - Approval with conditions
 - Deny
 - Postpone decision to a specific date and time

ATTACHMENTS:

- ▣ Attachment #1
- ▣ Attachment #2
- ▣ Attachment #3
- ▣ Attachment #4
- ▣ Attachment #5
- ▣ Attachment #6
- ▣ Attachment #7
- ▣ Attachment #8
- ▣ Attachment #9 - Public Comment

BARRON & ENGSTROM, P.L.C.
ATTORNEYS AND COUNSELORS AT LAW
P.O. BOX 309
309 PETOSKEY AVENUE
CHARLEVOIX, MICHIGAN 49720

DANIEL B. BARRON
dbarron@barronengstrom.com

EDWARD F. ENGSTROM
efengstrom@barronengstrom.com

TELEPHONE: (231) 547-9950
TELEFAX: (231) 547-2977
beple@barronengstrom.com

January 24, 2019

Jonathan Scheel
Zoning Administrator
City of Charlevoix
210 State Street
Charlevoix, Michigan 49720

RE: Level B Site Plan Review
220 Ferry Avenue

Dear Jonathan:

I am writing to you on behalf of Irish Boat Shop in confirmation of our recent conversation. As discussed, my client contemplates implementation and documentation of the proposed project, including compliance with zoning requirements, by and through a Master Deed which will condominiumize the property.

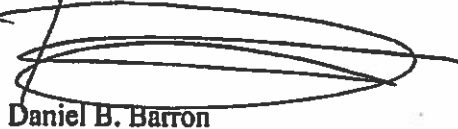
We will thus be seeking conditional site plan approval at the forthcoming Planning Commission hearing of February 11, 2019. Such approval would thereby be subject to the condition of subsequent review and approval by the City, to confirm that relevant provisions within the Master Deed satisfactorily address the zoning requirements enumerated within the site plan approval.

In order to facilitate a focused and effective process in such regards, we will be requesting issuance by the Planning Commission of an itemized and specific list of zoning items, standards and/or requirements which should be incorporated into and addressed within the Master Deed. Upon our subsequent preparation and submission of the proposed Master Deed to the City for final review, we will accompany the same with a memorandum identifying the specific provisions within the Master Deed which address and/or implement each site plan/zoning requirement.

Please feel free to contact me with any questions or comments.

Sincerely,

BARRON & ENGSTROM, P.L.C.



Daniel B. Barron

DBB/jlm

xc: André M. Poineau
Richard Hodgson II

WARRANTY DEED
Statutory Form

CHARLEVOIX
COUNTY

STATE OF
MICHIGAN

Dept. of
Taxation



REAL ESTATE
TRANSFER TAX

110.00

LIBER 247 PAGE 534

REGISTER'S OFFICE
CHARLEVOIX CO., MICH.
RECORDED Jan. 17th. 1978
AT 1:20 O'CLOCK P.M.
James C. Gensel
REGISTER

KNOW ALL MEN BY THESE PRESENTS: That Irving H. Drost and Anna J. Drost, his wife,
whose address is 1307 Bridge Street, Charlevoix, Michigan 49720,
AND Irving E. Manville & Rose M. Manville, his wife,
whose address is c/o Silver Birch Motel, U.S. 31 South, Charlevoix, Michigan,
Conveys and Warrants to Irish Boat Shop, Inc., a Michigan Corporation,
whose address is Harbor Springs, Michigan
the following described premises situated in the City of Charlevoix
County of Charlevoix, and State of Michigan, to-wit:

Commencing at a point 12 1/4 chains (808.5 feet) South of the quarter post
between Sections 26 and 35, Town 34 North, Range 8 West, being the
Southwest corner of a piece of land formerly deeded by Macdod Thompson
to George W. Wood; thence South along the North and South quarter line
of said section 5 chains (330 feet); thence East to the center line of
Ferry Avenue, being the point of beginning of this description; thence
continuing East along the prolongation of the last described course to
the shore of Lake Charlevoix; thence Northerly along said shore to the
South line of the former George W. Wood property; thence Westerly along
said line to the center line of said Ferry Avenue; thence Southwesterly
along the center line of said avenue to the point of beginning; being
part of Government Lot 1, Section 35, Town 34 North, Range 8 West.
Subject to the rights of the public and of any governmental unit in any
part thereof taken, used or deeded for street, road or highway purposes.

It is hereby agreed and understood that neither grantee, or its assigns,
shall hereafter construct any structure or building on the above des-
cribed parcel higher than 35 feet from the natural ground level of said
parcel.

for the consideration of \$100,000.00 (One Hundred Thousand and 00/100) Dollars
subject to restrictions of record.

Dated this 3rd day of January, 1978.

Witnesses:

M. J. Foster
M. J. Foster
Sherrie L. Loucks
Sherrie L. Loucks
M. J. Foster
M. J. Foster
Sherrie L. Loucks
Sherrie L. Loucks

Signed and Sealed:

Irving H. Drost (L.S.)
Irving H. Drost
Anna J. Drost (L.S.)
Anna J. Drost
Irving E. Manville (L.S.)
Irving E. Manville
Rose M. Manville (L.S.)
Rose M. Manville

STATE OF MICHIGAN)
COUNTY OF CHARLEVOIX ss.

The foregoing instrument was acknowledged before me this 3rd day of January,
1978, by Irving H. Drost & Anna J. Drost, his wife, and Irving E. Manville,
& Rose M. Manville, his wife.

My Commission Expires:

September 29, 1980

Maurice J. Foster
Maurice J. Foster NOTARY PUBLIC
Charlevoix County, Michigan

Instrument

Drafted by John R. Michael, Attorney

Business

Address Pine River Bldg., Charlevoix, M.

I hereby certify, that there are no tax liens or titles held by the state or
any local authority on the land herein described in the within instrument and that all taxes due thereon have been paid for the five years preceding the date of said
instrument as appears by the records in my office. This does not cover taxes in process of collection by Township, Cities or Villages.
County Treasurer

DESCRIPTION

The Galleon™ LED luminaire delivers exceptional performance in a highly scalable, low-profile design. Patented, high-efficiency AccuLED Optics™ system provides uniform and energy conscious illumination to walkways, parking lots, roadways, building areas and security lighting applications. IP66 rated and UL/cUL Listed for wet locations.

Catalog #		Type
Project		
Comments		Date
Prepared by		

SPECIFICATION FEATURES

Construction
Extruded aluminum driver enclosure thermally isolated from Light Squares for optimal thermal performance. Heavy-wall, die-cast aluminum end caps enclose housing and die-cast aluminum heat sinks. A unique, patent pending interlocking housing and heat sink provides scalability with superior structural rigidity. 3G vibration tested and rated. Optional tool-less hardware available for ease of entry into electrical chamber. Housing is IP66 rated.

Optics
Patented, high-efficiency injection-molded AccuLED Optics technology. Optics are precisely designed to shape the distribution maximizing efficiency and application spacing. AccuLED Optics create consistent distributions with the scalability to meet customized application requirements. Offered standard in 4000K (+/- 275K) CCT 70 CRI. Optional 3000K, 5000K and 6000K CCT.

Electrical
LED drivers are mounted to removable tray assembly for ease of maintenance. 120-277V 50/60Hz, 347V 60Hz or 480V 60Hz operation. 480V is compatible for use with 480V Wye systems only. Standard with 0-10V dimming. Shipped standard with Eaton proprietary circuit module designed to withstand 10kV of transient line surge. The Galleon LED luminaire is suitable for operation in -40°C to 40°C ambient environments. For applications with ambient temperatures exceeding 40°C, specify the HA (High Ambient) option. Light Squares are IP66 rated. Greater than 90% lumen maintenance expected at 60,000 hours. Available in standard 1A drive current and optional 600mA, 800mA and 1200mA drive currents (nominal).

Mounting
STANDARD ARM MOUNT: Extruded aluminum arm includes internal bolt guides allowing for easy positioning of fixture during mounting. When mounting two or more luminaires at 90° and 120° apart, the EA extended arm may be required. Refer to the

arm mounting requirement table. Round pole adapter included. For wall mounting, specify wall mount bracket option. **QUICK MOUNT ARM:** Adapter is bolted directly to the pole. Quick mount arm slide into place on the adapter and is secured via two screws, facilitating quick and easy installation. The versatile, patent pending, quick mount arm accommodates multiple drill patterns ranging from 1-1/2" to 4-7/8". Removal of the door on the quick mount arm enables wiring of the fixture without having to access the driver compartment. A knock-out enables round pole mounting.

Finish
Housing finished in super durable TGIC polyester powder coat paint, 2.5 mil nominal thickness for superior protection against fade and wear. Heat sink is powder coated black. Standard housing colors include black, bronze, gray, white, dark platinum and graphite metallic. RAL and custom color matches available.

Warranty
Five-year warranty.

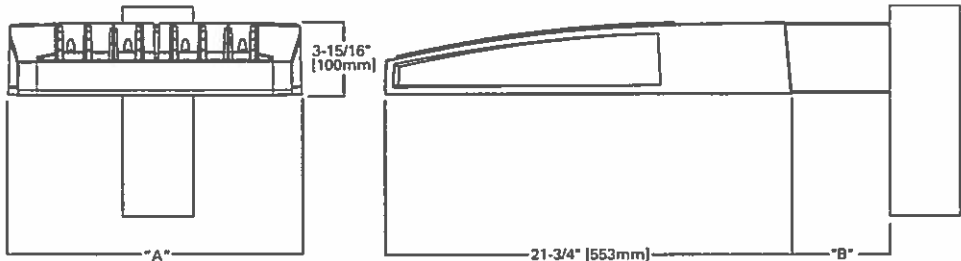


GLEON
GALLEON LED

1-10 Light Squares
Solid State LED

AREA/SITE LUMINAIRE

DIMENSIONS



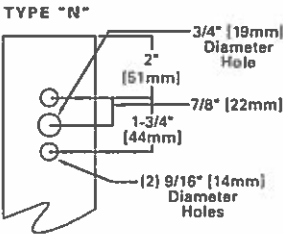
DIMENSION DATA

Number of Light Squares	"A" Width	"B" Standard Arm Length	"B" Optional Arm Length 1	Weight with Arm (lbs.)	EPA with Arm 2 (Sq. Ft.)
1-4	15-1/2" (394mm)	7" (178mm)	10" (254mm)	33 (15.0 kgs.)	0.96
5-6	21-5/8" (549mm)	7" (178mm)	10" (254mm)	44 (20.0 kgs.)	1.00
7-8	27-5/8" (702mm)	7" (178mm)	13" (330mm)	54 (24.5 kgs.)	1.07
9-10	33-3/4" (857mm)	7" (178mm)	16" (406mm)	63 (28.6 kgs.)	1.12

NOTES: 1. Optional arm length to be used when mounting two fixtures at 90° on a single pole. 2. EPA calculated with optional arm length.



DRILLING PATTERN



CERTIFICATION DATA
UL/cUL Wet Location Listed
ISO 9001
LM79 / LM80 Compliant
3G Vibration Rated
IP66 Rated
DesignLights Consortium® Qualified*

ENERGY DATA
Electronic LED Driver
>0.9 Power Factor
<20% Total Harmonic Distortion
120V-277V 50/60Hz
347V & 480V 60Hz
-40°C Min. Temperature
40°C Max. Temperature
50°C Max. Temperature (HA Option)

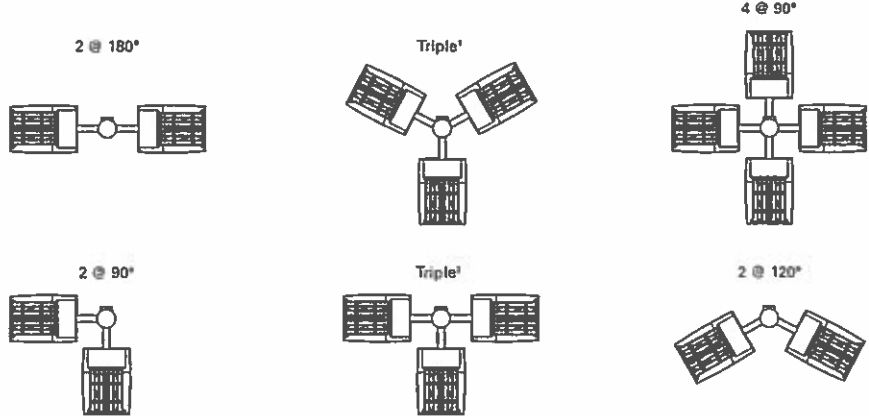


*www.designlights.org

TD500020EN
June 21, 2018 4:04 PM

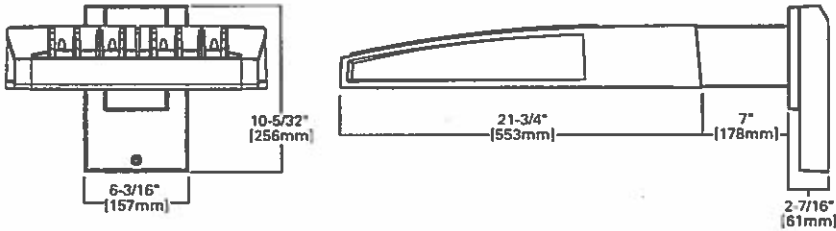
ARM MOUNTING REQUIREMENTS

Configuration	90° Apart	120° Apart
GLEON-AF-01	7" Arm (Standard)	7" Arm (Standard)
GLEON-AF-02	7" Arm (Standard)	7" Arm (Standard)
GLEON-AF-03	7" Arm (Standard)	7" Arm (Standard)
GLEON-AF-04	7" Arm (Standard)	7" Arm (Standard)
GLEON-AF-05	10" Extended Arm (Required)	7" Arm (Standard)
GLEON-AF-06	10" Extended Arm (Required)	7" Arm (Standard)
GLEON-AF-07	13" Extended Arm (Required)	13" Extended Arm (Required)
GLEON-AF-08	13" Extended Arm (Required)	13" Extended Arm (Required)
GLEON-AF-09	16" Extended Arm (Required)	16" Extended Arm (Required)
GLEON-AF-10	16" Extended Arm (Required)	16" Extended Arm (Required)

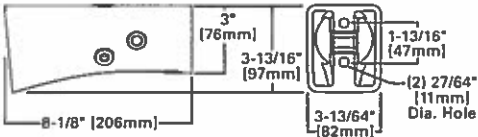


NOTES: 1 Round poles are 3 @ 120°. Square poles are 3 @ 90°. 2 Round poles are 3 @ 90°.

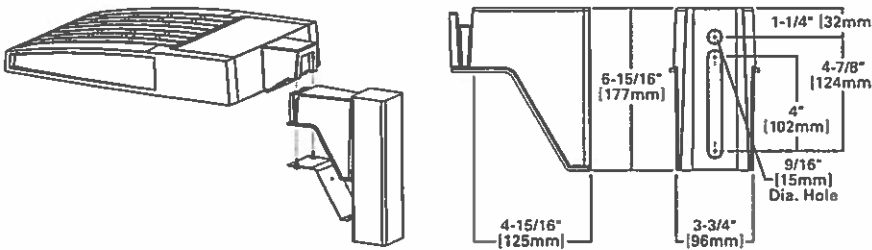
STANDARD WALL MOUNT



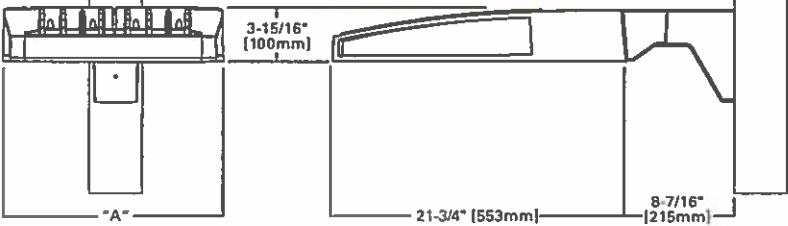
MAST ARM MOUNT



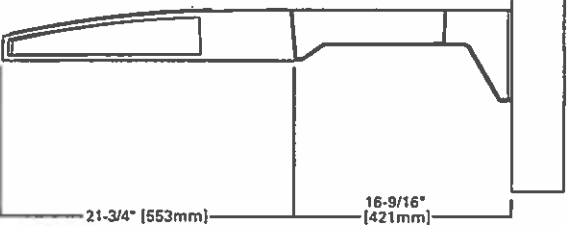
QUICK MOUNT ARM (INCLUDES FIXTURE ADAPTER)



QM Quick Mount Arm (Standard)



QMEA Quick Mount Arm (Extended)



QUICK MOUNT ARM DATA

Number of Light Squares 1,2	"A" Width	Weight with QM Arm (lbs.)	Weight with QMEA Arm (lbs.)	EPA (Sq. Ft.)
1-4	15-1/2" (394mm)	35 (15.91 kgs.)	38 (17.27 kgs.)	1.11
5-6 3	21-5/8" (549mm)	46 (20.91 kgs.)	49 (22.27 kgs.)	
7-8	27-5/8" (702mm)	56 (25.45 kgs.)	59 (26.82 kgs.)	

NOTES: 1 QM option available with 1-8 light square configurations. 2 QMEA option available with 1-6 light square configurations. 3 QMEA arm to be used when mounting two fixtures at 90° on a single pole.

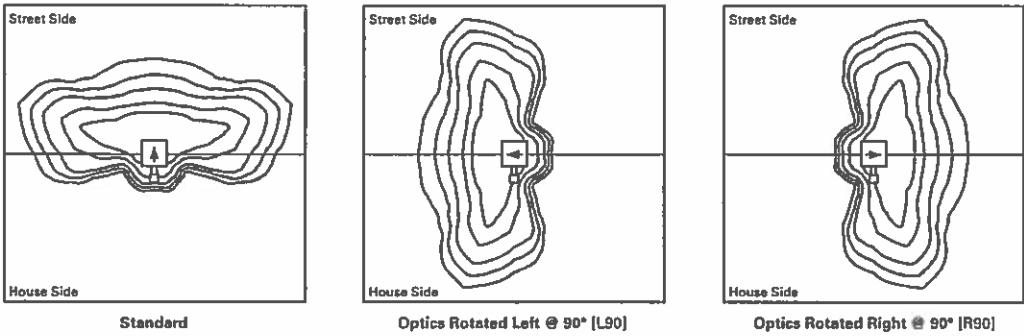


Eaton
1121 Highway 74 South
Peachtree City, GA 30269
P: 770-486-4800
www.eaton.com/lighting

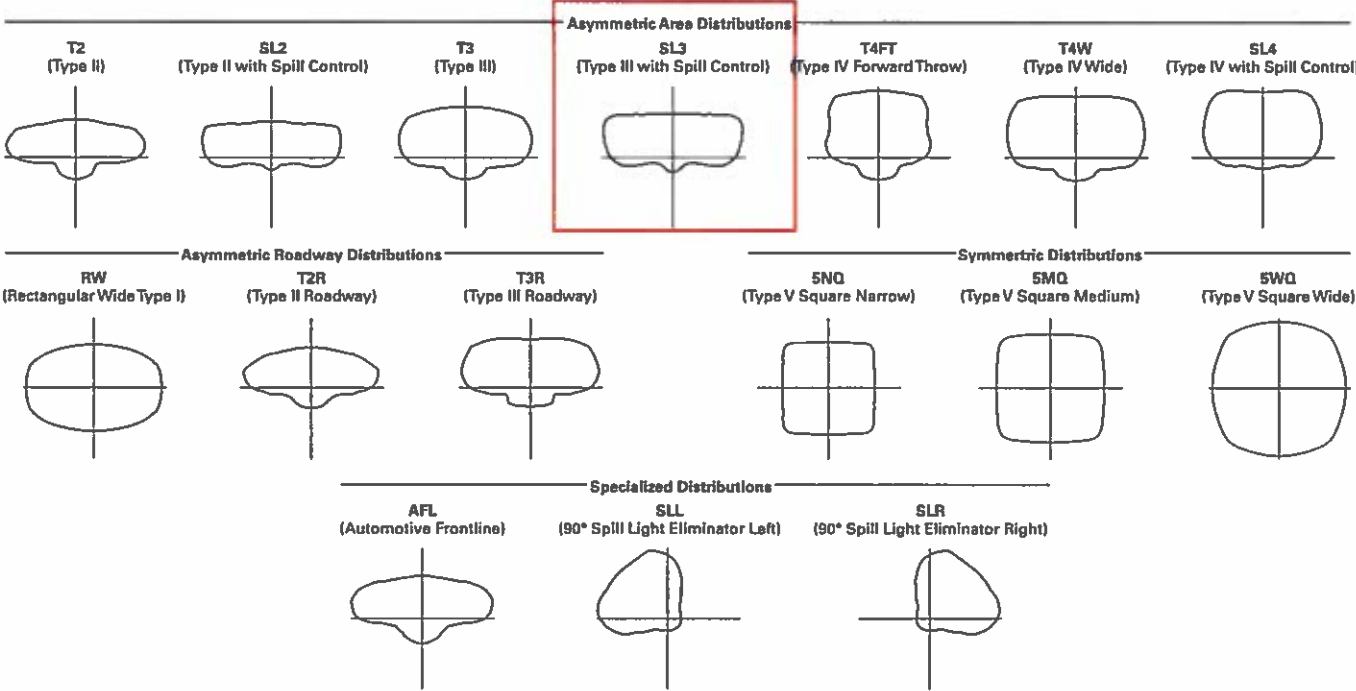
Specifications and dimensions subject to change without notice.

TD500020EN
June 21, 2018 4:04 PM

OPTIC ORIENTATION

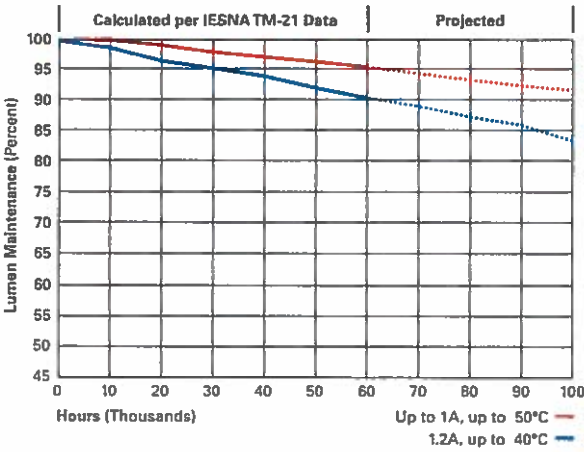


OPTICAL DISTRIBUTIONS



LUMEN MAINTENANCE

Drive Current	Ambient Temperature	TM-21 Lumen Maintenance (60,000 Hours)	Projected L70 (Hours)
Up to 1A	Up to 50°C	> 95%	416,000
1.2A	Up to 40°C	> 90%	205,000



LUMEN MULTIPLIER

Ambient Temperature	Lumen Multiplier
0°C	1.02
10°C	1.01
25°C	1.00
40°C	0.99
50°C	0.97



Eaton
1121 Highway 74 South
Peachtree City, GA 30269
P: 770-486-4800
www.eaton.com/lighting

Specifications and dimensions subject to change without notice.

TD500020EN
June 21, 2018 4:04 PM

NOMINAL POWER LUMENS (1A)

Number of Light Squares		1	2	3	4	5	6	7	8	9	10
Nominal Power (Watts)		59	113	166	225	279	333	391	445	501	558
Input Current @ 120V [A]		0.51	1.02	1.53	2.03	2.55	3.06	3.56	4.08	4.6	5.07
Input Current @ 208V [A]		0.29	0.56	0.82	1.11	1.37	1.64	1.93	2.19	2.46	2.75
Input Current @ 240V [A]		0.26	0.48	0.71	0.96	1.19	1.41	1.67	1.89	2.12	2.39
Input Current @ 277V [A]		0.23	0.42	0.61	0.83	1.03	1.23	1.45	1.65	1.84	2.09
Input Current @ 347V [A]		0.17	0.32	0.50	0.64	0.82	1.00	1.14	1.32	1.50	1.68
Input Current @ 480V [A]		0.14	0.24	0.37	0.48	0.61	0.75	0.91	0.99	1.12	1.28
Optics											
T2	4000K/5000K Lumens	6,116	11,951	17,833	23,563	29,195	34,937	41,317	46,814	52,221	57,817
	3000K Lumens	5,414	10,579	15,786	20,858	25,843	30,926	36,574	41,440	46,226	51,180
	BUG Rating	B1-U0-G2	B2-U0-G2	B3-U0-G3	B3-U0-G3	B3-U0-G4	B3-U0-G4	B4-U0-G5	B4-U0-G5	B4-U0-G5	B4-U0-G5
T2R	4000K/5000K Lumens	6,493	12,688	18,932	25,015	30,994	37,090	43,863	49,699	55,439	61,380
	3000K Lumens	5,748	11,231	16,759	22,143	27,436	32,832	38,828	43,994	49,075	54,334
	BUG Rating	B1-U0-G1	B2-U0-G2	B2-U0-G2	B3-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G4	B3-U0-G5	B4-U0-G5	B4-U0-G5
T3	4000K/5000K Lumens	6,234	12,181	18,176	24,017	29,756	35,609	42,111	47,715	53,225	58,930
	3000K Lumens	5,518	10,783	16,089	21,260	26,340	31,521	37,277	42,237	47,115	52,165
	BUG Rating	B1-U0-G2	B2-U0-G2	B3-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G5	B4-U0-G5	B4-U0-G5	B4-U0-G5	B4-U0-G5
T3R	4000K/5000K Lumens	6,372	12,453	18,580	24,550	30,418	36,400	43,048	48,776	54,409	60,239
	3000K Lumens	5,640	11,023	16,447	21,732	26,926	32,221	38,106	43,177	48,163	53,324
	BUG Rating	B1-U0-G2	B2-U0-G2	B2-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G5	B3-U0-G5	B3-U0-G5	B3-U0-G5	B4-U0-G5
T4FT	4000K/5000K Lumens	6,270	12,252	18,282	24,156	29,929	35,815	42,356	47,992	53,534	59,271
	3000K Lumens	5,550	10,845	16,183	21,383	26,493	31,703	37,494	42,483	47,388	52,467
	BUG Rating	B1-U0-G2	B2-U0-G2	B2-U0-G3	B3-U0-G4	B3-U0-G5	B3-U0-G5	B3-U0-G5	B3-U0-G5	B4-U0-G5	B4-U0-G5
T4W	4000K/5000K Lumens	6,189	12,094	18,045	23,844	29,543	35,352	41,809	47,372	52,843	58,506
	3000K Lumens	5,479	10,706	15,973	21,107	26,151	31,294	37,009	41,934	46,777	51,790
	BUG Rating	B1-U0-G2	B2-U0-G2	B3-U0-G3	B3-U0-G4	B3-U0-G5	B3-U0-G5	B4-U0-G5	B4-U0-G5	B4-U0-G5	B4-U0-G5
SL2	4000K/5000K Lumens	6,105	11,931	17,803	23,522	29,144	34,877	41,245	46,734	52,130	57,717
	3000K Lumens	5,404	10,561	15,759	20,822	25,798	30,873	36,510	41,369	46,145	51,091
	BUG Rating	B1-U0-G2	B2-U0-G3	B3-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G5	B4-U0-G5	B4-U0-G5	B4-U0-G5	B4-U0-G5
SL3	4000K/5000K Lumens	6,233	12,180	18,174	24,013	29,753	35,604	42,106	47,708	53,218	58,921
	3000K Lumens	5,517	10,782	16,088	21,256	26,337	31,517	37,272	42,231	47,109	52,157
	BUG Rating	B1-U0-G2	B2-U0-G3	B2-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G5	B3-U0-G5	B3-U0-G5	B4-U0-G5	B4-U0-G5
SL4	4000K/5000K Lumens	5,922	11,572	17,268	22,816	28,269	33,829	40,006	45,330	50,566	55,984
	3000K Lumens	5,242	10,244	15,286	20,197	25,024	29,945	35,413	40,126	44,761	49,557
	BUG Rating	B1-U0-G2	B1-U0-G3	B2-U0-G3	B2-U0-G4	B2-U0-G5	B3-U0-G5	B3-U0-G5	B3-U0-G5	B3-U0-G5	B3-U0-G5
5NQ	4000K/5000K Lumens	6,429	12,563	18,746	24,768	30,688	36,723	43,429	49,208	54,891	60,775
	3000K Lumens	5,691	11,121	16,594	21,925	27,165	32,507	38,443	43,559	48,590	53,798
	BUG Rating	B2-U0-G1	B3-U0-G2	B4-U0-G2	B4-U0-G2	B5-U0-G2	B5-U0-G3	B5-U0-G3	B5-U0-G3	B5-U0-G4	B5-U0-G4
5MQ	4000K/5000K Lumens	6,547	12,794	19,090	25,224	31,253	37,400	44,228	50,114	55,902	61,893
	3000K Lumens	5,795	11,325	16,898	22,328	27,665	33,106	39,151	44,361	49,484	54,788
	BUG Rating	B3-U0-G1	B4-U0-G2	B4-U0-G2	B5-U0-G3	B5-U0-G3	B5-U0-G4	B5-U0-G4	B5-U0-G4	B5-U0-G5	B5-U0-G5
5WQ	4000K/5000K Lumens	6,564	12,828	19,141	25,291	31,336	37,499	44,347	50,248	56,051	62,058
	3000K Lumens	5,810	11,355	16,944	22,388	27,739	33,194	39,256	44,480	49,616	54,934
	BUG Rating	B3-U0-G2	B4-U0-G2	B5-U0-G3	B5-U0-G3	B5-U0-G4	B5-U0-G4	B5-U0-G5	B5-U0-G5	B5-U0-G5	B5-U0-G5
SLL/SLR	4000K/5000K Lumens	5,478	10,703	15,970	21,102	26,145	31,286	37,001	41,924	46,765	51,777
	3000K Lumens	4,849	9,474	14,137	18,679	23,144	27,694	32,753	37,111	41,396	45,833
	BUG Rating	B1-U0-G2	B1-U0-G3	B2-U0-G3	B2-U0-G4	B3-U0-G4	B3-U0-G5	B3-U0-G5	B3-U0-G5	B3-U0-G5	B3-U0-G5
RW	4000K/5000K Lumens	6,371	12,449	18,576	24,544	30,411	36,392	43,037	48,764	54,396	60,225
	3000K Lumens	5,640	11,020	16,443	21,726	26,920	32,214	38,096	43,166	48,151	53,311
	BUG Rating	B3-U0-G1	B3-U0-G2	B4-U0-G2	B4-U0-G2	B5-U0-G3	B5-U0-G3	B5-U0-G3	B5-U0-G4	B5-U0-G4	B5-U0-G4
AFL	4000K/5000K Lumens	6,394	12,494	18,644	24,634	30,521	36,524	43,194	48,942	54,593	60,444
	3000K Lumens	5,660	11,060	16,504	21,806	27,017	32,331	38,235	43,323	48,326	53,505
	BUG Rating	B1-U0-G1	B2-U0-G2	B2-U0-G2	B3-U0-G2	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G3	B4-U0-G4	B4-U0-G4

* Nominal data for 70 CRI.



Eaton
1121 Highway 74 South
Peachtree City, GA 30269
P: 770-486-4800
www.eaton.com/lighting

Specifications and
dimensions subject to
change without notice.

CONTROL OPTIONS

0-10V (DIM)

This fixture is offered standard with 0-10V dimming driver(s). The DIM option provides 0-10V dimming wire leads for use with a lighting control panel or other control method.

Photocontrol (P, R and PER7)

Optional button-type photocontrol (P) and photocontrol receptacles (R and PER7) provide a flexible solution to enable “dusk-to-dawn” lighting by sensing light levels. Advanced control systems compatible with NEMA 7-pin standards can be utilized with the PER7 receptacle.

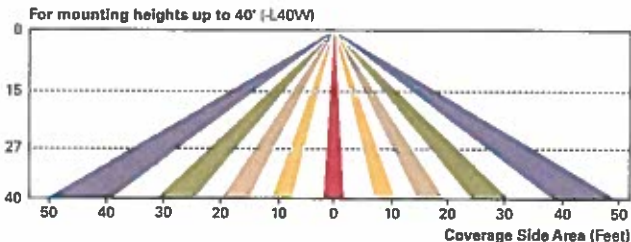
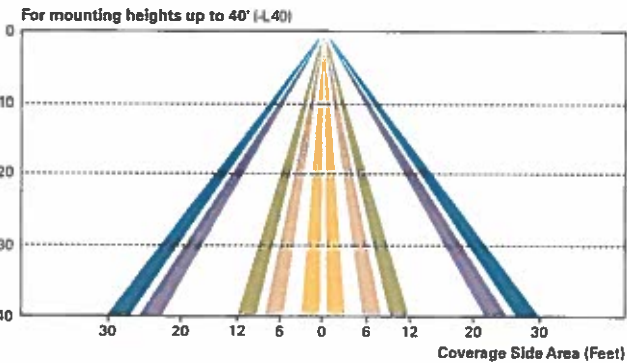
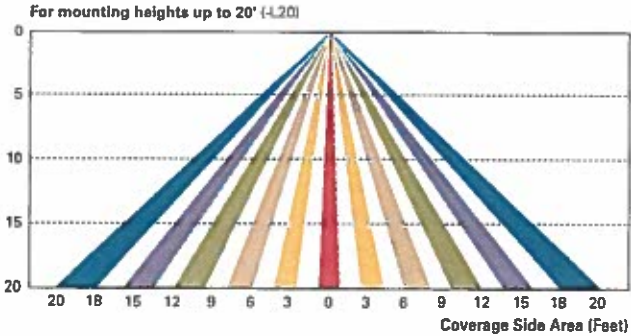
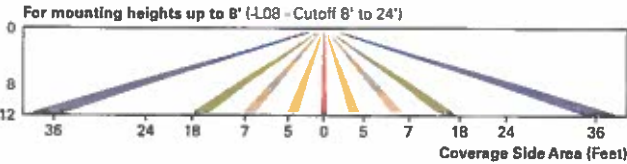
After Hours Dim (AHD)

This feature allows photocontrol-enabled luminaires to achieve additional energy savings by dimming during scheduled portions of the night. The dimming profile will automatically take effect after a “dusk-to-dawn” period has been calculated from the photocontrol input. Specify the desired dimming profile for a simple, factory-shipped dimming solution requiring no external control wiring. Reference the After Hours Dim supplemental guide for additional information.

Dimming Occupancy Sensor (MS/DIM-LXX, MS/X-LXX and MS-LXX)

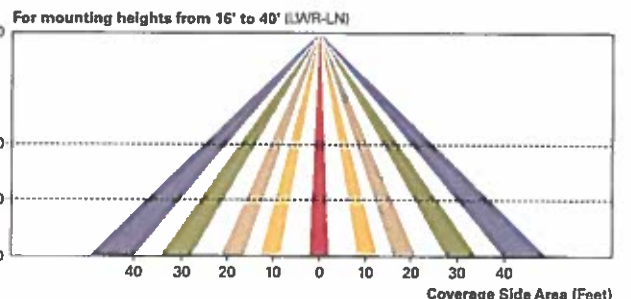
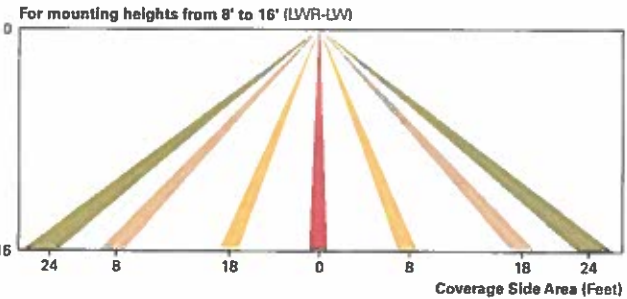
These sensors are factory installed in the luminaire housing. When the MS/DIM-LXX sensor option is selected, the occupancy sensor is connected to a dimming driver and the entire luminaire dims when there is no activity detected. When activity is detected, the luminaire returns to full light output. The MS/DIM sensor is factory preset to dim down to approximately 50 percent power with a time delay of five minutes. The MS-LXX sensor is factory preset to turn the luminaire off after five minutes of no activity. The MS/X-LXX is also preset for five minutes and only controls the specified number of light engines to maintain steady output from the remaining light engines.

These occupancy sensors includes an integral photocell that can be activated with the FSIR-100 accessory for “dusk-to-dawn” control or daylight harvesting - the factory preset is OFF. The FSIR-100 is a wireless tool utilized for changing the dimming level, time delay, sensitivity and other parameters. A variety of sensor lens are available to optimize the coverage pattern for mounting heights from 8'-40'.



LumaWatt Pro Wireless Control and Monitoring System (LWR-LW and LWR-LN)

The Eaton's LumaWatt Pro powered by Enlighted is a connected lighting solution that combines a broad selection of energy-efficient LED luminaires with a powerful integrated wireless sensor system. The sensor controls the lighting system in compliance with the latest energy codes and collects valuable data about building performance and use. Software applications turn the granular data into information through energy dashboards and specialized apps that make it simple and help optimize the use of building resources, beyond lighting.



WaveLinx Wireless Outdoor Lighting Control Module (WOLC-7P-10A)

The 7-pin wireless outdoor lighting control module enables WaveLinx to control outdoor area, site and flood lighting. WaveLinx controls outdoor lighting using schedules to provide ON, OFF and dimming controls based on astronomic or time schedules based on a 7 day week.



Eaton
1121 Highway 74 South
Peachtree City, GA 30269
P: 770-486-4800
www.eaton.com/lighting

Specifications and
dimensions subject to
change without notice.

TD500020EN
June 21, 2018 4:04 PM

ORDERING INFORMATION

Sample Number: GLEON-AF-04-LED-E1-T3-GM-QM

Product Family ^{1,2}	Light Engine	Number of Light Squares ³	Lamp Type	Voltage	Distribution	Color	Mounting
GLEON=Galleon	AF=1A Drive Current	01=1 02=2 03=3 04=4 05=5 ⁴ 06=6 07=7 ⁵ 08=8 ⁵ 09=9 ⁵ 10=10 ⁵	LED=Solid State Light Emitting Diodes	E1=120-277V 347=347V ⁷ 480=480V ^{7,9}	T2=Type II T2R=Type II Roadway T3=Type III T3R=Type III Roadway T4FT=Type IV Forward Throw T4W=Type IV Wide 5NQ=Type V Narrow 5MQ=Type V Square Medium 5WQ=Type V Square Wide SL2=Type II w/Spill Control SL3=Type III w/Spill Control SL4=Type IV w/Spill Control SLL=90° Spill Light Eliminator Left SLR=90° Spill Light Eliminator Right RW=Rectangular Wide Type I AFL=Automotive Frontline	AP=Grey BZ=Bronze BK=Black DP=Dark Platinum GM=Graphite Metallic WH=White	(Blank)=Arm for Round or Square Pole EA=Extended Arm ⁹ MA=Mast Arm Adapter ¹⁰ WM=Wall Mount QM=Quick Mount Arm (Standard Length) ¹¹ QMEA=Quick Mount Arm (Extended Length) ¹¹

Options (Add as Suffix)	Accessories (Order Separately)
7030=70 CRI 3000K ¹³ 8030=80 CRI 3000K ¹⁴ 7050=70 CRI 5000K ¹⁵ 7060=70 CRI 6000K ¹⁵ 600=Drive Current Factory Set to Nominal 600mA ¹⁵ 800=Drive Current Factory Set to Nominal 800mA ¹⁵ 1200=Drive Current Factory Set to Nominal 1200mA ^{15, 16} F=Single Fuse (120, 277 or 347V, Must Specify Voltage) FF=Double Fuse (208, 240 or 480V, Must Specify Voltage) 2L=Two Circuits ^{17, 18} DIM=External 0-10V Dimming Leads ^{19, 20} P=Button Type Photocontrol (120, 208, 240 or 277V, Must Specify Voltage) ²¹ PER7=NEMA 7-PIN Twistlock Photocontrol Receptacle ²¹ R=NEMA Twistlock Photocontrol Receptacle ²¹ AHD145=After Hours Dim, 5 Hours ²² AHD245=After Hours Dim, 6 Hours ²² AHD255=After Hours Dim, 7 Hours ²² AHD355=After Hours Dim, 8 Hours ²² HA=50°C High Ambient ²³ MS/DIM-L08=Motion Sensor for Dimming Operation, Maximum 8' Mounting Height ^{24, 25} MS/DIM-L20=Motion Sensor for Dimming Operation, 9' - 20' Mounting Height ^{24, 25} MS/DIM-L40=Motion Sensor for Dimming Operation, 21' - 40' Mounting Height ^{24, 25} MS/DIM-L40W=Motion Sensor for Dimming Operation, 21' - 40' Mounting Height (Wide Range) ^{24, 25} MS/X-L08=Bi-Level Motion Sensor, Maximum 8' Mounting Height ^{24, 25, 26} MS/X-L20=Bi-Level Motion Sensor, 9' - 20' Mounting Height ^{24, 25, 26} MS/X-L40=Bi-Level Motion Sensor, 21' - 40' Mounting Height ^{24, 25, 26} MS/X-L40W=Bi-Level Motion Sensor, 21' - 40' Mounting Height (Wide Range) ^{24, 25, 26} MS-L08=Motion Sensor for ON/OFF Operation, Maximum 8' Mounting Height ^{24, 25} MS-L20=Motion Sensor for ON/OFF Operation, 9' - 20' Mounting Height ^{24, 25} MS-L40=Motion Sensor for ON/OFF Operation, 21' - 40' Mounting Height ^{24, 25} MS-L40W=Motion Sensor for ON/OFF Operation, 21' - 40' Mounting Height (Wide Range) ^{24, 25} LWR-LW=LumaWatt Pro Wireless Sensor, Wide Lens for 8' - 16' Mounting Height ²⁸ LWR-LN=LumaWatt Pro Wireless Sensor, Narrow Lens for 16' - 40' Mounting Height ²⁸ L90=Optics Rotated 90° Left R90=Optics Rotated 90° Right MT=Factory Installed Mesh Top TH=Tool-less Door Hardware LCF=Light Square Trim Plate Painted to Match Housing ³¹ HSS=Factory Installed House Side Shield ³² CE=CE Marking ³³	OA/RA1016=NEMA Photocontrol Multi-Tap - 105-285V OA/RA1027=NEMA Photocontrol - 480V OA/RA1201=NEMA Photocontrol - 347V OA/RA1013=Photocontrol Shorting Cap OA/RA1014=120V Photocontrol MA1252=10kV Surge Module Replacement MA1036-XX=Single Tenon Adapter for 2-3/8" O.D. Tenon MA1037-XX=2@180° Tenon Adapter for 2-3/8" O.D. Tenon MA1197-XX=3@120° Tenon Adapter for 2-3/8" O.D. Tenon MA1188-XX=4@90° Tenon Adapter for 2-3/8" O.D. Tenon MA1189-XX=2@90° Tenon Adapter for 2-3/8" O.D. Tenon MA1190-XX=3@90° Tenon Adapter for 2-3/8" O.D. Tenon MA1191-XX=2@120° Tenon Adapter for 2-3/8" O.D. Tenon MA1038-XX=Single Tenon Adapter for 3-1/2" O.D. Tenon MA1039-XX=2@180° Tenon Adapter for 3-1/2" O.D. Tenon MA1192-XX=3@120° Tenon Adapter for 3-1/2" O.D. Tenon MA1193-XX=4@90° Tenon Adapter for 3-1/2" O.D. Tenon MA1194-XX=2@90° Tenon Adapter for 3-1/2" O.D. Tenon MA1195-XX=3@90° Tenon Adapter for 3-1/2" O.D. Tenon FSIR-100=Wireless Configuration Tool for Occupancy Sensor ²⁴ GLEON-MT1=Field Installed Mesh Top for 1-4 Light Squares GLEON-MT2=Field Installed Mesh Top for 5-6 Light Squares GLEON-MT3=Field Installed Mesh Top for 7-8 Light Squares GLEON-MT4=Field Installed Mesh Top for 9-10 Light Squares GLEON-QM=Quick Mount Arm Kit ¹⁰ GLEON-QMEA=Quick Mount Extended Arm Kit ¹¹ LS/HSS=Field Installed House Side Shield ^{32, 34} WOLC-7P-10A=WaveLinux Outdoor Control Module (7-pin) ³⁵

- NOTES:
- Customer is responsible for engineering analysis to confirm pole and fixture compatibility for all applications. Refer to our white paper WP513001 EN for additional support information.
 - DesignLights Consortium® Qualified. Refer to www.designlights.org Qualified Products List under Family Models for details.
 - Standard 4000K CCT and minimum 70 CRI.
 - Not compatible with MS/4-LXX or MS/1-LXX sensors.
 - Not compatible with extended quick mount arm (QMEA).
 - Not compatible with standard quick mount arm (QM) or extended quick mount arm (QMEA).
 - Requires the use of an internal step down transformer when combined with sensor options. Not available with sensor at 1200mA. Not available in combination with the HA high ambient and sensor options at 1A.
 - Only for use with 480V Wye systems. Per NEC, not for use with ungrounded systems, impedance grounded systems or corner grounded systems (commonly known as Three Phase Three Wire Delta, Three Phase High Leg Delta and Three Phase Corner Grounded Delta systems).
 - May be required when two or more luminaires are oriented on a 90° or 120° drilling pattern. Refer to arm mounting requirement table.
 - Factory installed.
 - Maximum 8 light squares.
 - Maximum 8 light squares.
 - Extended lead times apply. Use dedicated IES files for 3000K, 5000K and 6000K when performing layouts. These files are published on the Galleon luminaire product page on the website.
 - Extended lead times apply. Use dedicated IES files for 3000K, 5000K and 6000K when performing layouts. These files are published on the Galleon luminaire product page on the website.
 - 1 Amp standard. Use dedicated IES files for 600mA, 800mA and 1200mA when performing layouts. These files are published on the Galleon luminaire product page on the website.
 - Not available with HA option.
 - 2L is not available with MS, MS/X or MS/DIM at 347V or 480V. 2L in AF-02 through AF-04 requires a larger housing, normally used for AF-05 or AF-06. Extended arm option may be required when mounting two or more fixtures per pole at 90° or 120°. Refer to arm mounting requirement table.
 - Not available with LumaWatt Pro wireless sensors.
 - Cannot be used with other control options.
 - Low voltage control lead brought out 18" outside fixture.
 - Not available if any "MS" sensor is selected. Motion sensor has an integral photocell.
 - Requires the use of P photocontrol or the PER7 or R photocontrol receptacle with photocontrol accessory. See After Hours Dim supplemental guide for additional information.
 - 50°C lumen maintenance data applies to 600mA, 800mA and 1A drive currents.
 - The FSIR-100 configuration tool is required to adjust parameters including high and low modes, sensitivity, time delay, cutoff and more. Consult your lighting representative at Eaton for more information.
 - Approximately 22" detection diameter at 8' mounting height.
 - Approximately 40" detection diameter at 20' mounting height.
 - Approximately 60" detection diameter at 40' mounting height.
 - Approximately 100" detection diameter at 40' mounting height.
 - Replace X with number of Light Squares operating in low output mode.
 - LumaWatt Pro wireless sensors are factory installed only requiring network components LWP-EM-1, LWP-GW-1 and LWP-PoE8 in appropriate quantities. See www.eaton.com/lighting for LumaWatt Pro application information.
 - Not available with house side shield (HSS).
 - Only for use with SL2, SL3, SL4 and AFL distributions. The Light Square trim plate is painted black when the HSS option is selected.**
 - CE is not available with the LWR, MS, MS/X, MS/DIM, P, R or PER7 options. Available in 120-277V only.
 - One required for each Light Square.**
 - Requires 7-pin NEMA twistlock photocontrol receptacle.

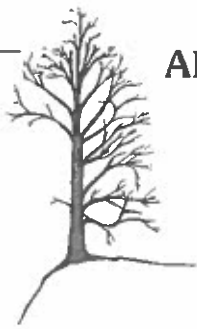


Powering Business Worldwide

Eaton
1121 Highway 74 South
Peachtree City, GA 30269
P: 770-486-4800
www.eaton.com/lighting

Specifications and dimensions subject to change without notice.

TD500020EN
June 21, 2018 4:05 PM



ANDRE M. POINEAU
WOODWORKER, Inc.

06075 M32
East Jordan, MI 49727

January 28, 2019

City of Charlevoix Zoning Administration and Planning Commission:

Re: Property at 220 Ferry Ave.
Irish Boat Shop

Enclosed you will find.

- . An application for a site plan review.
- . Legal description of the property.
- . Location map.
- . An aerial photograph of the site.
- . Letter from Danial Barrion addressing the master deed.
- . Site plan.
- . Survey of existing conditions and lot lines.
- . Landscape plan
- . Floor plans and elevations of the proposed structure.
- . Lighting specifications.
- . Deed restriction dated Jan. 7th. 1978 regarding height restriction.

The applicant is requesting conditional approval of the site plan. The project will be governed by a master deed. The conditional approval would be subject to a final review of the master deed by the planning commission and any other interested parties. We are seeking input from the planning commission on items they see fit to be addressed in the master plan to assure compliance to all appropriate zoning ordinances.

The property is currently the site of Irish Boat Shop, Inc. Marina and bath facility which includes 85 boat slips, a bath house and asphalt parking.

The proposed project is for a multiuse facility to become the new home of the Charlevoix Yacht Club on the second floor. The main floor will support a new bath and laundry for the marina, a venue for weddings, special events and community functions. The main floor may also accommodate the mariner's program, which is a program to introduce young people to boating, in particular sailing through training and hands on experience. The existing bath facility and parking areas will be removed.

This project is made possible by an in-kind contribution of the property by the Irish family and the hard work and dedication of the members of the Charlevoix Yacht Club.

This project is intended to promote the maritime heritage of Charlevoix and continue to advance exposure of the local community to maritime activities.

The applicant is requesting relief from section 5.81- 8- B which requires islands for parking lots greater than 10 spaces. The marina facility which is an existing use, also stores sail boats in the parking lot off season and will continue to do so. The installation of islands in the parking area would make it all but impossible to maneuver boats on trailers.

The installation of islands would require substantially increasing the width of the fairways which would result in greatly reducing the green space both on the lake side of the structure and between the parking and the lake.

This use will take approximately a third of the parking spaces in the winter. The off season boat storage will not interfere with required parking in that the marina will be closed and the extensive covered porches will not be in use.

Under section 5.81-L the planning commission may allow deviations from the requirements of this section.

Below are listed submittal requirements for Section 5.119(1)

1. Date and North arrow – See site plan
2. Name and address of the professional responsible for the site plan – See site plan
3. Name of property owner or petitioner – See application
4. Location sketch – See enclosed map
5. Legal description – See enclosed
6. Size of subject property – See site plan
7. Boundary survey – See site plan
8. Preparers professional seal – See site plan
9. Existing Zoning classification – Marine Commercial

10. Property lines and setback – See existing site plan and proposed site plan
11. Location of easements – See existing site plan
12. Location of existing structures – See existing site plan
13. Location of existing drives & parking – See existing site plan
14. Location of structures and drives within 300 feet – See maps and GIS
15. Existing water bodies – See site plan
16. Existing landscape – See existing site plan
17. Size and location of existing utilities – See existing site plan
18. Location of existing surface water drainage facilities – See existing site plan

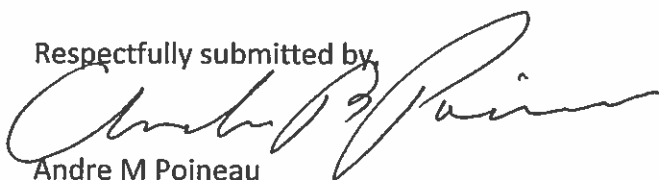
Proposed Development:

19. Location and dimensions – See plans and site plan
20. Location of all drives, walks, fences, curb parking – See site plan
21. Setbacks – 20' front 0 side and rear, as shown on site plan
22. Recreation and common areas – See site plan
23. Flood plain and basement and finish floor elevations:
 1. Flood plain elevation 584 IGLD 85
 2. Floor elevations – See site plan
24. Landscape plan – See separate Landscape plan by Site Planning Development Inc.
25. Layout and dimensions of proposed parcel – See site plan
26. Number of proposed dwellings – None
27. Number of efficiency units – None
28. Deed restrictions – See enclosed
29. Brief narrative of project – Above

Engineering:

30. Method of handling sewage – City of Charlevoix TAP
31. Location of proposed utilities – See site plan
32. Location of hydrants – Consult water department
33. Location and type of proposed water drainage – See site plan
The stormwater treatment system will be prepared by a licensed engineer using a cyclonic separation system.
34. Grading – See site plan
35. Proposed streets – None
36. Building details – See site plan

Respectfully submitted by



Andre M Poineau



CITY OF CHARLEVOIX

LEVEL B SITE PLAN APPLICATION

ANDRE M POINEAU WW. INC 220 FERRY AVE CHARLEVOIX MI. 49720
Applicant Address of subject property

6075 M32 EAST JORDAN MI. 49727
Address (City/State/Zip)

IRISH BOAT SHOP
Property Owner Name (If different than applicant)

400 BAYST HARBOR SPRINGS MI. 49740
Property Owner Address (City/State/Zip) (If different than address of subject property)

Property Owner Phone () - - - - - Email - - - - -

Agent Phone (231) 675-0100 Email APOINEAU@POINEAU.COM

Zoning of subject property: MC Tax ID: 15-052-335-075-10

Current use of property (example: single family, apartments, commercial, industrial, etc.):
MARINA AND BATH FACILITY

Proposed use: MARINA, YACHT CLUB, EDUCATIONAL VENUE

Dimensions of parcel: 505' X 247 Parcel size: 1.93
Square feet Acres

Please describe the type of construction (example: 20' x 20' addition to the rear of the building for storage.):

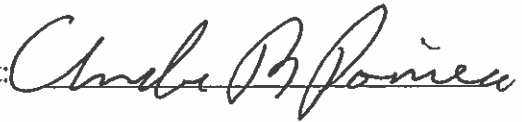
DEMOLITION OF EXISTING 25' X 25' BATH HOUSE
CONSTRUCTION OF 110' X 70' MULTI USE
STRUCTURE AND ASSOCIATED PARKING.

Dimensions of proposed construction, excluding eaves: 114 X 72 VARIES
Total square footage of proposed construction: 10,401. INCLUDES 2 FLOORS & PORCHES
Height of proposed construction to the top of the roof: 32'
Height of proposed construction to the midpoint of the roof, for gabled roof: 27'
Roof type (example: gable, hip, flat, etc.): HIP AND GABLE
Square footage of all impervious surfaces (please show all on site plan: paved driveways, sidewalks, patios, etc.): N/A SECTION S. 32
Requested date to begin construction if known: 5-1-19

AFFIDAVIT

I the undersigned, do hereby make application to the City of Charlevoix for approval of the attached Site Plan which has been drawn in accordance with the City of Charlevoix Zoning Ordinance. I certify that the property owner has authorized the proposed work, and that I have been empowered by the owner to make this application as his/her selected agent. I agree the statements made in the above application and associated documents are true, and if found not to be true, the approval of the site plan may be void. I also agree to comply with the conditions and regulations required by the approved development plan. Further, I agree that if the site plan is approved, it is approved with the understanding that the individual(s) or organization(s) applying for that site plan (or those individual(s) or organization(s) represented by the applicant) will comply with all applicable sections of the City of Charlevoix Zoning Ordinance. For purposes of site inspection, I also agree to notify the City of Charlevoix Zoning Administrator when locations of lot lines and proposed structures are located and staked on the ground. I also agree to give permission for officials of the City of Charlevoix, the County, and the State of Michigan to enter the property subject to this permit application for purposes of inspection. I understand that the City may impose conditions of approval and that the conditions must be met by the specific times as defined in the Decision and Order. Finally, I understand that this is a site plan application, and if approved, cannot be implemented until applicant has applied for and the City has issued a zoning permit.

Property Owner Signature or Authorized Agent:



Date: 12-14-19

Google Maps



Untitled Map

Write a description for your map.

Legend

-  Ferry Avenue Park
-  Line Measure
-  Northwest Marine Yacht Basin Association

Google Earth

© 2018 Google

400 ft

Viewing Parcel Number: 052-335-075-10

Parcel Details

Property Address: 220 FERRY AVE
CHARLEVOIX, MI 49720

Owner Information: IRISH BOAT SHOP INC
400 BAY ST
HARBOR SPRINGS, MI 49740-1606

Property Class: 201 - Commercial - Improved

School District: 15050 - Charlevoix

P.R.E. Percentage: 0%

Current SEV: --- ---

Current Taxable Value: .

Prior Year SEV: -

Prior Year Taxable Value: -

Legal Description

COM 808.5 FT S OF 1/4 POST BETW SECS 26 & 35 T34N R8W TH S AL N&S 1/4 LI 330 FT TH E TO C/L FERRY AVE FOR POB TH CONT E AL LAST DESC CRSE TO SH LK CHX TH NLY ALSD SH TO S LI FORMER G.W. WOOD PROP TH WLY AL SD LI TO C/L FERRY AVE TH SWLY ALC/L SD AVE TO POB BEING PART OF GOV LOT 1 SEC 35-34-8 AND ALSO A 30 FT WIDE STRIP OF LAND THE C/L OF WHI IS DESC AS COM AT NW COR LOT 1 J MILO EATONS ADD TOVILL OF CX TH S89 DEG 14'58"E AL S LI EATON AVE 166.8 FT TH S6 DEG 31'22"W 446.62 FT TO PT ON SLY LI LOT 1 SD EATONS ADD TH N88 DEG 50'12"W AL SD LOT LI 15.38 FT FOR POB TH S6 DEG 31'22"W 332.2 FT M/L TO PT WHI IS 1138.5 FT S & 550 FT M/L E OF N 1/4 COR SEC 35-34-8 AND ALSO ANY PART OF THE FOLLOWING DESC PARCEL OF LAND LYING ELY OF A LI BEING 33 FT ELY OF & PARA WI C/L FERRY RD AS IS PRESENTLY LAYED OUT & TRAVELLED: A STRIP OF LAND 100 FT IN WIDTH THE C/L OFWHICH IS DESC AS FOLLOWS: COM AT SW COR LOT 1 J MILO EATONS ADD TO CITY OF CX THWLY AL SLY LI SD EATONS ADD 49.73 FT FORPOB TH S15 DEG 40'35"W 1310 FT TO PT ON NLY LI STOVER RD WHICH IS 82 FT M/L E OF N&S 1/4 LI SD SEC 25-34-8



EAST ELEVATION
SCALE: 3/16" = 1'-0"



WEST ELEVATION
SCALE: 3/16" = 1'-0"

NOT FOR CONSTRUCTION

CYC

ANDRE M. POINEAU
WOODWORKER INC.
06075 M-32
EAST JORDAN, MI 49727

220 FERRY AVE.
CHARLEVOIX, MI 49720

elaine-keiser ARCHITECT, INC.
MICHIGAN ARCHITECT LICENSE NO. 45879
EXPIRES 10-31-2018. DRAWINGS NOT FOR
PERMIT WITHOUT SEAL AND SIGNATURE
PROJECT NO.: 18-03-405

RELEASES:
12-13-2018
12-17-2018
12-1-2019

SHEET NO.
A3.3

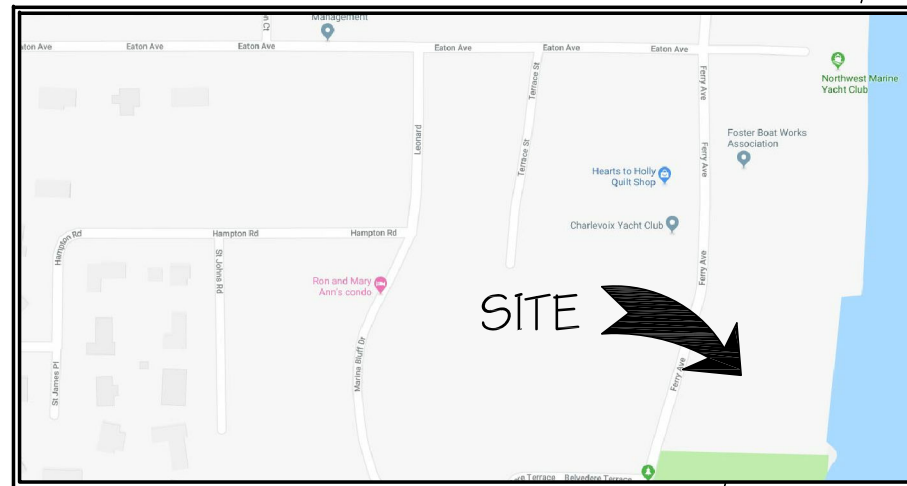
N89°03'36"W 402.06'
SOUTH LINE OF PLAT
SOUTH LINE OF FORMER GEORGE W. WOOD PROPERTY

PARKING SCHEDULE

PARKING REQUIRED:
- PRIVATE CLUB
ONE (1) FOR EVERY SIX (6) PERSONS ALLOWED WITH MAXIMUM OCCUPANCY LOAD AS ESTABLISHED BY CITY FIRE AND BUILDING CODES.
- COMMERCIAL MARINA
ONE QUARTER (25) SPACE FOR EVERY BOAT SLIP BASED ON THE PERMITTED SLIPS BY THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES. FIRST FLOOR MARINER'S AREA OCCUPANTS ARE CONSIDERED WITH THE MARINA.
BUILDING:
FIRST FLOOR EVENTS AREA = 264 = 44 SPACES
SECOND FLOOR YACHT CLUB = 156 = 26 SPACES
TOTAL 415 PEOPLE = 70 PARKING SPACES REQ.
MARINA:
TOTAL BOAT SLIPS = 85
85 BOAT SLIPS = 22 PARKING SPACES REQ.
TOTAL REQUIRED PARKING SPACES = 92
TOTAL PROVIDED PARKING SPACES = 92
NOTE:
- TYPICAL PARKING SPACE IS 9x20'
- BARRIER FREE SPACE IS 8x20' WITH A 5' AISLE
- VAN BARRIER FREE IS 8x20' WITH A 8' AISLE

OCCUPANCY SCHEDULE

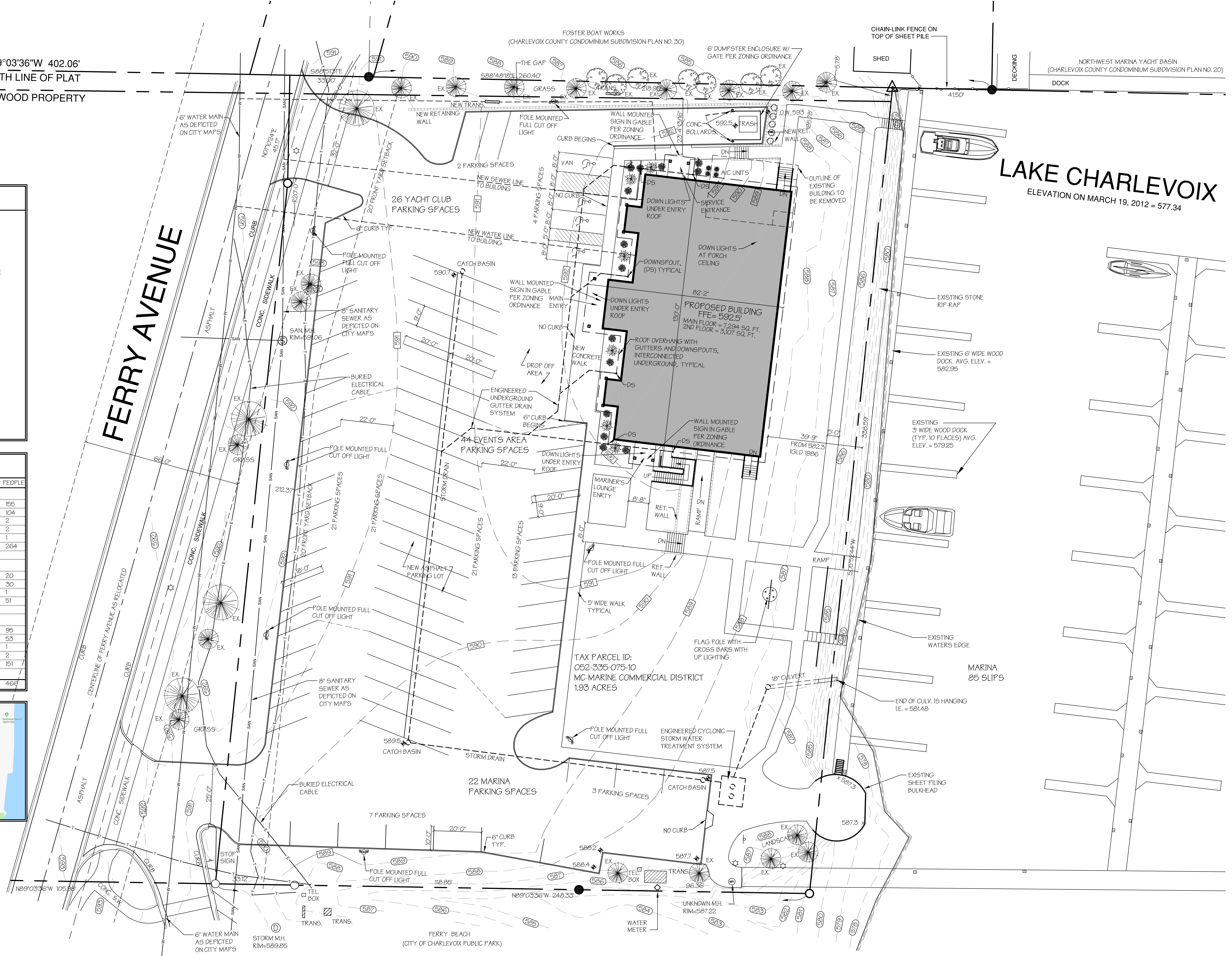
	AREA	# PEOPLE
FIRST FLOOR EVENTS AREA:		
GATHERING AREAS - 15 SF/PERSON	2,320 SQ. FT.	156
EXTERIOR GATHERING AREAS - 15 SF/PERSON	1,563 SQ. FT.	104
KITCHEN - 200 SF/PERSON	211 SQ. FT.	2
STORAGE - 300 SF/PERSON	353 SQ. FT.	2
OFFICE - 100 SF/PERSON	84 SQ. FT.	1
FIRST FLOOR EVENTS AREA OCCUPANCY TOTAL		264
FIRST FLOOR MARINER'S AREA:		
GATHERING AREAS - 15 SF/PERSON	294 SQ. FT.	20
EXTERIOR GATHERING AREAS - 15 SF/PERSON	446 SQ. FT.	30
OFFICE - 100 SF/PERSON	105 SQ. FT.	1
FIRST FLOOR MARINER'S AREA OCCUPANCY TOTAL		51
SECOND FLOOR YACHT CLUB:		
GATHERING AREAS - 15 SF/PERSON	1,415 SQ. FT.	95
EXTERIOR GATHERING AREAS - 15 SF/PERSON	788 SQ. FT.	53
KITCHEN - 200 SF/PERSON	173 SQ. FT.	1
OFFICE - 100 SF/PERSON	200 SQ. FT.	2
SECOND FLOOR OCCUPANCY TOTAL		151
OVERALL BUILDING TOTAL:		466



LOCATION MAP
NOT TO SCALE

LEGEND:

1. ALL DIMENSIONS ARE IN FEET.
2. BEARINGS AND ELEVATIONS ARE RELATIVE TO THE MICHIGAN COORDINATE SYSTEM, CENTRAL ZONE (ELEVATIONS 1986).
3. ANY UTILITY INFORMATION IS BASED ON FIELD OBSERVATION. PRECISE LOCATION OF ALL UTILITY LINES AND ANY SANITARY STRUCTURES ARE SUBJECT TO MARKING BY UTILITY PROVIDERS AND/OR OWNER.
4. * ● * INDICATES IRON STAKE FOUND IN PLACE FROM PRIOR SURVEY.
5. 1/2" x 24" IRON RODS WITH IDENTIFICATION CAPS HAVE BEEN SET AT LOCATIONS MARKED " O ".
6. * ⊙ * INDICATES CONCRETE MONUMENT



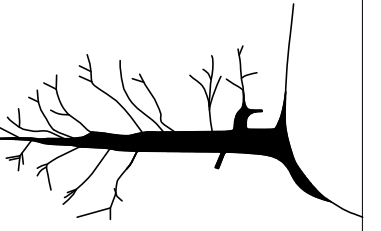
LAKE CHARLEVOIX
ELEVATION ON MARCH 19, 2012 = 577.34

elaine-keiser ARCHITECT, INC.
RELEASE-5
12-13-2018
12-17-2018
01-24-2019
PROJECT NO.: 18-03-405

ANDRE M. POINEAU
WOODWORKER INC.
06075 M-32
EAST JORDAN, MI 49727

220 FERRY AVE.
CHARLEVOIX, MI 49720

CYC



SHEET NO.
A11

SITE PLAN
SCALE: 1" = 20'-0"



Acer f. 'Armstrong' Columnar Maple



Acer f. 'Celebration'



Cornus alternifolia Pagoda Dogwood



Cornus s. Farrow'
Arctic Fire Red Twig Dogwood



Thuja o. Nigra
Dark Green Arborvitae



Thuja o. 'Smargd'
Emerald Green Arborvitae



Viburnum carlesii
Fragrant Viburnum



Viburnum trilobum
American Cranberrybush



Perennials



Agastache 'Little Adder'



Asclepias i. 'Cinderella'



Echinacea 'Dixie Scarlet'



Echinacea 'Glowing Dream'



Carex 'Bowles Green'

Carex pennsylvanica





Geranium 'Magnificum'



Pennisetum a. 'Red Head'



Rudbeckia 'Early Bird Gold'



Lupinus perennis



Schizachyrium s. 'Smoke Signal'

PLANT LIST				
QUANT.	BOTANICAL NAME	COMMON NAME	SIZE/ROOT	MATURE HT/SFRD
2	ACER F. 'ARMSTRONG'	ARMSTRONG COLUMNAR MAPLE	2'-8" BB	30'/10'
3	ACER F. 'CELEBRATION'	CELEBRATION RED MAPLE	2-1/2" BB	35'/20'
2	CORNUS ALTERNIFOLIA	PAGODA DOGWOOD	6'-8" BB	20'/20'
36	CORNUS S. 'FARROW'	ARCTIC FIRE RD TWG DOGWOOD	3" GAL	4'/4'
10	THUJA O. 'NIGRA'	DARK GREEN ARBORVITAE	8" BB	6'/20'
14	THUJA O. 'SMARAGD'	EMERALD GREEN ARBORVITAE	12" BB	15'/4'
8	VIBURNUM CARLESII	FRAGRANT VIBURNUM	5" GAL	6'/6'
7	VIBURNUM TRILOBUM	AMERICAN CRANBERRYBUSH	5" GAL	8'/8'
24	AGASTACHE 'LITTLE ADDER'	LITTLE ADDER HYSOP	#1 POT	15'/18"
24	ASCLEPIAS 'CINDERELLA'	CINDERELLA SWAMP MILKWEED	#1 POT	3'/2'
12	ECHINACEA 'DIXIE SCARLET'	DIXIE SCARLET CONEFLOWER	#1 POT	2'/2'
12	ECHINACEA 'GLOWING DREAM'	GLOWING DREAM CONEFLOWER	#1 POT	2'/2'
32	CAREX E. 'BOWLES GOLDEN'	BOWLES GOLDEN SEDGE	#1 POT	18'/12"
120	CAREX PENNSYLVANICA	PENNSYLVANIA SEDGE	6" FLT	8'/12"
768	GERANIUM 'MAGNIFICUM'	SHOWY GERANIUM	6" FLT	12'/16"
24	PENNISETUM A. 'RED HEAD'	RED HEAD FOUNTAIN GRASS	#2 POT	3'/5'
12	RUDBECKIA 'EARLY BIRD GOLD'	BLACK-EYED SUSAN	#1 POT	2'/2'
22	LUPINUS PERENNIS	LUPINES	#1 POT	3'/18"
12	SCHIZACHYRIUM S. 'SMOKE SIGNAL'	LITTLE BLUESTEM	#1 POT	4'/2'

* CONFIRM ACTUAL AVAILABLE PLANTING SPACE BEFORE ORDER AND ADJUST QUANTITY ACCORDINGLY

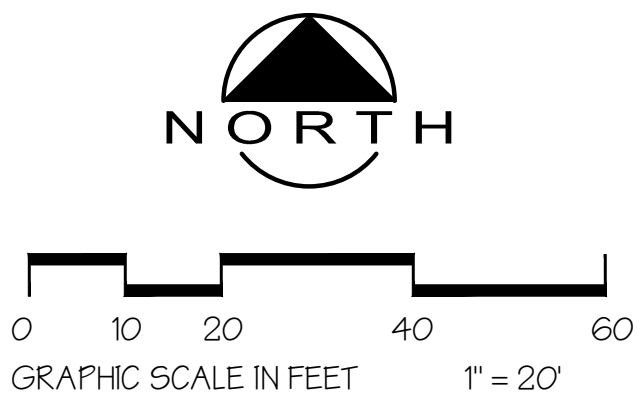
LANDSCAPE PLAN - NARRATIVE
Sec. (8)(a). 4 (a)(2): Requisite screening of the parking lot is provided by the placement and grading of a 2-1/2' to 3-1/2' berm separating the parking lot from the public right-of-way.

Sec. (8)(b). 4 (b)(2): To continue the historic use of this property, specifically the outdoor storage of boats, the applicant is seeking relief from this section requiring planted islands in the parking lot.

Sec. (9)(a)(b). 4 (e): Screening of solid waste dumpsters is provided using wall enclosures as prescribed in this section.

Sec. (10)(a) thru (g): This Landscape Plan is drawn to requisite scale. The plant table above includes plant quantities, naming and sizes at planting nad maturity. Contours are shown at 1' intervals.

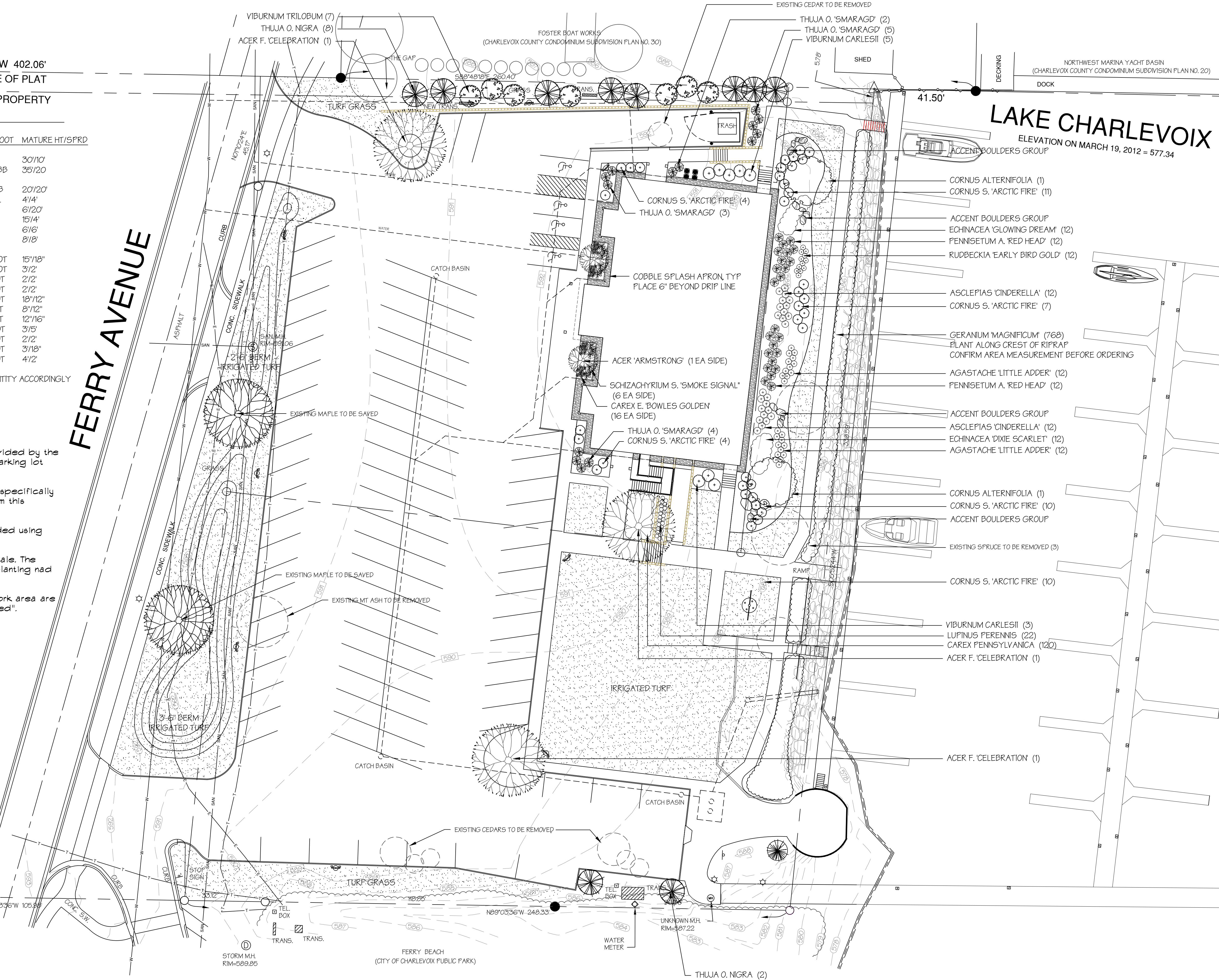
Sec. 11(a)(b): Existing trees 4" caliper or greater and within the work area are shown hereon and labelled either "to be saved" or "to be removed".



- LEGEND:
1. ALL DIMENSIONS ARE IN FEET.
 2. BEARINGS AND ELEVATIONS ARE RELATIVE TO THE MICHIGAN COORDINATE SYSTEM, CENTRAL ZONE (ELEVATIONS IGLD 1986).
 3. ANY UTILITY INFORMATION IS BASED ON FIELD OBSERVATION. PRECISE LOCATION OF ALL UTILITY LINES AND ANY SANITARY STRUCTURES ARE SUBJECT TO MARKING BY UTILITY PROVIDERS AND/OR OWNER.
 4. "●" INDICATES IRON STAKE FOUND IN PLACE FROM PRIOR SURVEY.
 5. 1/2" x 24" IRON RODS WITH IDENTIFICATION CAPS HAVE BEEN SET AT LOCATIONS MARKED "○".
 6. "⊙" INDICATES CONCRETE MONUMENT



FERRY AVENUE



LAKE CHARLEVOIX
ELEVATION ON MARCH 19, 2012 = 577.34



Landscape Architecture
Design / Build / Maintain

12608 Taylor Rd. Charlevoix, MI
(419) 231-547-4429 (F) 231-547-2067

Landscape Plan

CYC

220 FERRY AVE CHARLEVOIX, MI 49720.

Prepared for
Miller, Poineau & Naumes 6075 M32 N East Jordan, MI

REVISIONS	
1.24.19	REVISED
1.04.19	PRELIM
DATE ISSUED	
DES	JWC/HTW
DWN	HTW
CHK	
ACAD FILE	
MPN-CYC LSCAPE PLAN	
PROJECT NO.	
19.273	

SHEET



PLANNING COMMISSION AGENDA ITEM

AGENDA TITLE:		<u>Level B Site Plan Review 2019-01 SP: CYC</u>
PUBLIC MEETING DATE:		February 11, 2019 6:00PM
EXHIBITS:	1. Site Plan Review application. 2. Site Plan provided by applicant. 3. Department Head statements 4. City of Charlevoix Zoning Ordinance.	

I. GENERAL INFORMATION:

Applicant:	Andre Poineau	
Property Owner:	Irish Boat Shop 400 Bay Street Harbor Springs, MI 49740	
Requested Action:	Level B Site Plan Approval for Expansion of Facility	
Zoning:	MC, Marine Commercial	
Project Location:	220 Ferry Avenue	Tax ID # 052-335-075-10
Project Site Size:	85,176 Square feet	
Existing Land Use:	Parking lot	
Adjacent Land Uses:	The property across Ferry Ave to the west is open space residential. To the east, a marina in Lake Charlevoix. The property to the north is residential condominiums and the south, Ferry Beach Park	
Adjacent Zoning:	To the north Marine Commercial. To the south, Scenic Reserve. To the west Planned Unit Development	

PROJECT DESCRIPTION/LOCATION:

The applicant is requesting a Zoning Permit to build a 7700 square foot building housing the Yacht Club, Marina offices and bath facilities with parking on an 85,176 square foot waterfront parcel at 220 Ferry Avenue.



MASTER PLAN CONSIDERATIONS: *Please note that Site Plan Review is not based on consistency with the City Master Plan, this section is included only for general reference. The 2016 Land Use Master Plan identifies this area of Charlevoix as being Marine Commercial

II. SITE PLAN REQUIREMENTS:

The Zoning Administrator has been granted the authority to waive portions of the information that is typically required in a site plan by the Zoning Ordinance. The table below Section 5.119 (1) indicates what items are included on the site plan as submitted and what items the Zoning Administrator has waived. The key for the responses on the right hand side of the Table 5.119(1) are noted below.

X Information Provided on Site Plan

SA	See Attached Information
PI	Partial Information Provided on Site Plan
NA	Not Applicable, Requirement Waived by Zoning Administrator
M	Missing

5.115. Submittal Requirements

(1) Required Content. Each site plan submitted shall contain the information detailed in Table 5.119(1), as applicable:

Table 5.119(1): Required Site Plan Content

<u>Required Information</u>	<u>Level “B”</u>
------------------------------------	-------------------------

General Information

Date, north arrow and scale	X
Name and firm address of the professional individual responsible for preparing the site plan	X
Name and address of the property owner or petitioner	X
Location sketch	X
Legal description of the subject property	X
Size of subject property in acres or square feet	X
Boundary survey	X
Preparer’s professional seal	X
Revision block (month, day and year)	X

Existing Conditions

Existing zoning classification of subject property	X
Property lines and required setbacks (dimensioned)	X
Location, width and purpose of all existing easements	X
Location and dimension of all existing structures on the subject property	X
Location of all existing driveways, parking areas and total number of existing parking spaces on subject property	X
Abutting street right-of-way width	X
Location of all existing structures, driveways and parking areas Within three hundred (300) feet of the subject property’s boundary	X
Existing water bodies (rivers, creeks, wetlands, etc.)	X
Existing landscaping and vegetation on the subject property	X
Size and location of existing utilities	X
Location of all existing surface water drainage facilities	X

Proposed Development

<u>Location and dimensions of all proposed buildings</u>	<u>X</u>
<u>Location of all proposed drives (including dimensions and radii), acceleration/deceleration lanes, sidewalks, walls, fences, signs, exterior lighting, curbing, parking areas (including dimensions of a typical parking space and the total number of spaces to be provided) and unloading areas</u>	<u>X</u>
<u>Setbacks for all buildings and structures</u>	<u>X</u>
<u>Recreation areas, common use areas, dedicated open space and areas to be conveyed for public use</u>	<u>X</u>
<u>Flood plain areas and basement and finished floor elevations of all buildings</u>	<u>X</u>
<u>Landscape plan (showing location of proposed materials, size and type)</u>	<u>X</u>
<u>Layout and typical dimensions of proposed parcels and lots</u>	<u>X</u>
<u>Number of proposed dwelling units (by type), including typical floor plans for each type of unit</u>	<u>NA</u>
<u>Number and location (by code, if necessary) of efficiency and one, two and three or more bedroom units</u>	<u>NA</u>
<u>All deed restrictions or covenants</u>	<u>X</u>
<u>Brief narrative description of the project including proposed use, existing floor area (sq. ft.), size of proposed expansion (sq. ft.) and any change in the number of parking spaces</u>	<u>X</u>

Engineering

<u>Proposed method of handling sanitary sewage and providing potable Water</u>	<u>X</u>
<u>Location and size of proposed utilities, including connections to public sewer and water supply systems and/or size and location of on-site systems</u>	<u>X</u>
<u>Location and spacing of fire hydrants</u>	<u>X</u>
<u>Location and type of all proposed surface water drainage facilities</u>	<u>X</u>
<u>Grading plan at no more than two (2) foot contour intervals</u>	<u>X</u>
<u>Proposed streets (including pavement width, materials and easement or right-of-way dimensions)</u>	<u>NA</u>

Building Details

<u>Typical elevation views of all sides of each building</u>	<u>X</u>
<u>Gross and usable floor area</u>	<u>X</u>
<u>Elevation views of building additions</u>	<u>X</u>
<u>Building height</u>	<u>X</u>

5.32 Area, Height and Placement Requirements

Maximum building height	35 feet.	Proposed is at 26 feet
Minimum Yard setbacks	front 20 feet	Proposed is at 40 feet
Minimum Yard setbacks	north side 0 feet	Proposed is at 10 feet
Minimum Yard setbacks	south side 0 feet	Proposed is at 49 feet
Minimum Yard setbacks	rear 0 feet	Proposed is at 38 feet

(1) Information Waiver. Specific requirements of either a Level “A” or “B” site plan may be waived by the Zoning Administrator where it is determined that such information is not applicable to the request. *No requirement has been waived.*

(2) Additional Reports/Study: The Zoning Administrator or Planning Commission may require additional studies, reports or written opinions from qualified consultants to determine compliance with this ordinance or to ensure negative impacts to public health, safety and welfare are avoided or mitigated. These reports/studies may include, but are not limited to, traffic studies, transportation plans, geotechnical reports, flood hazard evaluations or environmental assessments. The Zoning Administrator or Planning Commission shall have the authority to choose the individual consultant, firm or company. The costs of additional study shall be paid for by the applicant.

The Zoning Administrator believes there is no need to require additional information in regard to this site plan.

III. SITE PLAN REVIEW:

The following section is taken directly from the Section 5.120 (pg. 130) of the Zoning Ordinance. The Planning Commission must make findings of fact to determine if the proposal meets each of the following standards. The Planning Commission must find that this proposal meets all of the following standards based on findings of fact before considering a motion to approve or deny. Staff has written the following recommended findings of fact as a starting point. The Planning Commission may add, modify, or delete any of the following draft findings at the meeting. The draft findings are in *italics*.

5.120. Standards for Site Plan Approval: A site plan shall be approved only upon a finding of compliance with the following standards:

- (1) The site plan must comply with all standards of this Article and all applicable requirements of this ordinance, as well as with all other applicable city, county, state and federal laws and regulations.

Section 5.30.(3) (pg. 29)The Planning Commission finds that the site plan proposal complies with the Zoning Ordinance, which states that the Marine Commercial District is intended to accommodate a mix of land uses including single family, condominiums, marine related commercial and professional offices.

Section 5.77 (pg. 86)The Planning Commission finds that the water supply and sewage disposal facilities needed for this project has been reviewed by Charlevoix Public works and are sufficient to meet the proposed new units, so the requirements of are met.

- (2) The site must be designed in a manner that is harmonious, to the greatest extent possible, with the character of the surrounding area.

The Planning Commission finds that the proposed development is harmonious with the character of the existing neighborhood. The use proposed is for transient use of marina facilities and special events.

- (3) The site must be designed to minimize hazards to adjacent property and to reduce the negative effects of traffic, noise, smoke, fumes and glare to the greatest extent possible.

The Planning Commission finds adequate measures have been taken to limit hazards to adjacent properties. The proposal allows for sufficient parking, as required by the Zoning Ordinance. Lighting is full cut off down lit with spill control. Public spaces are 100 feet +- from the closest neighbor, the residential condominiums to the north.

- (4) Unless a more specific design standard is required by the city through a different ordinance or regulation, all uses and structures subject to site plan review shall comply with the following design standards:

Traffic Circulation

The number, location and size of access and entry points, and internal vehicular and pedestrian circulation routes shall be designed to promote safe and efficient access to and from the site, as well as circulation within the site. In reviewing traffic features, the number, spacing and alignment of existing and proposed access points shall be considered relative to their impact on traffic movement on abutting streets and adjacent properties.

5.91 Off-Street Parking, Loading, Access and Circulation.

Table 5.92(8) of the Zoning Ordinance addresses the number of Off-Street Parking spaces needed and access requirements. Private clubs, lodge halls or banquet halls. One (1) for every six (6) persons allowed within the maximum occupancy load as established by the city fire and building codes. Commercial Marinas. One-quarter (.25) space for every boat slip based on the permitted slips by the Michigan Department of Natural Resources.

The Planning Commission finds that the proposed development will have two types of uses requiring different number of parking spots, Private Club, and Commercial Marina. The proposal is for the development to have 92 parking spots. The parking requirement has been met

5.93 Parking Alternatives

Section 5.93(2) (a) (1) and (2)

Sidewalks shall be maintained or established between the uses. Pedestrian connections, both within and to the site, shall provide safe and convenient access to building entrances.

The Planning Commission finds that the proposed development meets this requirement.

5.94. Off Street Parking Facility Design

Section 5.94(1b)

Off-Street Parking shall meet the side and yard setback requirements and not be closer than fifteen (15) feet to the rear lot line.

The Planning Commission finds that the proposed development meets this requirement.

Section 5.94(2)

Parking Construction and Development. The construction of a parking lot shall require an approved site plan, in accordance with Article 12. Construction shall be completed and approved by the Zoning Administrator.

The Planning Commission finds that the proposed development meets this requirement.

Section 5.94(3)

...all parking lots ... shall be hard surfaced using asphalt, concrete, or concrete or brick pavers and shall be appropriately graded and drained.

The Planning Commission finds that the proposed development meets this requirement.

Section 5.94(4) Curbs. A Parking lot shall be surrounded by a six (6) inch curb...

The Planning Commission finds that the proposed development meets this requirement.

Section 5.94 (5) Dimensions.

Table 5.94(6) specifies applicable parking space and aisle dimension requirements.

The proposed development shows three types of parking patterns. The proposal shows 78- 9 foot by 20 foot angled parking and 10- 10 foot by 20 foot parallel spaces respectively. There is also 4 pull in handicapped spaces. All aisles are 22 foot or wider. The Planning Commission finds that the proposed development meets this requirement.

Section 5.94 (7) Ingress and Egress.

Clearly defined and limited driveways shall provide adequate vehicular access to a parking lot. Interior access and circulation aisles for all parking spaces shall be provided. A public street shall not be used as a maneuvering space for a vehicle to get into or out of an off-street parking space.

The Planning Commission finds there would be sufficient vehicular access to the property, as well as maneuvering area on the parcel.

(10) Barrier Free Parking. Signed and marked barrier free parking spaces shall be provided at convenient locations in a parking lot in accordance with the State of Michigan barrier free parking requirements. Barrier free spaces shall be located as close as possible to building entrances.

There is also four pull in handicapped spaces next to the entrance. The Planning Commission finds that the proposed development meets this requirement.

Stormwater

Storm water retention and drainage systems shall be designed so the removal of surface water will not adversely affect neighboring properties or public storm water drainage systems. Unless impractical, storm water shall be removed from all roofs, canopies and paved areas by an underground surface drainage system. Low impact design solutions such as rain gardens and green roofs are encouraged.

The Planning Commission finds that there are no known drainage issues affecting this parcel or adjoining parcels. The proposed plan adds a parking lot drain with three catch basins, an engineered underground treatment system and outlet to Lake Charlevoix. The Planning Commission finds that the proposed development meets this requirement.

Landscaping

The landscape shall be preserved in its natural state, insofar as practical, by minimizing unnecessary tree and soil removal. Any grade changes shall be in keeping with the general appearance of neighboring developed areas. Provisions for preservation of landscaping, buffers or greenbelts may be required to ensure the proposed uses will be adequately buffered from one another and from surrounding property.

5.81 Landscaping.

5.81.1 Intent

- (a) To improve the appearance of off-street parking and storage areas and property abutting public rights-of-way.
- (b) To protect and preserve the appearance, character and value of the neighborhoods, which abut non-residential areas, parking lots and other potentially obtrusive uses.

5.81 2(a-q) General Requirements

The proposed development includes new dense planting areas to the north of the parking area adjacent to the residential condominiums and to the east facing the lake. To the west along Ferry Avenue there is a proposed berm with turf grass. Most existing mature trees are to stay. The proposed landscape plantings meet or exceed the minimum requirements of the ordinance. The Planning Commission finds that the development meets these requirements.

Berms may be constructed in a front yard to supplement landscaping and enhance buffering. Minimum front yard landscaping requirements shall be reduced by fifty (50) percent where a berm at least three (3) feet tall is constructed between a parking lot located along a street frontage and the public right-of-way.

A berm is not required but the proposed berm meets the ordinance standards

5.81 2 (l)(5)

Where the required landscaping may interfere with view corridors, such as developments along water bodies, the planning commission may require planting of specific species in locations where the height or canopy will not compromise view corridors.

The applicant has proposed keeping two existing mature Maple trees but not adding any additional trees or shrubbery on the west side of the property adjacent to Ferry Avenue as any additional trees may block views of the residential condominiums to the west of the proposed development when full grown. The Planning Commission finds that the proposed landscape plantings meet or exceed the rest of the minimum requirements of the ordinance.

5.81 8(b) (1, 2) Parking Lot Landscaping

To provide shade and to break up the visual appearance of large paved areas, parking lots with more than ten (10) spaces shall be landscaped based on the following requirements:

1. One (1) canopy tree for every twelve (12) parking spaces shall be provided within a parking lot island or peninsula.
2. Parking lot islands and peninsulas shall meet the following requirements:
 - a. All islands and peninsulas shall be protected by raised grading and drainage plan demonstrates storm water runoff can be managed without the use of raised curbs.
 - b. An island or peninsula shall be at least nine (9) feet wide.
 - c. Islands or peninsulas may be combined for greater visual effect.
 - d. Trees shall be planted at least three (3) feet from the edge of the curb or pavement.

There are no proposed parking islands. The applicant is asking to relax these standards as the other usage of the parking lot is, and has been winter boat storage. The Planning Commission finds that by not requiring the parking lot islands, there will be no ill effect on this development, surrounding properties or the general public.

Screening

Where non-residential uses abut residential uses, appropriate (d) screening shall be provided in accordance with *Section 5.81(9)* to shield residential properties from noise, headlights and glare

5.81 9(a) Screening

Screening shall be required around all trash dumpsters in all zoning districts.

The Planning Commission finds that the proposal includes a screened dumpster. No other screening will be necessary. The Planning Commission finds that existing mature vegetation and additional planting's will be sufficient on the north side to screen the

condominium residential homes The Planning Commission finds that the proposed development meets this requirement.

Lighting

Lighting shall be designed to minimize glare on adjacent properties and public streets. As a condition of site plan approval, reduction of lighting during non-business hours may be required.

5.82 Lighting

5.82(3) Shielding and Glare.

All outdoor lighting shall be designed or shielded to reduce glare and shall be placed so a nuisance is not created for motorists, adjacent uses or residential dwellings.

All outdoor lighting, with the exception of those ground-based lights for the purpose of illuminating government flags, shall be directed toward the ground or the article being illuminated and shall not impair the safe movement of automobile traffic on any street.

Flag lighting shall be directed to illuminate the flag only and shall be placed so lighting or glare is not directed toward streets or adjacent properties.

The Planning Commission finds that all additional lighting that is proposed for the property will be fully shielded down lighting, thus the development meets this requirement.

5.82(4) General requirements

Lighting shall be provided throughout all non-residential parking lots. Lights to illuminate parking lots shall not be attached to any building.

The Planning Commission finds that the proposed development meets this requirement.

Utility Service

All utility service shall be underground, unless impractical due to engineering difficulties

The Planning Commission finds that the any new utilities that are being proposed will be underground therefore this item the development meets this requirement.

Exterior uses

Exposed storage areas, machinery, heating and cooling units, service areas, loading areas, utility buildings and structures, and similar accessory areas shall be located to have a minimum negative effect on adjacent properties and shall be screened, if reasonably necessary, to ensure compatibility with surrounding properties.

5.83 Trash Receptacles

Trash receptacle enclosures shall be required for all uses except single family detached and two family dwellings, where an outdoor trash receptacle is stored. Trash receptacle enclosure locations and construction details meeting the requirements of this section shall be shown on site plans.

5.83(1)(a) Location.

Trash receptacle enclosures shall be located in the rear yard or non-required side yard, unless otherwise approved by the site plan reviewing authority. Trash receptacle enclosures for commercial and industrial sites shall be as far as practical from an adjoining residential district boundary.

5.83(1)(b) Access.

Access to the trash receptacles by refuse vehicles shall be designed to (b)prevent damage to automobiles in designated parking spaces; provided the enclosure doors shall not be highly visible from traffic entering the site from a public road.

5.83(1)(c) Base.

The trash receptacle base shall be at least nine (9) feet by nine (9) feet, constructed of six (6) inches of reinforced concrete pavement. The base shall extend six (6) feet beyond the dumpster pad or gate to support the front axle of a refuse vehicle.

5.83(1)(d) Screening.

Trash receptacles shall have a lid or cover and be enclosed by a wall on three sides with a wood gate on the fourth side. The enclosure shall be constructed of wood, plastic, vinyl, brick or split face block that matches the building color with a height of six (6) feet or at least one (1) foot higher than the dumpster, whichever is greater. Other decorative masonry material may be approved if it matches the material used on the principal building. Poured concrete with false brick design or plain concrete slag blocks are not permitted.

The Planning Commission finds that the proposed location of the trash enclosure meets the intent of the ordinance and the proposed development meets the requirements from Section 5.83.

Emergency Access

All building and structures shall be readily accessible to emergency vehicles.

The Planning Commission finds that the site plan has been reviewed and preliminarily approved by the Police Chief and Charlevoix Township Fire Chief. They have stated public safety vehicles have adequate access to the development.

Water and Sewer

Water and sewer installation shall comply with all city specifications and requirements.

City of Charlevoix Public works has reviewed the proposed development and finds that the City has sufficient capacity for any additional water or sewer needs based upon the current and proposed uses.. The Planning Commission finds that the proposed development meets these requirements.

Signs

Permitted signs shall be located to avoid creating distractions, visual clutter and obstructions for traffic entering or exiting a site.

The Planning Commission finds that there is no free standing signage being proposed for the property at this time. Any future signage will have to meet ordinance regulations

IV. CONDITIONS OF APPROVAL

The following section is taken directly from the Section 5.121 (pg. 131) of the Zoning Ordinance. The PC may impose conditions of approval on the site plan based on the following criteria.

5.121. Conditions of Site Plan Approval.

Conditions which are designed to ensure compliance with the intent of this ordinance and other regulations of the City of Charlevoix may be imposed on site plan approval.

Conditions imposed shall be based on the following criteria:

- (1) Ensure that public services and facilities affected by the proposed land use and site plan will not be adversely affected.
- (2) Ensure that the Use is compatible with adjacent land uses and activities.
- (3) Protect natural resources, the health, safety, welfare and social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
- (4) Ensure compatibility between the proposed use or activity and the rights of the city to perform its governmental functions.
- (5) Meet the intent and purpose of the zoning ordinance, be related to the regulations and standards established in the ordinance for the land use or activity under consideration and be necessary to ensure compliance with those standards.
- (6) Ensure compliance with the intent of other city ordinances that are applicable to the site plan.
- (7) Ensure compatibility with other uses of land in the vicinity.

V. Planning Commission Decision options: (choose one)

- A. **Approve** Project 2019-1 **without conditions**, based on specific findings of fact that prove the project does meet the review standards in Section 5.120;

- B. **Approve** Project 2019-1 **with conditions**, based on specific findings of fact that prove the project does meet the review standards in Section 5.120.
- C. **Deny** Project 2019-1 based on specific findings of fact that prove the project does not meet the review standards in Section 5.120,
- D. **Table** the decision on Project 2019-1 (Usually this option is only used when additional information is needed to assist the Planning Commission in making the decision.

5.47 Residential Uses

Site Condominiums

This chapter requires preliminary review of site condominium plans by the planning commission, followed by final review and approval by the city council, to ensure that site condominiums comply with this ordinance and other applicable city ordinances.

Planning Commission Review of Preliminary Plans.

Prior to final review and approval of a site condominium development plan by the city council, a preliminary site condominium development plan shall be reviewed by the planning commission in accordance with the procedures, standards and requirements provided by this section. Such review shall take place following a public hearing by the planning commission on the preliminary plan

The planning commission shall review the preliminary site condominium development plan in accordance with the standards and requirements contained in *Section 5.306* of the city Parcel Division Ordinance. All of the requirements for plats, as set forth in that section, shall apply to site condominium developments.

After reviewing the preliminary site condominium development plan, the planning commission shall prepare a written statement of recommendations regarding the proposed site condominium development, including any suggested or required changes in the plan. The planning commission shall provide a copy to the applicant and to the city council.

5.306. Standards for Approval of Divisions or Property Transfers.

An application to divide a lot, parcel, or tract of land, or to affect a property transfer shall be granted when all of the following standards are met:

- (a) The proposed division or property transfer shall comply with all requirements of the Land Division Act of 1967, being Act 288 of the Public Acts of 1967, as amended.
- (b) The lots, parcels, or tracts of land that will result from the division or property transfer shall comply with all requirements of the City of Charlevoix Zoning Ordinance, as amended, including but not limited to the requirements relating to area and width for the newly created lots, parcels, or tracts of land, the requirements relating to lake and/or street frontages, and the requirements relating to setbacks if the newly created lots, parcels, or tracts of land have buildings or structures on them.
- (c) Each lot, parcel, or tract of land that will result from the division or property transfer shall have an adequate and accurate legal description.
- (d) Each new lot, parcel, or tract of land that will result from the division shall have a depth of not more than four (4) times its width as measured under the requirements of the City of Charlevoix Zoning Ordinance. This standard shall not apply to a property transfer.
- (e) If a lot, parcel, or tract of land that will result from the division or property transfer will be a development site, then each such resulting lot, parcel, or tract of land shall have adequate easements for public utilities from each such resulting lot, parcel, or tract of land to existing public utility facilities.
- (f) Each lot, parcel, or tract of land that will result from the division or property transfer shall be accessible.
- (g) The owner of the parcel or tract of land shall possess the right to divide the parcel or tract of land. This standard shall not apply to a property transfer.
- (h) The property lines of the lots, parcels, or tracts of land that will result from the division or property transfer shall be consistent and in harmony with the property lines of the lot, parcel, or tract of land to be divided, or the lots or parcels involved in a property transfer, and/or the property lines of adjacent lots, parcels, or tracts of land.

BARRON & ENGSTROM, P.L.C.

ATTORNEYS AND COUNSELORS AT LAW

**P.O. BOX 309
309 PETOSKEY AVENUE
CHARLEVOIX, MICHIGAN 49720**

DANIEL B. BARRON
dbarron@barronengstrom.com

EDWARD F. ENGSTROM
efengstrom@barronengstrom.com

TELEPHONE: (231) 547-9950
TELEFAX: (231) 547-2977
bepic@barronengstrom.com

February 7, 2019
VIA E-MAIL (planner@charlevoixmi.gov)
VIA HAND DELIVERY

Jonathan Scheel
Zoning Administrator
City of Charlevoix
210 State Street
Charlevoix, Michigan 49720

RE: Level B Site Plan Review
220 Ferry Avenue

Dear Jonathan:

I am once again writing to you on behalf of Irish Boat Shop, in confirmation of our recent conversation. As discussed, my client contemplates implementation and documentation of the proposed project as a site condominium, and intends that the upcoming site plan review hearing will also constitute a preliminary site condominium review. I have thus enclosed the attendant fee of \$125.00.

As additionally discussed, this correspondence has also been prepared to serve a narrative describing the overall objectives of the proposed site condominium. Please be advised that a total of three (3) site units are contemplated within the pending application, which I will identify for ease of reference as the "marina unit," the "building unit" and the "lawn unit."

The "marina unit" will consist of a stretch of land which borders the seawall/waterfront, together with all dock related improvements and associated riparian rights which comprise the existing marina. The "building unit" will comprise the land within the footprint of the building, together with various contiguous areas. The "lawn unit" will comprise various land situated to the South of the "building unit."

The boundaries and dimensions of the foregoing site units will be delineated within the survey/condominium subdivision plan drawings which will be prepared upon preliminary approval, in conjunction with the written terms of the Master Deed, and will be attached as Exhibit "B" thereto. The balance of the land such as parking areas, will constitute common elements of the site condominium.

Jonathan Scheel
February 7, 2019
Page 2

The proposed building will be constructed upon the location and to the dimensions reflected within the application. The boundaries of the "building unit" will be delineated within the forthcoming survey/condominium subdivision plan drawings and will be submitted for final site condominium review as an attachment to the Master Deed, which will thereby depict the building as so located with the "building unit" boundaries and all other matters addressed above.

Please feel free to contact me with any questions or comments. I will also be present to answer any questions or comments at the site plan/site condominium review hearing.

Sincerely,

BARRON & ENGSTROM, P.L.C.



Daniel B. Barron

DBB/jlm

xc: André M. Poineau
Richard Hodgson II

Zimbra

planner@charlevoixmi.gov

Charlevoix Yacht Club / Irish Boat Shop Building, Case Number 2019-01, Feb 11 Meeting Comments by Charles & Shirley Paulk---AMENDED

From : cmpjr@aol.com

Mon, Feb 11, 2019 12:58 PM

Subject : Charlevoix Yacht Club /Irish Boat Shop Building, Case Number 2019-01, Feb 11 Meeting Comments by Charles & Shirley Paulk---AMENDED**To :** planner@charlevoixmi.gov

After sending our comments earlier, and included below, we found a more detailed description of the planned building on the building site, and it raises more **serious concerns** we have regarding the building plans. When looking at the detailed plans it is proposed that all the building's air conditioners and a dumpster enclosure be located at the north end of the property. This would cause serious noise concerns to residents at FBW due to the close proximity of the air conditioners and dumpsters to our building. The dumpster pickup is very early in the morning in our area and air conditioners running in such close proximity to our building combine to effectively make this a service area which could be a major noise issue and unpleasant to view for FBW residents.

At a minimum, we'd suggest that the Planning Commission require the builder to locate the building at the south end of the property away from any existing buildings, near the entry to the applicants docks and near Ferry Park, which is not as noise sensitive as residential property. Relocating the building to the south end of the property would minimize view and noise issues related to FBW residents.

We appreciate being able to submit our concerns but feel It would be a travesty to move forward with the current plans without the nearby residents, most of whom are summer seasonal residents who will be most affected by noise and impairment of existing views, not being able to be physically present at your meeting to hear the discussion of pro's and con's of the proposed plans. In this regard, if the plans are not modified to address these issues, I'd suggest deferring approval until the commission members can personally discuss nearby residents concerns via conference call or other means.

Charlie and Shirley Paulk

206 Ferry Ave Unit #1
Charlevoix, MI 49720

239 261-4835 or 239 777-1924

From: cmpjr@aol.com <cmpjr@aol.com>
Sent: Monday, February 11, 2019 10:40 AM
To: planner@charlevoixmi.gov
Subject: Charlevoix Yacht Club /Irish Boat Shop Building, Case Number 2019-01, Feb 11 Meeting Comments by Charles & Shirley Paulk

City Planning Commission:

We are sending you this communication in response to your notification and public meeting tomorrow of the new Charlevoix Yacht Club facility being proposed in conjunction with Irish Boat Shop at their Ferry Ave Marina property. As an owner of a condo on the south end of Foster Boat Works Condominium (FBW) my wife and I have several concerns and objections to the proposed facility. Following are our objections: (1) The proximity of the new construction is too close to the condo property line; (2) The current bath house is a small single story facility which doesn't block our southern view down the west side of the lake, when we look out our south facing windows. However, the proposed multi-story, significantly larger facility, which is also located on a higher elevation of land than our building, will obstruct the southern view, will probably obstruct the view of some of the southern sky, may cast a shadow that obstructs sunlight into some of the condo units on the south side of FBW building; (3) Will impose on the privacy of condo owners at the south end of FBW; (4) Similar view obstructions would likely impact the private residences across Ferry Ave as well as the residences of both Belvedere Terrace and Marina Bluffs condo associations; (5) A facility such as proposed will promote more noise and activity which will also impact the current relaxed atmosphere enjoyed by all nearby residences; (6) We would also think that building a tall building would have a significant negative impact on the appeal and value of any future development on the eastern portion of the Marina Bluffs property; (7) We also have a concern for parking in Foster Boat Works parking lots, which is currently a problem from time to time when events are being held on the property being built upon.

In general we do not feel this new building is in the best interest of the community and the surrounding property owners. We can see reasons for replacing the current building which is small and old but, building a multi-story large building and locating it near existing buildings will significantly change the nature of the property and impose upon

surrounding property owners in many undesirable ways.

We hope you will seriously consider our thoughts and concerns.

Sincerely,

Charlie and Shirley Paulk
206 Ferry Ave Unit #1
Charlevoix, MI 49720

239 261-4835 or 239 777-1924

February 11, 2019

Mr. Jonathan Scheel
Zoning Administrator, City of Charlevoix
Office of Planning and Zoning
210 State Street, Charlevoix, MI 49720
Via email: planner@charlevoixmi.gov

Re: 2019-01, Charlevoix Yacht Club (CYC) proposal

Dear Mr. Scheel & members of the Charlevoix Planning Commission

As residents of Foster Boat Works Association, at 206 Ferry Avenue, we have the following concerns with the proposed CYC construction project at 220 Ferry Avenue.

Our main concern is with the proximity of this facility to Foster Boat Works (FBW), the adjoining neighbor to the north.

- The structure is proposed to be built on the far north edge of the CYC property, a driveway's width away from the FBW property. This is unreasonably close for a multi-use facility of this size next to a residential community. We would request that the location of the structure be further south on the CYC property toward the existing Irish parking lot area and Ferry Beach Park, both uninhabited parcels.
- The 220 Ferry property is seven feet above grade from the 206 Ferry property, which adds to the "closeness" of this large structure.
- The driveway, on the north perimeter of the CYC property, leads to the trash dumpster which we understand will have the code-required walls around it. However, the noise and mess associated with a trash dumpster next to the property line with FBW is undesirable, not to mention garbage trucks backing up making noise, and operating in that same area.
- This same driveway also appears to be the service entrance for the CYC building. This too will create additional truck noise with deliveries, caterers, etc. that is undesirable so close to FBW.
- Finally, the mechanicals for the CYC building appear to be along the north side of the CYC structure and they do not appear to be inside walls or behind barriers. The visual from the FBW property, looking south, at the new facility is undesirable.

The rendering indicates a retaining wall would be installed as well as new plantings on this same north perimeter of the CYC property. We would propose that a 6-8' fence be installed that would better contain noise, blowing trash, foot traffic, and general operating activity within the CYC property location. It would also provide a more visually attractive view of the CYC property from the north.

We are supportive of the CYC facility and understand the positives of having a grand CYC facility on the shores of the Lake. However we are also concerned about the operation of the facility as a multi-use, rentable, banquet, party facility. In the summer months, in particular, with outdoor spaces and windows/doors open, we are concerned with music and noise activity in such close proximity to FBW, amplified by being on the Lake where sound carries. To the extent that the Planning Commission approves the use of the property we urgently request that all noise, alcohol, and operating rules be applied strictly to this facility. As residents of FBW, we are all too familiar with the additional traffic and parking issues that infringe on our property during special events all summer long (at Ferry Beach, fireworks, etc.). Having to deal with these issues in greater frequency, and potentially all year round, at the new CYC without clearly understood neighborhood considerations is not desirable.

Thank you for considering our feedback and request.

Sincerely,

Dave & Dori Couvreur
206 Ferry Avenue, #22
Charlevoix, MI 49720
616.481.2525

Zimbra

planner@charlevoixmi.gov

Charlevoix Yacht Club /Irish Boat Shop building, Case number 2019-01, Feb 11 meeting

From : Carol Hurst <carolhurst3@gmail.com>

Sun, Feb 10, 2019 11:04 PM

Subject : Charlevoix Yacht Club /Irish Boat Shop building, Case number 2019-01, Feb 11 meeting**To :** planner@charlevoixmi.gov

City Planning Commission:

We are sending you this communication in response to your notification and public meeting tomorrow of the new Charlevoix Yacht Club facility being proposed in conjunction with Irish Boat Shop at their Ferry Ave Marina property. As an owner in both Foster Boat Works Condominium and slip owner in Northwest Marina and a lessor of a slip in the Irish Ferry Ave. Marina, my wife and I have several concerns and objections to the proposed facility. First, the proximity of the new construction is too close to the condo property line. The current bath house is a small single story facility compared to the proposed multi-story significantly larger facility which will obstruct the view and degrade the privacy of condo owners at the south end of Fosters in addition to the residence across Ferry Ave and residence of both Belvedere Terrace and Marina Bluffs condo associations. The current site is the only opening providing an unobstructed view of Lake Charlevoix. Also, a facility such as this will promote more noise and activity which will also impact the current relaxed atmosphere enjoyed by all of the residences. Reading some of the variances being requested suggests the height of the building being an issue along with the esthetics on the roof with stacks and mechanical units. We also have a concern for parking in Foster and foot traffic back and forth to gain access to Northwest where many yacht club owners keep their boats. In general we do not feel this new building is in the best interest of the community and only serves the desires of a few who for the most part do not live in the adjacent residences.

We hope you will take our thoughts and concerns into consideration. Thank you.
Jeff and Carol Hurst

February 11, 2018

City of Charlevoix Planning Commission

ATTENTION: Kathy Egan
Via email

RE: Irish Boat Shop CYC – 220 Ferry Street
Agenda Item for consideration February 11, 2018

Dear Ms. Egan:

We are owners of an existing residential condominium unit adjacent to the proposed project. We are unable to attend the meeting this evening, and ask that you forward our objections to the planning commission members for their consideration.

The Google map submitted with the proposal does not accurately reflect the adjoining property in which our condominium is located. Foster Boat Works is an established 57 unit structure immediately to the north of the proposed development that is not depicted in the Google map. The Google map does reflect Northwest Marine Yacht Club, which is attached to the north end of the Foster Boat Works building consisting of a laundry facility, pool, and members lounge, as well as numerous boat wells. The quilt shop referenced in the map is not located in this vicinity. The south property line of Foster Boat works is the north property line of the proposed structure. Because the Google map does not depict the condominium, we feel the map itself is somewhat misleading.

Unless we are mistaken, the proposal calls for only a ten-foot setback from this common north-south property line. The size of the proposed structure and its proximity to the property line is a major cause of concern. The concern primarily regards noise, smoke, and parking.

The existing condominiums at Foster Boat works provide a quiet and serene setting, and have been established on this site for many years. Placement of a structure of this size only ten feet from the common property line will likely disturb the peace and tranquility at Foster Boat Works. All Foster Boat works units have either a patio or deck facing the water, and cooperative steps have been implemented both at Foster and at Northwest Marine Yacht Club for quiet hours after 9:00 P.M. The anticipated usage of the proposed structure will make enforcement of "quiet hours" nearly impossible to accomplish. The proposed use will surely have numerous activities well beyond 9:00 P.M. Given the addition of balconies and patios in the proposed structure, and the fact that noise travels easily over water, we foresee significant noise issues if the proposed use is authorized as submitted.

Foster Boat Works and Northwest Marine Yacht Club parking is consistent with city zoning requirements. Yet in the peak summer months, parking is severely limited. These are the same summer months when the proposed facility will be at maximum use. The northernmost driveway of the proposed facility is adjacent or nearly adjacent to the southernmost driveway at Foster Boat Works and Northwest Marine Yacht Club. It appears that the ingress and egress to the proposed facility will not be sufficiently distinguished from our existing driveways, and does not appear to be set up in a manner that will prohibit overflow parking from events such as weddings, sailing races or yacht club meetings and events from parking at Foster Boat Works and Northwest Marine Yacht Club when their lots become crowded or full.

A ten-foot setback does little or nothing to protect the established condominium from smoke and cooking odors. It is unrealistic to believe that there will not be cookouts, barbeques and other social functions both indoors and outdoors at the proposed facility. There do not appear to be any safeguards to protect the condominium owners from this type of activity.

While we are not necessarily completely opposed to the establishment of this facility, the proposal as submitted fails to provide sufficient safeguards to protect the existing condominium site. For these reasons, we voice opposition to the proposal.

Thank you for your consideration.

Sincerely,

/s/

Nancy and Charles Marr
206 Ferry, Unit 53
Charlevoix

CITY OF CHARLEVOIX

New Business

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Zoning ordinance Amendment 2019-001

DATE: February 11, 2019

BACKGROUND

This amendment contains several miscellaneous changes to the Zoning Ordinance including definitions of "building height", dwelling unit", "accessory dwelling unit" and "family"; outdoor storage of RVs; sign illumination; and to prepare some sections to allow for ADUs.

This amendment language is ready for the next step which is either a legal review (if required) or to be forwarded to a public hearing.

ATTACHMENTS:

- ❑ Amendment 2019-001 chart of amendments
- ❑ Amendment 2019-001 RV Storage language
- ❑ Amendment 2019-001 sign illumination language

City of Charlevoix
Zoning Ordinance Amendments - Housekeeping
2/11/19 PC Meeting

Old ZO		New ZO				
Page No.	Section Number	Page No.	Section Number	Topic	Language	Notes
5	5.6	28	153.005	Amend Building Height Defintion	Building Height. (a) The vertical distance measured from the average finished grade around the building to the highest point of a flat roof; to the deck line of a mansard roof; and to the average height between the eaves and ridge for a gable, hip and gambrel roof, or to an equivalent point on any other roof, excluding structural elements not intended for habitation and not exceeding six (6) feet above the maximum building height including antenna arrays, smoke and ventilation stacks, flag poles, mechanical and elevator equipment, and parapet walls designed solely to screen mechanical and elevator equipment. -(b) For a building located on a sloping site, height shall be measured from the average-finished grade. (See ' 153.146 of this chapter.)	to allow for roof mechanicals above building height
8	5.7	31	153.005	Amend Dwelling Unit Definition	Dwelling Unit. A building or portion of a building, designed for use and occupancy by individuals, or one family, for living, kitchen and bathing and sleeping purposes and with housekeeping facilities. A recreational vehicle, vehicle chassis or tent is not considered a dwelling.	clarification
8	5.7	31	153.005	Add Accessory Dwelling Unit Defintion under "Dwelling Unit"	Dwelling, Accessory (ADU). A second unit on an owner-occupied single-family parcel that is a minimum of three-hundred (300) and less than six-hundred-fifty (650) square feet and is either attached to the principal dwelling or in a separate structure on the same parcel.	add new ADU defintion
9	5.8	32	153.005	Amend Family Defintion	... A collective number of individuals, domiciled together in one (1) dwelling unit whose relationship is of a continuing, non-transient domestic character, and who cook and live as a single nonprofit housekeeping unit...	correct contradiction with STR (strike one word and keep everything else)
39	5.46(1) (f)	79	153.116 (A) (6)	Strike access bldg yard coverage standard	The total area of all accessory buildings and structures on a lot shall not occupy more than 25% of the rear yard.	already covered in lot coverage maximums which do include parking
41	5.46(3) (a) (3)	81	153.116 (C) (3)	Strike B&B parking standard	Off-street parking shall include a minimum of five parking spaces. Required parking shall be accessible at all times.	strike off street parking requirement

City of Charlevoix
Zoning Ordinance Amendments - Housekeeping
2/11/19 PC Meeting

Page No.	Section Number	Page No.	Section Number	Topic	Language	Notes
41	5.46(3) (a)(5)	81	153.116 (C) (5)	Amend B&B signage (strike all and replace)	Signage shall be subject to the requirements of ' '153.205 through 153.219.	refer to sign section
85	5.73	118	153.153(C)	Amend Outdoor Storage	Replace entire section on RV Storage with Attachment #1	update of RV stoorage
86	5.78(3)	119	153.158(C)	Amend Renting of Residential Properties to allow for STR and more housing	Strike (C): Accessory structures may not be rented to separate indivuals or groups.	allows for ADUs
86	5.78(4)	119	153.158(D)	Amend Renting of Residential Properties to allow for STR and more housing	Strike (D): Short term renting of individual rooms to separate individuals or groups is prohibited and shall be considered a bed and breakfast, which requires a special land use approval under ' '153.250 through 153.0257 of this chapter.	allows for STRs
86	5.78(5)	119	153.158(E)	Amend Renting of Residential Properties to allow for STR and more housing	Long-term renting of no more than one individual room in within a residential structure is permitted, as long as the structure is owner-occupied.	allows for renting more than one room
117	5.105(4)	143	153.207(D)	Amend Sign Illumination and Lighting section	Replace entire section with Attachment #2	allows for more modern sign illumination methods

Attachment #1

“ 153.153(C) Outdoor Storage

(C) Recreational Vehicle Storage

- (1) All recreational equipment and vehicles shall be maintained in good condition, shall be operable and shall have a current license and/or registration.
- (2) Recreational vehicles parked or stored outside shall not be connected to electricity, water, gas or sanitary facilities for living or lodging purposes other than allowed for in “ 153.153.(C)(9)
- (3) The parking and/or storage of buses and converted buses in excess of 18 feet in length, and boats in excess of 30 feet in length, is prohibited.
- (4) A suitable covering shall be placed over all boats whenever stored outside.
- (5) Outdoor storage of not more than two recreational vehicles shall be permitted.
- (6) Recreational vehicles shall be parked completely in an enclosed structure or within the side or rear yards, except that they may not be parked in required setbacks, and such units shall not be closer than five feet from any lot line, unless otherwise provided by this section.
- (7) Such units shall be placed or parked on a lot with a principal building, structure or use unless it is a lot which is attached to an occupied lot under the same ownership.
- (8) Recreational vehicles or recreational equipment may be parked or placed within any front yard or within a public right-of-way where on-street parking is permitted for a period not to exceed 48 hours for loading and unloading or in the process of normal maintenance and cleaning.
- (9) Recreational vehicles may be used for living or lodging purposes on a parcel with a principal building for no more than seven days within any 60-day period.

Attachment #2 (Sign Illumination and Lighting)

(D) *Illumination and lighting.*

~~(1) All electrical wiring to a sign shall be placed underground when applicable.~~

~~(2) Signs must be lighted indirectly and not internally. Indirect lighting shall be directed either downward or upward onto the sign face and shielded so that it illuminates only the sign face and does not shine directly into a public right of way or residential premises.~~

~~(3) Signs may be illuminated using a high intensity reflective surface or lettering.~~

~~(4) No sign may contain or be illuminated by flashing or intermittent lights or lights of changing degrees of intensity.~~

(1) For the safety of the general public, no unshielded lights, or lights directed upward or horizontally at sign faces, flashing lights, scrolling or moving electronic lights, or other distractive devices may be used in conjunction with any sign or business.

(2) Each sign, which is artificially illuminated, shall have the light source shielded from the direct vision of individuals using adjacent roadways, properties, or sidewalks.

(3) Signs shall not emit light directly into the sky. The light source shall not be positioned so that the center of the light source exceeds more than 45 degrees from ground level.

(4) Illumination by bare bulbs or flames is prohibited.

(5) Underground wiring shall be required for all illuminated signs that are not attached to a building.

~~(5)~~ (6) External neon signs no larger than two square feet in sign face area are allowed in the GC (General Commercial), CBD (Central Business District) and CH (Commercial Hospitality) Zoning Districts only.

CITY OF CHARLEVOIX

New Business

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: Zoning Ordinance Amendment 2019-002 Accessory Dwelling Units

DATE: February 11, 2019

BACKGROUND

This Zoning Ordinance amendment contain the provisions for allowing ADUs in the R2 Zoning District. This amendment language is ready for the next step which is either a legal review (if required) or to be forwarded to a public hearing.

ATTACHMENTS:

- ▣ 2019-002 ADU amendment

City of Charlevoix Planning Commission
Draft Zoning Ordinance Amendment to allow ADUs
February 11, 2019 Meeting

ITEM #1

Old Ordinance Reference: p23 Section 5.25 (2)

New Ordinance: p64 Section 153.070(B)

R2, Medium Density Single Family Residential District. The R2 District has the same intent as the R1 District, but allows a slightly higher residential **density** by permitting smaller minimum **lot areas** and opportunities for additional dwelling units on a parcel.-

ITEM #2

Old Ordinance Reference: p24 Section 5.26

New Ordinance Table 153.071 p65 – add two new listings under "Dwellings"

Portion of Table

Dwellings	Single family, detached	P	P	P	P	P	Section 5.47(1)
	Single family, attached	-	-	P	P	P	Section 5.47(1)
	Two family	-	-	P	P	P	
	Multiple family	-	-	-	P	P	
	Accessory Dwelling Unit	-	P	-	-	-	Section 153.116(D)
	Home Conversion	-	P	-	-	-	Section _____

ITEM #3

Old Ordinance Reference: p25 Section 5.27 Add new Table 5.27(3)

New Ordinance p67: add new Table after' 153.072(B) and renumber the rest of the section

Create chart:

Table 153.072 (c) Dimensional Requirements: Square footage for accessory dwelling units and home conversion units

Zoning District	Floor Area (sq. ft.)	
	Minimum	Maximum
R2	300	650

ITEM #4

Old Ordinance Reference: p57 Section 5.47 (4)

New Ordinance p92: add new section 153.117(D)

153.117 (D) Accessory Dwelling Unit (ADU).

- (1) ADUs are subject to all applicable regulations of the zoning district in which they are located unless otherwise expressly stated in this ordinance. ADUs are considered an accessory building and shall fit within the standards of ' 153.116(A) which covers both attached and detached ADUs.
- (2) In districts that allow ADUs, they may be allowed on any legal parcel of record as of January 1, 2019, and there shall be an existing principal residential use on the parcel.
- (3) At least one of the units on the parcel shall be occupied by an owner with at least 50% interest in the subject property. The owner shall occupy either the principal dwelling unit or the ADU as their permanent residence via Michigan homestead exemption. An ADU shall not be sold independently of the primary dwelling on the parcel.
- (4) The minimum square footage of an ADU is 300 square feet. The maximum square footage of an ADU is 650 square feet.
- (5) A permanent foundation is required.

- (6) The maximum lot coverage for parcels with an ADU may be increased to a maximum of 50% when stormwater runoff equivalent to 20% of the lot coverage area is collected in rain barrels, rain gardens, or is mitigated via porous concrete or other materials on the parcel.
- (7) The ADU shall be designed so that the appearance of the structure maintains that of a single-family dwelling.
- (8) Any exterior staircases that provide access to a second floor ADU shall not be on the front of either the principal dwelling or the ADU.
- (9) Dimensional Requirement Modifications. Under some circumstances certain dimensional requirements modifications may be granted by a Special Land Use Permit after a site plan review by the Planning Commission. Application for modifications may be applied for new construction or pre-existing structures built prior to 2019 that are located within the required setbacks of the district. In order to grant a Special Land Use permit for any modifications all of the following must be met:
 - (a) That any walls within the setback areas comply with applicable building and fire codes.
 - (b) That a setback requirement of a minimum of 5 feet from the side and rear property lines shall be required.
 - (c) The location and design of the ADU maintains a compatible relationship to adjacent properties and does not significantly impact the privacy, light, air, or parking of adjacent properties.
 - (d) Windows on the ADU that impact the privacy of the neighboring side or rear yards have been minimized or screened.

ITEM #5**Old Ordinance Reference: p102 Section 5.92.(8)****(New Ordinance p132 Section 153.187)**

Portion of Table. Parking and Access Requirements by Use

Table 153.187 Parking and Access Requirements by Use	
Use	Number of Parking Spaces
Residential Uses	
Bed and breakfast	See Section ' 153.116(C)
Boarding, rooming house, principal dwelling with ADU, home conversion	Minimum of two (2) off-street spaces required.
Dwellings above first floor businesses	One (1) space per dwelling unit .
Multiple family residential dwellings	Minimum of two (2) off-street spaces required.
Senior apartments and senior independent living	One-half (0.5) space per unit, and one (1) space per employee. Should units revert to general occupancy, the requirements for multiple family residential dwellings shall apply.
Single family and two family dwellings	Minimum of two (2) off-street spaces required.

CITY OF CHARLEVOIX

Staff Updates

TO: Planning Commission

FROM: Kathy Egan

SUBJECT: New City Code Book

DATE: February 11, 2019

BACKGROUND

The City's codes, which includes the Zoning Ordinance, have all been re-codified into a new format which will likely be adopted soon by the City Council. This means that the Zoning Ordinance's section numbers have all changed.

It is the goal of the Council is to be environmentally conscious and move away from being so "paper driven". The new format is supposed to be very user friendly and searchable, and the online version will be updated as ordinances are enacted. If you do require a paper version please let me know. The paper copies will only be updated once a year.