CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
Monday, July 8, 2019 - 6:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

A. Call to Order/Pledge of Allegiance

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, Dennis Halverson, Phillip Parr, RJ Waddell
Members Absent:	David Gray, Jennifer Muladore
Staff Present:	Kathy Egan, Community Planner; Jonathan Scheel, Zoning Administrator

C. Inquiry into Potential Conflicts of Interest

D. Approval of Agenda

Member Halverson stated that he wanted to amend the agenda to include the process used to change the original Hotel Earl site plan. Chair Chamberlain stated that he was going to bring up a couple of items under Item J including making changes to type A reviews, rooftop zoning issues, elevators and mechanical devices.

Motion by Member Halverson, second by Member Waddell to address the Hotel Earl building permit under Old Business. Motion passed by unanimous voice vote.

Motion by Member Waddell, second by Member Edwards to approve the Agenda as amended. Motion passed by unanimous voice vote.

E. Approval of the Minutes

1. <u>May 13, 2019 Draft Minutes</u>

Motion by Member Waddell, second by Member Gelb to approve the minutes of May 13, 2019 as presented. Motion passed by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

1. <u>Submitted Public Comment</u>

Chair Chamberlain stated that they received a letter from Rick Golding and response from Zoning Administrator Scheel included in the agenda packet.

G. New Business

1. <u>Legal Review of Proposed R-2 Housing Amendment</u>

Planner Egan reviewed each of the changes proposed by the City Attorney and responded to questions from the Commission. After discussion, the Commission agreed to eliminate the language regarding "all units shall be rented for more than 30 days at a time" in the sections under Sec. 153.117(F), Home conversions and Sec. 153.117 (G). Planner Egan stated that she would like to include a definition of "home conversion" when this goes to public hearing.

2. <u>Sandwich Board Sign Standards Discussion</u>

Discussion followed regarding the history of the sandwich board sign issue, sidewalk congestion, lack of enforcement, and number of sandwich boards allowed in front of each business. Planner Egan felt that businesses need a permit to have a sandwich board sign. She suggested language "one per building frontage, has to be perpendicular to the building and touching the building". Member Waddell wanted to add "one per street front business". Planner Egan stated that she would create a summary outlining concerns and comments. Chair Chamberlain suggested getting input from the Downtown Development Authority about the issue.

H. Old Business

1. <u>Forward Housing Amendment to Public Hearing</u>

Motion by Member Parr, second by Member Felter to set a public hearing for the proposed housing amendments as outlined on pages 8-12 of the agenda packet for August 12, 2019 at 6:00 p.m. Motion passed by unanimous voice vote.

2. <u>Forward Parking Amendment to Public Hearing</u>

Motion by Member Felter, second by Member Edwards to set a public hearing for the proposed parking amendments as outlined on pages 16-24 of the agenda packet for August 12, 2019 at 6:00 p.m. Motion passed by unanimous voice vote.

3. Recreational Vehicle Storage
Member Waddell referenced #9 regarding no parking on the street and questioned if that meant that no boats could be parked on the street. Planner Egan stated that all basic street parking requirements and rules would apply to recreational vehicles.

Motion by Member Felter, second by Member Gelb to set a public hearing for the proposed recreational vehicle storage amendments as outlined on pages 26-27 of the agenda packet for August 12, 2019 at 6:00 p.m. Motion passed by unanimous voice vote.

4. Review the Hotel Earl Site Plan Amendment Process
Members Parr and Gelb recused themselves. Zoning Administrator Scheel explained the Zoning Ordinance Site Plan A and B review processes. He looked at the plan that was submitted and the deck structure was less than 2,000 sq. ft. so he made the decision based on the Zoning Ordinance that he could review the site plan amendment. He also reviewed the height of the two staircases and elevator in accordance with the Ordinance standards and approved it.

Member Halverson stated that the Level B site plan that was submitted did not contain any sort of stairwells, elevator shaft to the roof, or venue on the rooftop. He noted that the Zoning Administrator does not have the authority to exceed 10' on a structure after a site plan approval or changes in floor plans which alter the character of the use. He stated he would argue that a rooftop venue would alter the character of that use and the structure size was over 10'. Member Halverson noted that the Planning Commission was not allowed to review the site plan revisions.

Zoning Administrator Scheel stated that Member Halverson should take his concerns to the City Manager rather than airing them in a public meeting. Member Halverson stated that this was going to create consternation with the neighbors because they did not get a chance to put this through the normal vetting had it been part of the original site plan review. Zoning Administrator Scheel stated that it met the Ordinance standards as he read them, and the City had noise and alcohol ordinances that Hotel Earl would have to abide by. He stated that they do not have additional standards in the Ordinance that deal with elevation in the City.

General discussion followed regarding roof top equipment/structure, elevation issues, elevator shafts, and the change of intended use on the Hotel Earl rooftop. Member Halverson stated that he put a high priority on transparency in government. Zoning Administrator Scheel stated that Site Plan A did not provide transparency because the decisions were done administratively. Chair Chamberlain stated that this discussion pointed out some weaknesses in the Zoning Ordinance. Members Parr and Gelb rejoined the meeting.

I. Staff Updates

1. Zoning Ordinance Updates
Planner Egan stated that they were doing a lot of changes to the Zoning Ordinance therefore they would not be printing new hard copies for the Members. The Ordinance on the City's website is up to date.

Member Waddell attended the Ferry Dock Optimization meeting and felt it was evident that the audience did not want the dock on Ferry Beach. Chair Chamberlain was disappointed with the moderator not knowing the City's Master Plan.

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

Planner Egan reviewed the list: three public hearings, discussion on Level A and B site plans, sandwich boards, rooftop uses and a rezoning request.

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

Motion by Member Parr, second by Member Edwards to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 7:49 p.m.

Joyce M. Golding/fgm — City Clerk

Sherm Chamberlain — Chair