

CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
Monday, August 12, 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, David Gray, Dennis Halverson, Jennifer Muladore, Phillip Parr, RJ Waddell
Members Absent: None
Staff Present: Kathy Egan, Community Planner; Jonathan Scheel, Zoning Administrator

Chair Chamberlain announced that the rezoning request for 226 West Carpenter (New Business, G1) was withdrawn. He stated that this property was classified as low density development and one key element in the Master Plan was the need to preserve the character of the area. The West Carpenter/Westport area is a long-standing neighborhood in the City with year-round residents. Chair Chamberlain stated it was Mr. Halverson's job to work within the character of the neighborhood and Mr. Halverson will look at another plan.

C. Inquiry into Potential Conflicts of Interest

D. Approval of Agenda

Motion by Member Gray, second by Member Felter to approve the Agenda as amended with the removal of Item G1. Motion passed by unanimous voice vote.

E. Approval of the Minutes

1. July 8, 2019 Draft Minutes

Motion by Member Waddell, second by Member Gelb to approve the minutes of July 8, 2019 as presented. Motion passed by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. Public Hearing: Rezoning Request, 226 West Carpenter LLC, 226 West Carpenter (item withdrawn)

2. Public Hearing: Zoning Ordinance Amendment – Housing

Planner Egan stated that the legal review clarified a sentence and an understanding that developments could have a single-family dwelling in the R-2 district, but not a development of multi-family buildings in an R-2 district.

The public hearing was opened and closed as there were no public comments.

Motion by Member Parr, second by Member Felter to approve the Zoning Ordinance Amendment – Housing outlined on pages 39-41 of the agenda packet and to forward recommendation for approval to the City Council. Motion passed by unanimous voice vote.

3. Public Hearing: Zoning Ordinance Amendment – Parking

Planner Egan stated that she and the Zoning Administrator reviewed the entire section of the parking ordinance as a result of the changes to the Housing section. The initial revision was to change the language from requiring two parking spaces per dwelling unit down to two parking spaces for each lot in the R-2 district. She stated that she and the Zoning Administrator were also working on winter parking rules to allow some parking on the street. Member Waddell questioned the number of parking spaces under the Institutional Uses section and Zoning Administrator Scheel stated that he would clarify the definition.

The public hearing was opened and closed as there were no public comments.

Motion by Member Muladore, second by Member Edwards to approve the Zoning Ordinance Amendment – Parking as outlined on pages 43-45 of the agenda packet and to forward recommendation for approval to the City Council. Motion passed by unanimous voice vote.

4. Public Hearing: Zoning Ordinance Amendment – Outdoor Storage

Planner Egan stated that this amendment would strike the entire section on Outdoor Storage and re-title it "Recreational, Equipment and Vehicle Storage."

The public hearing was opened and closed as there were no public comments.

Motion by Member Felter, second by Member Waddell to approve the Zoning Ordinance Amendment – Outdoor Storage outlined on pages 53-55 of the agenda packet and to forward recommendation for approval to the City Council. Motion passed by unanimous voice vote.

H. Old Business

1. Sidewalk Usage Discussion

Zoning Administrator Scheel stated one of the biggest enforcement issues in the downtown area was what can be placed on sidewalks. He stated that most of these sections were health and safety issues and were not in the Zoning Ordinance, but the City Manager asked for input from the Planning Commission on this matter. Discussion followed regarding sandwich boards on private vs. public sidewalks, merchandise/sidewalk sales, chairs/tables, and outdoor dining.

Kirby Dipert presented the merchant's perspective on this issue. He recalled the Planning Commission's recommendation to Council for an ordinance that wouldn't allow "things to be parked out on the sidewalk" such as clothes racks or clothing hung from the face of the building. Zoning Administrator Scheel was uncertain whether that ordinance existed as he has been unable to locate it, but he would do a review of the meeting minutes. Mr. Dipert felt that the sidewalk space has been overused. Member Parr felt that the merchants were trying to push the issue more because the City was becoming busier. Member Halverson felt this was a matter for the Planning Commission and he also felt that enforcement of the ordinances downtown had become optional.

Zoning Administrator Scheel felt that it would be difficult to enforce ordinances that have not been enforced for years. Chair Chamberlain suggested speaking to the City Manager to make sure everyone was on the same page with enforcement. Mr. Dipert recalled that charging a fee was considered during the outdoor dining policy discussion. Chair Chamberlain asked Zoning Administrator Scheel to check the minutes and then discuss the matter with the City Manager.

2. Rooftop Usage Discussion

Planner Egan noted that she looked for rooftop ordinance language for small communities; all the ordinances she found were dealing with much larger cities. There was discussion regarding the Hotel Earl project, rooftop equipment, standards for rooftop applications, uses they did or did not want to see on rooftops, use of alcohol on rooftops, and allowable venues. Planner Egan offered to develop a worksheet to spark further discussion on each of these topics.

I. Staff Updates

Chair Chamberlain mentioned upcoming training in Petoskey on September 30th specifically formulated for communities working toward re-development community certification.

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

Member Waddell stated that he was now on the Housing Commission and they had an all-day statewide training session on affordable housing. He noted that Pine River Place was a senior citizen apartment building and behind that was property that goes all the way to Carpenter which could be developed for affordable housing.

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 7:16 p.m.