

CITY OF CHARLEVOIX
210 STATE ST. CHARLEVOIX, MICH. 49720

PLANNING COMMISSION PUBLIC MEETING AGENDA

Created: December 4, 2017 Posted December 7, 2017 at 10 a.m.

MONDAY, December 11, 2017 at 6:00 P.M. in the City Council Chambers.

- 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 October 9, 2017 AND November 13, 2017 MINUTES
- F) CALL FOR PUBLIC COMMENT NOT RELATED TO AGENDA ITEMS
- G) NEW BUSINESS
 - 1. Public Hearing / Findings of Fact Meeting Procedures
 - a. Staff presentation
 - b. Planning Commission Discussion
 - 2. Level B Site Plan Review 2017-11 SP: Wojan Aluminum Products Corporation Site Plan Review
 - a. Staff/Applicant presentation
 - b. Call for Public Comment
 - b. Planning Commission Discussion
 - c. Motion
 - 3. Ordinance Updates (Admin & Signage) – Schedule Public Hearing
 - a. Staff presentation
 - b. Planning Commission discussion
 - c. Motion
- H) OLD BUSINESS
 - 1. Overlay Districts
 - a. Staff presentation
 - b. Planning Commission discussion
- I) STAFF UPDATES
 - 1. Solid Waste Ad Hoc Committee
 - 2. Agendas & Packets
- J) REQUESTS FOR NEXT MONTHS AGENDA OR RESEARCH ITEMS.
- K) ADJOURNMENT

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 1 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
PLANNING COMMISSION MEETING MINUTES
Monday, October 9, 2017 - 7:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

A. Call to Order

The meeting was called to order at 7:00 p.m. by Chair Chamberlain.

B. Roll Call

Chair: Sherm Chamberlain

Members Present: Judy Clock, John Elzinga, Mary Eveleigh, Toni Felter, Rick Golding, Nelson Fletcher, RJ Waddell

Members Absent: Dennis Halverson

Staff Present: Elise Crafts, Regional Planner Networks Northwest

C. Inquiry Into Potential Conflicts of Interest

D. Approval of Agenda

Chair Chamberlain wanted to add employer-owned housing as there were a couple of restaurants that purchased homes for their employees and there were some questions regarding houses that would have four unrelated individuals living in the home. The agenda was approved as revised.

E. Approval of Minutes – September 11, 2017

Motion by Member Fletcher, second by Member Clock, to approve the minutes of the September 11, 2017 meeting as presented. Motion passed by unanimous voice vote.

F. Call for Public Comment not Related to Agenda Items

G. New Business

1. Planning Commission To Do List Discussion

Regional Planner Crafts stated that Interim Zoning Administrator Sullivan will be presenting options to City Council on the Site Plan Review process amendment prior to Planning Commission discussion. Chair Chamberlain stated it was a priority to finish the draft of the Zoning Ordinance changes for presentation to City Council. Member Waddell indicated that the proposed language regarding retaining walls was not presented to Council. Chair Chamberlain stated that the side lot setback issue needed to be resolved as well. Member Waddell addressed the issues of long term rentals, affordable housing, and historical district overlays as subjects for future discussion.

Planner Crafts summarized the items that were not addressed yet including:

- Clarify uses allowed in residential and non-residential districts
- Add language regarding State licensed residential facilities
- Review the home occupation section under accessory building usage
- Suggestions regarding building regulations, non-conforming uses, and conditional zoning.

She will prepare suggested language changes for discussion at the next Commission meeting. Member Waddell requested a list of items that the Commission has approved, but were pending Council approval.

H. Old Business

1. Zoning Code Review: Signage

a. Staff Presentation

Regional Planner Crafts proceeded to review her memo dated October 3, 2017 regarding the Draft Signage Ordinance including the following subjects:

- *Nuisance ordinance conflict (Section 6.3(8))* – section is confusing and needs to be amended
- *Abandoned signage* – After discussion, the Commission agreed not to include the definition because the issues were addressed in other sections of the sign ordinance.
- *How are window signs enforced currently? General sign enforcement trends?* Planner Crafts stated that Code Enforcement Officer Jones encouraged the Commission to keep window signage no greater than 25% of a window pane or not exceeding six sq.ft. as allowed. After discussion, the Commission concurred to not regulate the square footage of signs in windows.
- *Temporary Banners* – Discussion regarding the standard that read: “unfair competition among local

businesses" which is difficult to determine. The Commission concurred to remove the phrase: "by non-profits or for-profit businesses or entities" from the definition of temporary banners.

- *What is the perspective of business owners, realtors, residents, etc. related to the City's sign ordinance?* Planner Crafts reviewed her memo regarding community feedback she received about the sign ordinance.
- *How shall the maximum number of signs be determined? By business? Parcel? Frontage?* Planner Crafts reviewed three scenarios regarding the maximum number of signs allowed: business friendly, current interpretation for business max, and a combination of the two. She noted that most businesses have three or more signs with some of those signs "grandfathered in" but that can be difficult to prove. She suggested the members check out the district.

Discussion followed regarding political signs and Planner Crafts stated that she would research the issue further and bring back more information to the November meeting. The Commission agreed to take a month and see what is out there before making a decision.

Discussion followed regarding corner businesses which essentially give them two frontages, maximums per linear frontage. These issues would be addressed at a future meeting. Member Waddell questioned the "Projecting Signs" section and Planner Crafts advised that she will clarify the subject language regarding wall signs and projecting signs.

Member Halverson noted that language on page 5 of the proposed ordinance, (5), *Unsafe Signs* (ix), regarding the costs remedying the unsafe condition being collected by a lawsuit against the sign owner. After discussion, the Commission concurred to change the language in item (ix) to read: "The costs of remedying the unsafe condition will be collected by the City from the owner of the sign or advertising device or the owner of the property on which the sign or advertising device is located."

b. Planning Commission Discussion

Discussion held during Staff Presentation.

2. Employer Owned Housing Discussion

Chair Chamberlain began a discussion regarding Interim Zoning Administrator Sullivan's request for guidelines relative to employer owned housing whereby a couple of restaurants in Charlevoix have purchased houses for their key employees. He stated that housing for workers is a problem in the City and businesses are starting to purchase homes to house their employees as part of their compensation. Interim Zoning Administrator Sullivan questioned if this would be considered a boarding house. After discussion, the Commission concurred not to regulate employer housing, and let the Zoning Administrator review the request as a single-family home and also review the parking situation.

Planner Crafts felt an enforcement problem could arise with the definition of boarding house which is unclear. She suggested that there were a couple of ways to clear this up including: define boarding house, remove boarding house from special use, or amend/remove the definition of family.

I. **Staff Updates**

1. Solid Waste Ad Hoc Committee

Member Clock stated that the Committee met with the City Manager and DPW Superintendent. Their main concern was the grass clippings in the street and it was suggested bagging the clippings and have one of the garbage haulers pick them up. Member Fletcher stated that the Committee was looking at having a single hauler option.

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

K. **Adjournment**

Motion by Member Clock, second by Member Waddell, to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 8:46 p.m.

Joyce M. Golding/fgm

City Clerk

Sherm Chamberlain

Chair

CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
Monday, November 13, 2017 - 7:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

A. Call to Order

The meeting was called to order at 7:00 p.m. by Chair Chamberlain.

B. Roll Call

Chair:	Sherm Chamberlain
Members Present:	Judy Clock, Mary Eveleigh, Nelson Fletcher, Toni Felter, Dennis Halverson, RJ Waddell
Members Absent:	Rick Golding
Staff Present:	Elise Crafts, Regional Planner Networks Northwest

C. Inquiry into Potential Conflicts of Interest

Chair Chamberlain indicated that he had a Conflict of Interest with New Business, Items 1 and 2.

Member Clock indicated that she has children who work with the business proposing New Business, Items 1 and 2, but she does not benefit directly from this arrangement. The Commission agreed that this was not a conflict.

D. Approval of Agenda

No revisions were proposed, and the agenda was approved unanimously by the Commission members.

E. Approval of the October 9, 2017 Minutes

The subject meeting minutes were not included in all the agenda packets; therefore, the October 9th minutes will be scheduled for approval at the December regular meeting.

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. Special Land Use Permit Application, Project 2017-09 SU

David Marvin, VP Stafford's Hospitality, proposed the purchase of an existing residence Zoned R-1 with a North Side Professional Overlay located at 403 Petoskey Avenue and use it for housing for four Weathervane Restaurant employees. Due to the definition of "family" that is contained in the City of Charlevoix Zoning Ordinance, the applicant has no option for providing housing for their employees in R-1 or R-2 Zone Districts other than choosing the Boarding/Rooming House option, which is an allowed use with a Special Use Permit. Chair Chamberlain left the dais and Vice Chair Clock opened the discussion for public comment.

Greg Bryan (not a neighboring property owner) stated that he was not in favor.

David Marvin, prospective purchaser of the property under review, explained the project's goals and details and he supported the proposed use.

Bill Dietrich, realtor for the seller, supported the proposed use.

Melissa Garner, 405 Petoskey Avenue, questioned if the use could ever be expanded to more than four individuals. Regional Planner Elise Crafts explained that the proposed condition of approval capped the residence at four individuals.

Bill Herriman, 403 Petoskey Avenue, provided a history of the property and explained logistics of accessing the property from the street.

Interim Zoning Administrator Sullivan provided a brief overview of the project, clarified that Special Use Permits run with the land and not with the individual applying for said permit, and answered questions regarding parking. Member Waddell was concerned with the increased traffic, a dirt parking lot and the lack of non-street parking.

Vice Chair Clock read each of the suggested findings provided by Staff and no changes were made by the Commission. She also read aloud the Conditions of Approval including the Staff recommended condition: "The condition is the number of persons allowed to reside in the Boarding/Rooming House is limited to four persons."

Motion by Member Felter, second by Member Waddell, to approve Project 2017-09 SU based on the specific findings of fact that the application does meet the review criteria in Sections 5.25 and 5.133 with the additional condition that it is limited to four persons allowed to reside in the Boarding/Rooming House.

Yeas: Clock, Eveleigh, Fletcher, Felter, Halverson, Waddell
Nays: None
Absent: Golding
Abstain: Chamberlain

2. Level B Site Plan Review 2017-10 SP: Herriman/Marvin Site Plan Review

Vice Chair opened the item to public comment. There was no comment and the item was closed. Interim Zoning Administrator Sullivan stated one issue was ensuring that the parking spaces are not located in the side yard setbacks and noted that one of the spaces proposed on the site plan is into the side yard setback and in the right-of-way. Another issue is what type of surface to require for the driveway and the parking area.

Discussion followed regarding parking regulations, the requirement that two or more parking spaces constitutes a parking lot, special use requirements, surfacing consisting of grass, gravel, brick or pavement, and leaving the driveway intact with space for two parking spaces. Member Halverson stated that the restriction of four individuals living in the house would not change, and there is no argument that it is a parking lot even though it's called a parking area on the site plan. Section 5.94 of the Zoning Code requires that parking lots be hard-surfaced. Mr. Herriman asked that the Commission consider giving them a year to have the parking lot constructed.

Regional Planner Crafts summarized the two options available with regard to the parking requirements: a) the applicant shall comply with the requirements of Section 5.94 for off-street parking facility design, but allowing the applicant to comply with those requirements within one year; or b) to look at Section 5.94 where if there were other forms of travel such as bicycles, the Planning Commission could say that parking requirements are overly excessive and the parking spaces can be deferred keeping that space free and clear. Regional Planner Crafts suggested a condition of approval that read: "All proposed parking facilities shall comply with all applicable Zoning Ordinance provisions including Section 5.94, Off-Street Parking Facility Design by November 1, 2018."

Motion by Member Halverson, second by Member Eveleigh, to approve Project 2017-10 SP with conditions based on the specific findings of fact.

Yeas: Clock, Eveleigh, Fletcher, Felter, Halverson, Waddell
Nays: None
Absent: Golding
Abstain: Chamberlain

3. Short-Term Rental Subcommittee

a. Motion to Dissolve Subcommittee

Chair Chamberlain returned to the dais. Motion by Member Clock, second by Member Felter, to disband the Short-Term Rental Subcommittee. Motion passed by unanimous voice vote.

H. **Old Business**

1. Zoning Ordinance Language Progress Report

a. Staff Presentation

Regional Planner Crafts proceeded to review her memo regarding a summary of the ordinance language changes made by the Commission since April 2017 including administrative edits and new ordinance language regarding signage and solid waste issues that were still under discussion.

b. Planning Commission Discussion

After discussion, the Planning Commission agreed to move forward with the administrative edits included in Articles 1-12. Regional Planner Crafts explained the standard process was that the proposed changes go to City Council for an informal review (December), Council sends it back to the Planning Commission for a public hearing (January), and then back to City Council for the actual ordinance changes and public hearing (February).

2. Planning Commission To-Do List

a. Staff Presentation

None.

b. Planning Commission Discussion

Member Waddell stated that review of the boarding house, dormitory and employee housing definitions should be added to the To Do list, and the Commission agreed.

3. Zoning Code Review: Signage

a. Staff presentation

Regional Planner Crafts recalled the two outstanding issues at the last meeting were sign number maximums and political signage. She recapped the research she did relative to political signage and stated that political signs should be treated as "temporary signage". She reviewed proposed temporary signage language.

b. Planning Commission Discussion

Member Waddell stated that there was language in the Nuisance Ordinance which allowed hanging signs on utility poles and felt that language needed editing.

Discussion continued regarding temporary signs, political signs and implications of current legislation regarding content-neutral signage. Regional Planner Crafts summarized that the Commission would be going forward with recommending no maximum number for temporary signage. She requested input on a maximum number for all sign types in all zoning districts. Discussion continued regarding various examples of existing signage on businesses in the downtown district, three proposed scenarios, and temporary ground signs in the CBD District. The Commission selected Scenario 1 (Business-Friendly Model) for the maximum number of signs and agreed that Regional Planner Crafts should make the updates and present the draft Signage Ordinance to City Council for review.

I. **Staff Updates**

1. Solid Waste Ad Hoc Committee

Member Clock stated that the Ad Hoc Committee meeting was postponed until Monday, November 20th.

2. Historic District Creation Process

Planner Crafts stated that she will have a formal presentation at the next meeting. Member Waddell requested more information regarding current overlay districts and their locations.

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

Interim Zoning Administrator Sullivan noted that there may be two site plan reviews at the next meeting. One is for an expansion to Wojan's, and a RPUD Subdivision named Peppervine proposed to be located behind the American House. Interim Zoning Administrator Sullivan requested that the Commission hold their next meeting at 6:00 p.m. due to his scheduling conflict

K. **Adjournment**

Motion by Member Felter, second by Member Clock, to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 9:43 p.m.

Joyce M. Golding/fgm

City Clerk

Sherm Chamberlain

Chair

MEMO

December 6, 2017

To: City of Charlevoix Planning Commission

From: Elise Crafts, Networks Northwest

Re: Zoning Overlay Districts in Charlevoix

Staff recommends the Planning Commission follow the procedures below for conducting public hearings, obtaining public comment, and reviewing findings of fact. These are draft guidelines, based on the Open Meetings Act and best practices in neighboring communities. Discussion and suggestions are welcome.

Public Hearing Procedure

Staff recommends the Chairperson follow the following steps when conducting a public hearing:

1. Staff/Applicant presentation
2. Planning Commission questions/clarification
3. Public comment
4. Planning Commission discussion*
5. Motion*
6. Vote

*A motion could be made prior to any discussion – and vice versa - discussion could occur after a motion is made. These two steps may repeat a few times if a motion fails.

Public Comment Guidelines

Staff recommends that the Chair (or staff) reads the following guidelines into the record prior to any comment being received. This is common practice in other communities and helps the public better understand the purpose/guidelines of a public hearing.

- Public comment provides an opportunity for the public audience to voice their opinion on record. Please address only the Planning Commission during your comment. Silence or non-response from the Commission should not be interpreted as disinterest or disagreement by the Commission.
- Public comment will be specifically solicited at the beginning of the meeting for non-agenda items and during all public hearings. If you wish to offer comment on an agenda item for which there is no public hearing scheduled, please raise your hand to be recognized and do not address the Commission until called upon by the Chairperson.
- Any person wishing to address the Planning Commission shall clearly state their name and address prior to offering any comment.

Findings of Fact Procedure

Staff does **not** recommend the Planning Commission review standards on a finding-by-finding basis. Reading each finding eats up time (particularly when the Commission is considering multiple projects in one meeting) and is unnecessary if the Commission doesn't have any concerns with a proposed finding.

Instead, staff recommends the Planning Commission either:

- (1) Review findings page-by-page
- (2) Identify which findings they have questions/concerns about, discuss those individually, and treat the remaining findings similar to a consent agenda (approve in bulk).

If there is any confusion, staff can help summarize which findings have been approved by consent and the results (yay/nay) of the findings which have been discussed.



PLANNING COMMISSION AGENDA ITEM

AGENDA TITLE:	<u>Level B Site Plan Review 2017-11 SP: Wojan Aluminum Products Corporation Site Plan Review</u>
PUBLIC MEETING DATE:	December 11, 2017 6:00PM
EXHIBITS:	1. Site Plan Review application. 2. Site Plan provided by applicant. 3. City of Charlevoix Zoning Ordinance.

I. GENERAL INFORMATION:

Applicant:	James Malewitz, Performance Engineers Inc.
Property Owner:	Wojan Aluminum Products Corporation
Requested Action:	Level B Site Plan Approval for Expansion for Storage Space
Zoning:	I, Industrial
Project Location:	209, 211, and 217 Stover Road.
Tax Parcel #'s	15-052-335-060-10 15-052-335-061-10 15-052-335-065-00 15-052-335-066-00 15-052-335-066-60
Project Site Size:	4.644 total acres, of which 4.378 acres are useable, this area comprises 202,307.35 square feet of which 190,716.26 are useable. Land within the Stover Road right-of-way is considered as not being useable.
Existing Land Use:	Industrial Manufacturing Facility
Current Use of Property:	This property is currently being used as a manufacturing facility for the manufacture of aluminum doors and windows.

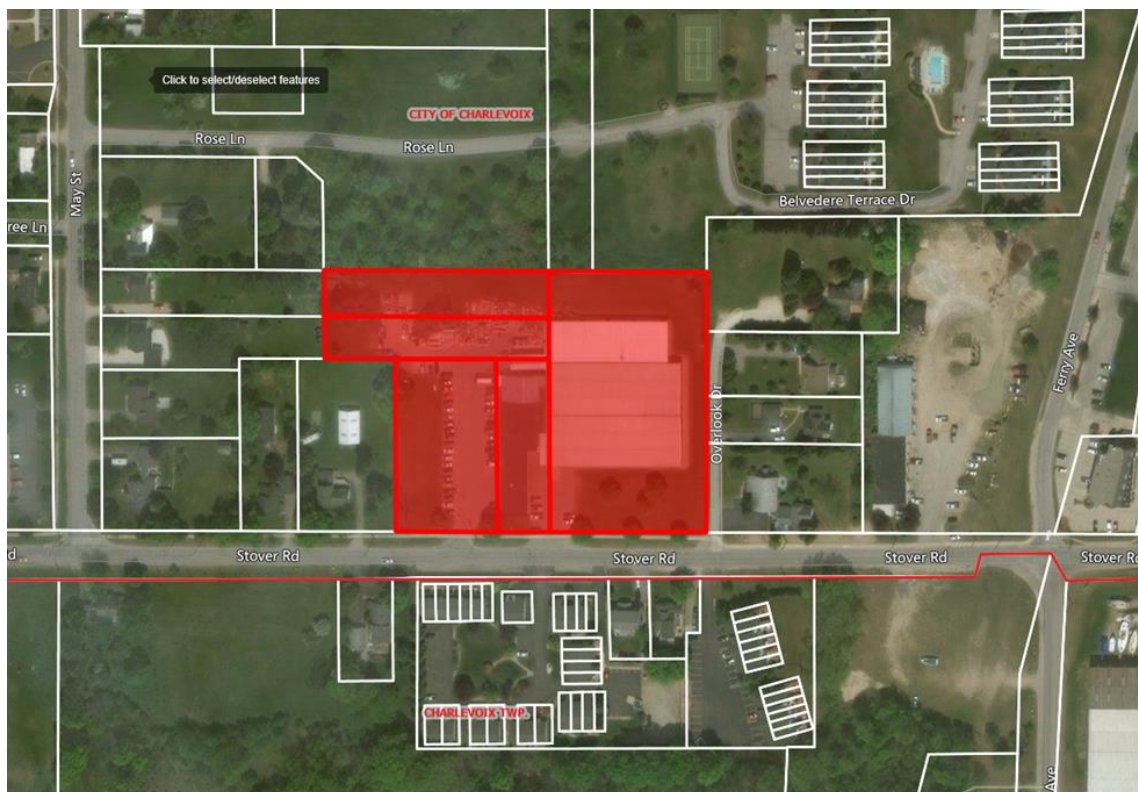
Adjacent Land Uses: The property to the east and west are occupied by single family dwellings. The property to the north is currently vacant. The property across Stover Road to the south is occupied by one single and more than one building featuring multiple family dwelling units, all of which are located in Charlevoix Township.

Adjacent Zoning: The property on both the east and west sides are zoned R-1 Residential. The property to the north is zoned R-4, Residential Planned High Density and PUD, Planned Unit Development. The property located on the south side of Stover Road is located in Charlevoix Township and is zoned PRD, Planned Residential District.

PROJECT DESCRIPTION/LOCATION:

The applicant is requesting approval of a site plan to allow for the expansion of the currently operating manufacturing facility which manufactures doors and windows. The area under consideration consists of five parcels of property of which three contain street addresses of 209, 211 and 217 Stover Road. The two remaining parcels have not been assigned street addresses as they do not have road frontage (i.e. land locked parcels).

Aerial photo from 2016.



Source: Charlevoix County Website, the property boundary lines are approximate.

Photos taken 11/17/2017











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, Charlevoix Master Plan's Future Land Use Map portrays this property as being used for industrial for the life of this Plan. The properties to the east and west are envisioned to be single family low density residential. The property immediately to the north is proposed to be high density residential/condominiums. The property located to the south (across Stover Road is located in Charlevoix Township and is shown on their Zoning Map to be Planned Residential, which allows for single family, two family and multiple family dwellings consisting of 3 or more units per building with the density not to exceed one dwelling unit per 5,000 square feet of land area or approximately 9 dwelling units per acre.

II. SITE PLAN REQUIREMENTS:

The Zoning Ordinance grants the authority to the Zoning Administrator 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 the Zoning Ordinance requires in site plans that are submitted, what items the Zoning Administrator has waived from being submitted and what items have not been waived but are missing from the submitted site plan. 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>
<u>General Information</u>	
<u>Date, north arrow and scale</u>	<u>X</u>
<u>Name and firm address of the professional individual responsible for preparing the site plan</u>	<u>X</u>
<u>Name and address of the property owner or petitioner</u>	<u>X</u>
<u>Location sketch</u>	<u>X</u>
<u>Legal description of the subject property</u>	<u>SA</u>
<u>Size of subject property in acres or square feet</u>	<u>X</u>
<u>Boundary survey</u>	<u>X</u>
<u>Preparer’s professional seal</u>	<u>X</u>
<u>Revision block (month, day and year)</u>	<u>X</u>
<u>Existing Conditions</u>	
<u>Existing zoning classification of subject property</u>	<u>X</u>
<u>Property lines and required setbacks (dimensioned)</u>	<u>X</u>
<u>Location, width and purpose of all existing easements</u>	<u>NA</u>
<u>Location and dimension of all existing structures on the subject property</u>	<u>X</u>
<u>Location of all existing driveways, parking areas and total number of existing parking spaces on subject property</u>	<u>X</u>
<u>Abutting street right-of-way width</u>	<u>X</u>
<u>Location of all existing structures, driveways and parking areas within three hundred (300) feet of the subject property’s boundary</u>	<u>PI a.)</u>
<u>Existing water bodies (rivers, creeks, wetlands, etc.)</u>	<u>NA</u>
<u>Existing landscaping and vegetation on the subject property</u>	<u>X</u>
<u>Size and location of existing utilities</u>	<u>PI b.)</u>
<u>Location of all existing surface water drainage facilities</u>	<u>PI c.)</u>

Proposed Development

<u>Location and dimensions of all proposed buildings</u>	X	
<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>	PI	d.)
<u>Setbacks for all buildings and structures</u>	X	
<u>Recreation areas, common use areas, dedicated open space and areas to be conveyed for public use</u>	NA	
<u>Flood plain areas and basement and finished floor elevations of all buildings</u>	X	
<u>Landscape plan (showing location of proposed materials, size and type)</u>	M	e.)
<u>Layout and typical dimensions of proposed parcels and lots</u>	NA	
<u>Number of proposed dwelling units (by type), including typical floor plans for each type of unit</u>	NA	
<u>Number and location (by code, if necessary) of efficiency and one, two and three or more bedroom units</u>	NA	
<u>All deed restrictions or covenants</u>	NA	
<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>	X	

Engineering

<u>Proposed method of handling sanitary sewage and providing potable water</u>	X	
<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>	M	b.)
<u>Location and spacing of fire hydrants</u>	M	f.)
<u>Location and type of all proposed surface water drainage facilities</u>	PI	g.)
<u>Grading plan at no more than two (2) foot contour intervals</u>	X	
<u>Proposed streets (including pavement width, materials and easement or right-of-way dimensions)</u>	NA	

Building Details

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

Of the items either totally lacking or partially missing from the site plan as submitted, the following are the reasons as best understood by the Zoning Administrator as to why they might be missing. Whether or not to require those items are within the purview of the Planning Commission to recommend to City Council as to whether or not the Planning Commission believes they should be provided.

- a.) The Site Plan labeled as sheet C1 in the lower left hand corner provides information as to what is off site to varying distances, in some cases the area shown is 300 feet or greater, while in some areas less than 300 feet is shown. The aerial imagery assists in providing information as to what uses, buildings and curb cuts are located within the 300 foot area surrounding the Wojan Aluminum property. The dimensions of the area off from the Wojan property as shown on the Site Plan drawing are as follows:
 - To the north – 225 feet
 - To the east – 345 feet
 - To the south - 160 feet
 - To the west - 195 feet and 303 feet
- b.) Not all of the utility information has been provided. According to Jim Malewitz, no new utility connections to the City utilities will be required, therefore, some of the existing connections have been shown, nor have any new connections been shown on the Site Plan.
- c.) The area located to the west of the existing parking lot appears to be serving as a storm water retention basin, although not shown as such on the site plan.
- d.) No lighting has been shown on the site plan. It would be my understanding from a conversation with a staff person from the Charlevoix County Department of Building Safety that at a minimum a light will be required on the outside of the building at the small entry door. Lighting may also be required at the freight door, as well. Lighting should be shown on the site plan and the types of lighting chosen should be such that it features full cut and shielding to prevent illumination leaving the property.
- e.) The property owner is not proposing to provide any new landscaping on the property resulting in no landscaping plan or information regarding new landscaping being shown on the Site Plan.
- f.) No fire hydrants are located in close proximity to this property. The nearest fire hydrants are located in front of the City Street Department Garage to the east and at the corner of Stover Road and May Street.
- g.) The topographic elevations show the storm water draining to the depressed area to the west of the parking lot close to Stover Road and to the Stormwater Management Area on the north side of the property.

(2) 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.

(3) 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.

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 for approval. 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.

- a.) *The Planning Commission recommends approval of the site plan as it finds that the site plan proposal complies with Section 5.30.(8) (pg. 30) Industrial District and Section 5.120 (page 130) Standards for Site Plan Approval of the Zoning Ordinance, which states the Industrial District in which this property is located, is intended to accommodate the industrial needs of the entire community in such a manner that unreasonable noise, dust, vibration or any other like nuisance shall not affect adjoining properties. The Planning Commission also finds that the site plan, as submitted, complies with all other sections of the Charlevoix Zoning Ordinance.*
 - b.) *The Planning Commission recommends denial of the site plan as it finds that the site plan as proposed does not comply with the requirements of Section 5.81 (page 88) Landscaping, of the Zoning Ordinance as submitted due to the lack of landscaping on the north property line and around the newly created (or entire) parking area, and the site plan as proposed does not comply with Section 5.82 (page 95) Lighting Section of the Zoning Ordinance, does not comply with Section 5.92(8.) (page 105) or Section 5.94 (4.) (page 108) Parking Sections of the Zoning Ordinance.*
 - c.) *The Planning Commission recommends approval of the site plan with the condition that the northern boundary of the property and the newly created (or entire) parking area be landscaped in accord with the requirements of Section 5.81 (page 88) specifically subsections (3.), (4.), (7.), and (8.), lighting be provided as required by Section 5.82 (page 95) and that the number of parking spaces be increased and be edged by concrete curb and gutter per Sections 5.92(8.) and 5.94 (4.) of the Zoning Ordinance.*
- (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 the proposed development while not totally harmonious with the character of the existing neighborhood, as it is an industrial use located upon Industrial Zoned Property in the middle of Residential Zoned Properties in all directions, can certainly fit in or otherwise be sited so as to make the site harmonious with the character of the surrounding area. Landscaping on the north border of the property would certainly assist in future residential use of the property to the north. Landscaping on the south side of this property, while not feasible across the entirety of the property due to driveways, would also assist in buffering the use from residential properties located across Stover Road.

- (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 measures have been taken to limit hazards to adjacent properties to an extent based upon the use of landscaping and the types of lighting, noise has been reported to be an issue when exterior windows and doors are open during the operation of certain types of equipment within the building. The particular types or pieces of equipment which tend to generate high pitched or loud noises should be identified and the windows and doors should not be allowed to be opened to the exterior

when those particular pieces of equipment are in use. Traffic flow onto and off of the site could be improved by prohibiting parking between the sidewalk and Stover Road.

- (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:

(a) 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 movement on abutting streets and adjacent properties.

The Planning Commission finds that the traffic circulation appears to be well addressed by the proposed site plan.

Parking Considerations Subsection 5.94 (pages 107-109) Off-Street Parking Facility Design

The Zoning Ordinance in Section 5.94 (3) requires that all parking lots and vehicle and equipment storage areas shall be hard surfaced using asphalt, concrete, or concrete or brick pavers and shall be appropriately graded and drained.

The Planning Commission finds that all parking, vehicle and equipment storage areas will be hard surfaced by asphalt.

Section 5.94 (4.) Requires parking lots to be surrounded by a six (6) inch concrete curb, except for driveway openings, sidewalk dub-downs and approved drainage systems. The Planning Commission may approve an alternative, provided the intent of this section is achieved.

The Planning Commission finds that the site plan as submitted does not depict concrete curb and gutter.

Section 5.94 (5.) Dimensions of typical parking spaces.

The Planning Commission finds that the site plan as submitted does contain information regarding the dimensions of typical parking spaces.

Section 5.94 (6.) And (7.) Stacking spaces.

The Planning Commission finds that this item is not applicable.

Section 5.94 (8.) Landscaping of the parking area.

The Planning Commission finds that it does not appear that the parking area (either the new or the existing) will be landscaped in accordance with Section 5.81 of the Zoning Ordinance.

Section 5.94 (9.) Fire lanes.

The Planning Commission find that Fire Lanes have not been designated on the site plan or posted upon the property but given the limited number of driveways onto and off from the site, the fire lanes appear to be self-evident.

Section 5.94 (10.) Barrier free parking spaces.

The Planning Commission finds that Barrier Free Parking Spaces are depicted on the site plan as being located next to the main entrance into the facility. The required numbers are based upon State Standards of 1 handicap parking space for every 25 total parking spaces which this plan does comply with.

Section 5.95 (10.) Loading areas.

Option A - The Planning Commission finds the Loading areas are adequate, as is the maneuvering room.

Option B - The Planning Commission has concerns as to whether there is adequate maneuvering area for the three spaces located on the Stover Road side of the existing building to allow truck and semi traffic to turn around on site or if they have to back up from Stover Road onto the property to allow them to be backed up to the building for loading and unloading purposes.

(b) STORM WATER.

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, and that there appears to be adequate facilities for the on-site handling of stormwater runoff.

(c) 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. Provision or 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.

Option A - The Planning Commission finds that the site plan meets this requirement.

Option B – The Planning Commission finds that landscaping should be provided on the:

The North Property Line

The South Property Line

Throughout the new parking area

Throughout the entire parking area

(d) SCREENING.

Where non-residential uses abut residential uses, appropriate screening shall be provided in accordance with Section 5.81(9) (pg. 94) to shield residential properties from noise, headlights and glare.

The Planning Commission finds that since the property to the north is owned by the same party as owns Wojan Aluminum, on the north no buffering is necessary.

The Planning Commission finds that since Stover Road is located on the south side of the property, no buffering on the south side is necessary.

The Planning Commission finds that a buffer should be provided on the north side of the property to provide protection to the future residential use of that property.

The Planning Commission finds that buffering should be provided where allowed on the south side of the property to provide protection to the residential uses on the south side of Stover Road.

The Planning Commission finds the buffering to the east and the west adequately shields the residential properties to the east and west.

(e) 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.

The Planning Commission finds that the site plan does not comply with the Ordinance requirements in that Lighting will be required at a minimum above the walk in doors.

(f) UTILITY SERVICE.

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

The Planning Commission finds that the existing utilities adequately serve this facility and that no new utilities are being proposed, therefore this item is not applicable.

(g) 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.

The Planning Commission finds that since no outdoor storage is proposed on the site plan, no screening above that which is otherwise required by the Zoning Ordinance is necessary.

(h) 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 meets the approval of the Police Chief. He feels public safety vehicles have adequate access to the facility.

(i) WATER AND SEWER.

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

The Planning Commission finds that no new utility connections to the building or property will be necessary based upon the current and proposed uses so this criteria has been met.

(j) 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 no additional signage is being proposed for the property therefore this standard has been met.

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:

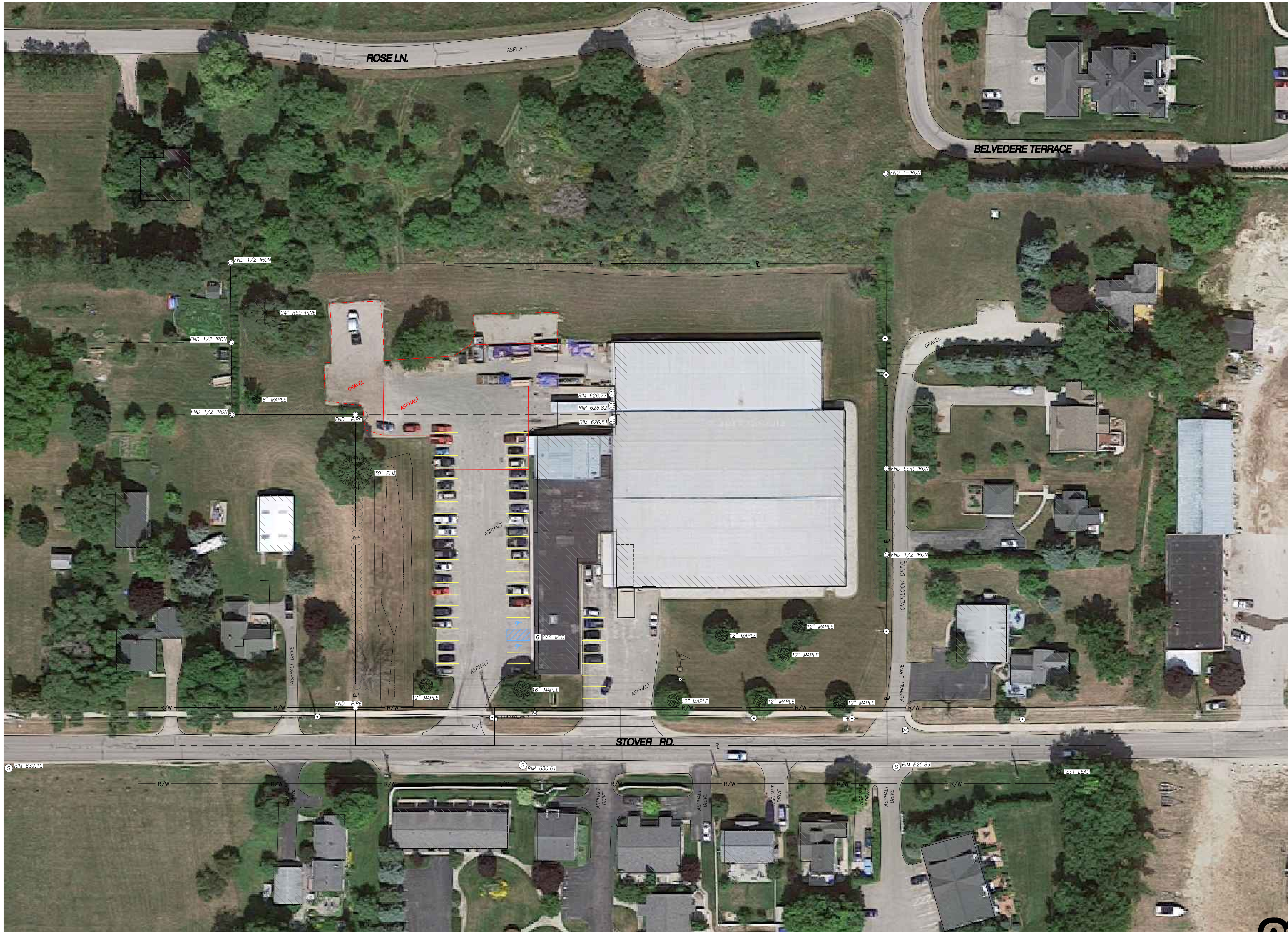
- (1) Ensure that public services and facilities affected by the proposed land use and site plan will not be adversely affected.
- (2) Ensure that the Use is compatible with adjacent land uses and activities.
- (3) Protect natural resources, the health, safety, welfare and social and economic well-being 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 Recommendation to City Council: (choose one)

- A. **Approve** Project 2017-11 SP **without conditions**, based on specific findings of fact that prove the project does comply with Section 5.30.(8) (pg. 30) Industrial District and Section 5.120 (page 130) Standards for Site Plan Approval of the Zoning Ordinance, which states the Industrial District in which this property is located is intended to accommodate the industrial needs of the entire community in such a manner that unreasonable noise, dust, vibration or any other like nuisance shall not affect adjoining properties. The Planning Commission also finds that the site plan, as submitted, complies with all other sections of the Charlevoix City Zoning Ordinance.
- B. **Approve** Project 2017-11 SP **with conditions**, based on specific findings of fact that prove the project does meet the review standards in Section 5.120; plan with the conditions that the northern boundary of the property and the newly created (or entire) parking area be landscaped in accord with the requirements of Section 5.81 (page 88) specifically subsections (3.), (4.), (7.), and (8.), lighting be provided as required by Section 5.82 (page 95) and that the number of parking spaces be increased and be edged by concrete curb and gutter per Sections 5.92(8.) and 5.94 (4.) of the Zoning Ordinance.
- C. **Deny** Project 2017-11 SP based on specific findings of fact that prove the project does not meet the review standards in Section 5.120, and other applicable Sections of the Zoning Ordinance.
- D. **Table** the decision on Project 2017-11 SP. (Usually this option is only used when additional information is needed to assist the Planning Commission in making the decision.)

K:\PROJECTS\5010\DRAWINGS\5010BASE.DWG - S1-A - PLOTTED 11/28/2017 1:50 PM BY CHUCK STEIN



Performance Engineers, Inc.

Civil / Structural Engineering
406 Peabody Avenue
Charlevoix, Michigan 49720
Phone: (231) 547-2121
Fax: (231) 547-0084
www.performanceeng.com

CONSULTANTS

PROPOSED BUILDING & PARKING
ADDITION SITE PLAN

217 STOVER ROAD, CHARLEVOIX, MICHIGAN
PART OF NW 1/4 OF SECTION 35, T34N-R8W,
CITY OF CHARLEVOIX, MICHIGAN

OWNER
WOJAN ALUMINUM PRODUCTS CORP.
217 STOVER ROAD, CHARLEVOIX, MICHIGAN 49720

MARK	DATE	DESCRIPTION
1		

PROJECT NO: 17-5010
CAD DWG FILE: 5010BASE.DWG
DRAWN BY: D. COOK
DESIGNED BY: J. MALEWITZ
CHECKED BY:

SEAL

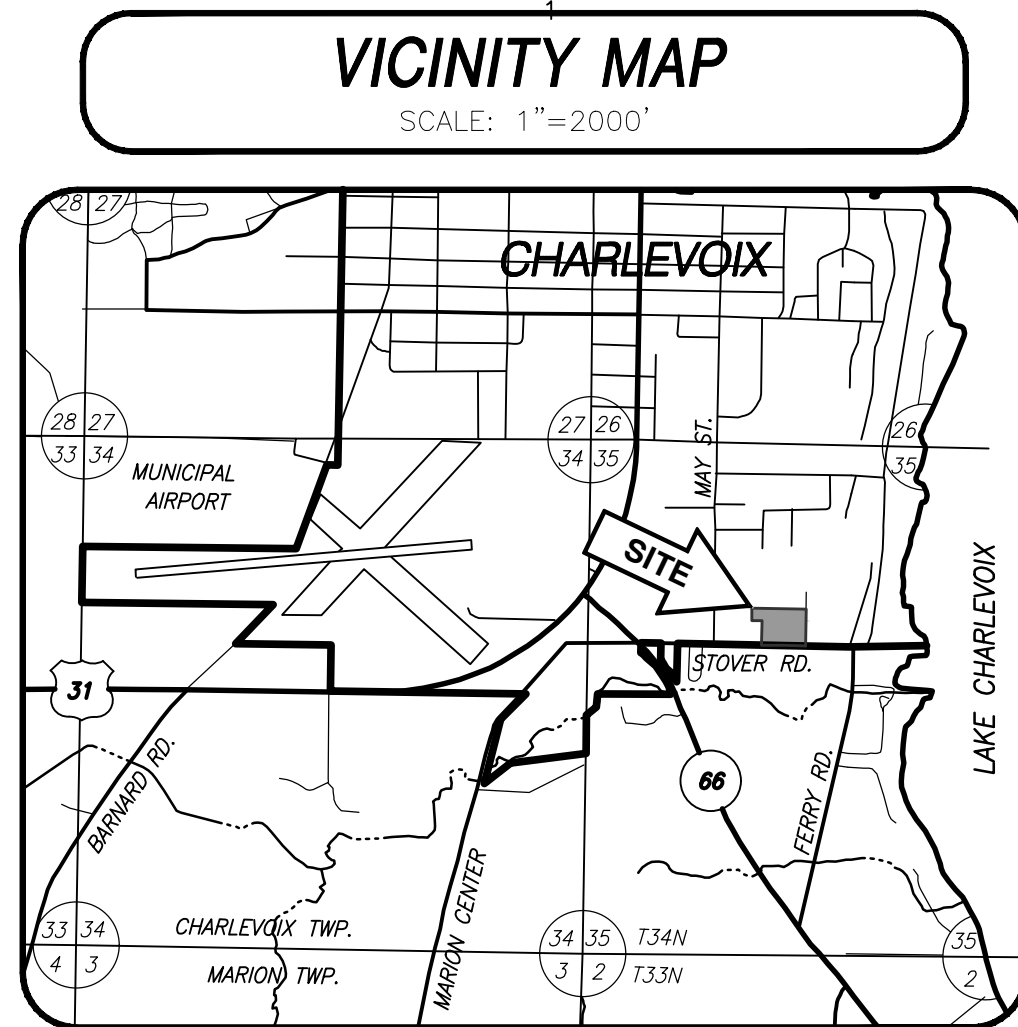
SHEET TITLE

AREA MAP

S1-A

SHEET - OF -

K:\PROJECTS\5010\DRAWINGS\5010SITE.DWG - C1 - PLOTTED 11/28/2017 12:07 PM BY JIM MALEWITZ



SITE ZONING NOTES

EXISTING ZONINGINDUSTRIAL

TOTAL PROPERTY AREA4.644 ACRES

AREA LESS STOVER RD. R.O.W.4.378 ACRES

190,716.26 SQ.FT.

EXISTING HARD SURFACE AREA93,681.99 SQ.FT.

PROPOSED HARD SURFACE AREA20,338.48 SQ.FT.

TOTAL HARD SURFACE AREA114,020.47 SQ.FT.

LOT COVERAGE
(114,020.47/190,716.26)59.79%

SETBACKS

FRONT30 FEET

SIDE20 FEET

WHEN ABUTTING RES.40 FEET

REAR25 FEET

WHEN ABUTTING RES.40 FEET

MAX. BUILDING HEIGHT30 FEET

ACTUAL HEIGHT26 FEET

PARKING

EXISTING BUILDING PROVIDES PARKING

FOR 60 EMPLOYEES AT 5 PLUS

1 SPACE PER 1.5 EMPLOYEES

PARKING PROVIDED PER PREVIOUS

SITE PLAN APPROVAL40

PROPOSED WAREHOUSE EXPANSION WILL

ADD 10 NEW EMPLOYEES AT

1 SPACE PER EMPLOYEE10

REQ. ADDITIONAL PARKING10

ADD. PARKING PROVIDED10

TOTAL PARKING REQUIRED50

TOTAL PARKING PROVIDE50

ACCESSIBLE PARKING 1 SPACE REQUIRED

FOR EVERY 25 PARKING LOT SPACES:

ACCESSIBLE PARKING REQ'D.2

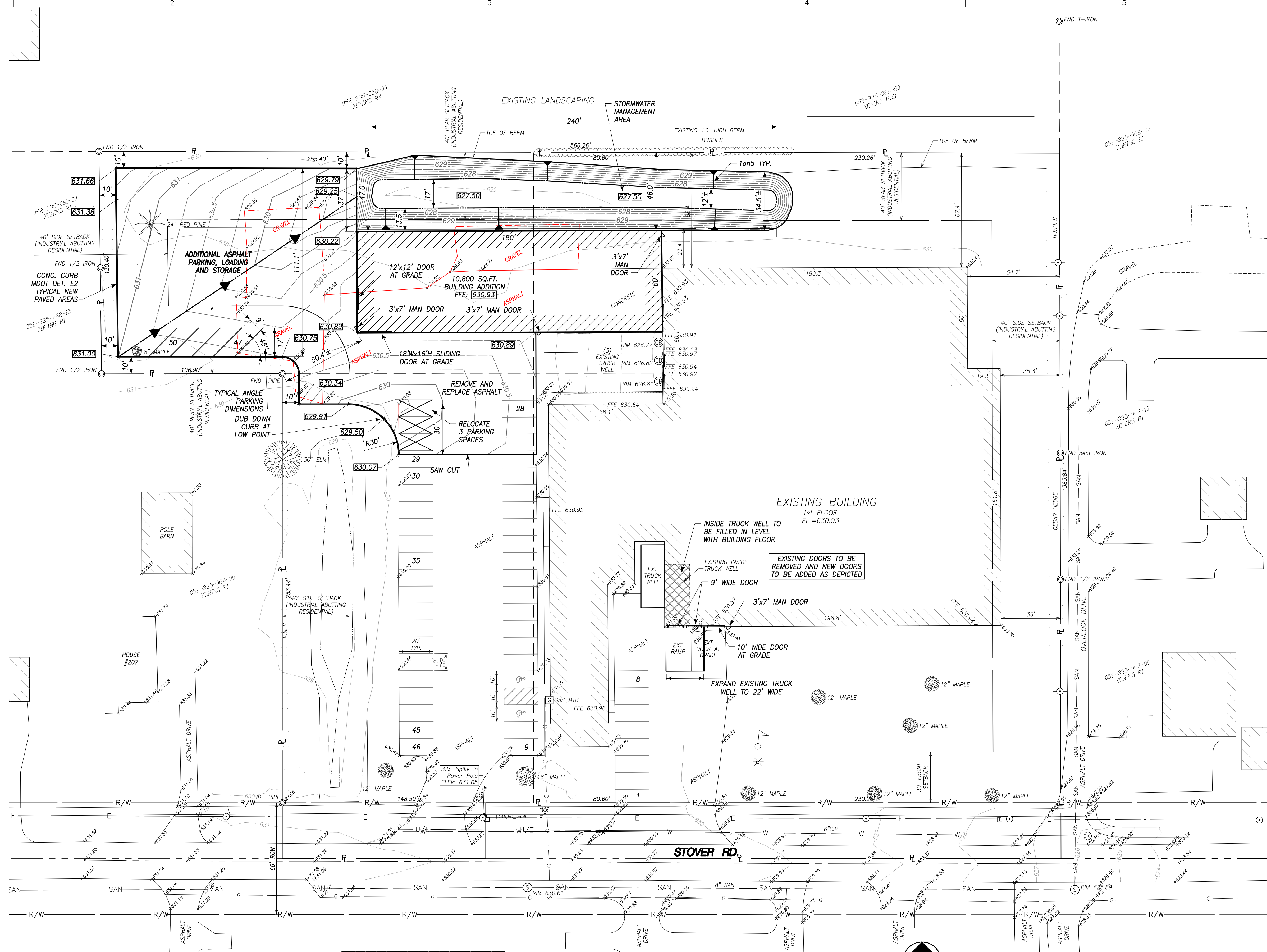
ACCESSIBLE PARKING PROVIDED2

LEGEND

DESCRIPTION	PROPOSED	EXISTING
BUILDING		
STORM SEWER		
SANITARY SEWER		
WATER		
NATURAL GAS		
UNDRGRND ELEC.		
OVERHEAD ELEC.		
UNDRGRND TEL.		
WELL		
MANHOLE		
CATCH BASIN		
FIRE HYDRANT		
UTILITY POLE		
LIGHT POLE		
CLEANOUT		
WATER VALVE		
DECIDUOUS TREE		
CONIFEROUS TREE		
BUSH		
TREELINE		
DITCH OR SWALE		
ELEVATION		
CONTOUR		
PROPERTY LINE		
UNIT LINE		
FENCE		

ABBREVIATIONS

ASPH - ASPHALT	HDPE - HIGH DENSITY POLYETHYLENE
BF - BARRIER FREE	LF - LINEAL FEET
BLDG - BUILDING	PVC - POLYVINYLCHLORIDE PIPE
C.L. - CHAIN LINK	RCP - REINFORCED CONC. PIPE
C/C - CENTER TO CENTER	RR - RAILROAD
CMP - CORRUGATED METAL PIPE	STL - STEEL
CONC - CONCRETE	STM - STORM
DIP - DUCTILE IRON PIPE	T/C - TOP OF CURB
F.G. - FINISH GRADE	T/W - TOP OF WALK
FDN - FOUNDATION	T/WALL - TOP OF WALL
FFE - FINISH FLOOR ELEVATION	TE - TOP ELEVATION
IE - INVERT ELEVATION	TYP - TYPICAL



SITE DEVELOPMENT NOTES

THE PROJECT INVOLVES CONSTRUCTION OF A NEW 60'x180' (10,800 SQ.FT.) BUILDING ADDITION FOR INCREASED WAREHOUSE SPACE. THIS RESULTS IN A TOTAL OF 10,800 SQ.FT. INCREASED BUILDING FLOOR AREA AND TEN NEW EMPLOYEES.

THE OFF-STREET PARKING WILL BE RECONFIGURED TO ALLOW THE BUILDING EXPANSION TO USE THE CURRENT PARKING AREA AND NEW PARKING WILL BE PROVIDED IN THE NORTHWEST CORNER OF THE PROPERTY. THE FACILITY HAD REQUIRES 40 PARKING SPACES FOR IT'S 60 CURRENT EMPLOYEES. CURRENT ZONING REGULATIONS REQUIRE AN INCREASE OF 10 SPACES FOR THE TEN NEW EMPLOYEES.

OWNER

WOJAN ALUMINUM PRODUCTS CORPORATION
217 STOVER ROAD
CHARLEVOIX, MI 49720

LEGAL DESCRIPTION

--



Know what's below.
Call before you dig.

Performance
Engineers, Inc.

Civil / Structural Engineering
406 Pecoskey Avenue
Charlevoix, Michigan 49720
Phone: (231) 547-2121
Fax: (231) 547-0084
www.performanceeng.com

CONSULTANTS

PROPOSED BUILDING & PARKING

ADDITION SITE PLAN

217 STOVER ROAD, CHARLEVOIX, MICHIGAN
PART OF NW 1/4 OF SECTION 35, T34N-R8W,
CITY OF CHARLEVOIX, MICHIGAN

OWNER
WOJAN ALUMINUM PRODUCTS CORP.
217 STOVER ROAD, CHARLEVOIX, MICHIGAN 49720

MARK	DATE	DESCRIPTION
1	180CT17	ZONING ADMIN REVIEW
2	200CT17	CITY SUBMITTAL
3	27NOV17	ZONING STAFF COMMENTS

PROJECT NO: 17-5010

CAD DWG FILE: 5010SITE.DWG

DRAWN BY: D. COOK

DESIGNED BY: J. MALEWITZ

CHECKED BY:

SEAL

SHEET TITLE

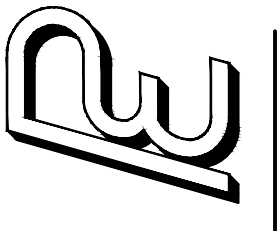
SITE PLAN

C1

SHEET 1 OF 1

K:\PROJECTS\5010\DRAWINGS\5010ELEV.DWG - LAYOUT1 - PLOTTED 10/23/2017 3:42 PM BY BOB BOMIER





Performance Engineers, Inc.

Civil / Structural Engineering
408 Petoskey Avenue
Charlevoix, Michigan 49720
Phone: (231) 547-2121
Fax: (231) 547-0084
www.performanceeng.com

CONSULTANTS

**PROPOSED BUILDING & PARKING
ADDITION SITE PLAN**

217 STOVER ROAD, CHARLEVOIX, MICHIGAN
PART OF NW 1/4 OF SECTION 35, T34N-R8W,
CITY OF CHARLEVOIX, MICHIGAN

OWNER
MOJAN ALUMINUM PRODUCTS CORP.
217 STOVER ROAD, CHARLEVOIX, MICHIGAN 49720

MARK	DATE	DESCRIPTION
1	10/23/17	CITY REVIEW

PROJECT NO: 17-5010
CAD DWG FILE: 5010ELEV.DWG
DRAWN BY: R. BOMIER
DESIGNED BY: J. MALEWITZ
CHECKED BY:

SEAL

SHEET TITLE

**BUILDING ADDITION
ELEVATIONS**

A1

SHEET 1 OF 1

COPYRIGHT: PERFORMANCE ENGINEERS, INC 2017

Zimbra

lindaw@charlevoixmi.gov

Case Number: 2017-11 SP

From : tadewildt@aol.com

Tue, Dec 05, 2017 02:20 PM

Subject : Case Number: 2017-11 SP**To :** planner@charlevoixmi.gov

Dear Mr. Sullivan and to whom it may concern:

I am writing in regards to Case Number 2017-11 SP due to my inability to be present at the December 11, 2017 public meeting. As a bordering property owner, my family and I are very concerned with the Wojan Aluminum Products Corp Proposal. To be brutally honest, I have been planning to send a letter and/or contact you prior to this proposed expansion. Wojan's current location and business is so close in proximity to our home that the noise, traffic and commotion are a very large distraction to our family. Not to mention the employees walking through our property (trespassing) and those that drive vehicles speeding and driving recklessly to and from work. The garbage pick-up and breaking of glass at early hours (prior to 7:30 AM) does not bode well either. There are also Semi Trucks arriving and departing at nearly all hours of the day and night. The properties surrounding Wojan are all residential homes and I wish that the company would respect the homeowners in a better fashion.

The expansion proposed is far too close in proximity to our home. I cannot imagine that ANYONE (including Mr. Wojan) would enjoy being surrounded by the Industrial Park that is being proposed. I would expect that the City of Charlevoix would not endorse the proposal and/or the possibility of expanding the Industrial Park that is being proposed in a Residential area. The height and proposed expansion especially to the West of the existing building will ultimately lower nearby property values (especially ours). Does the expansion propose a decreased property tax value for nearby homeowners? Due to the sited reasons above, we believe the proposed expansion is not acceptable.

Best Regards,

Tom DeWildt
1028 May St
616.828.9434



Elise Crafts <elise.crafts@networksnorthwest.org>

Fwd: Wojan's Plans

1 message

Linda Weller <lindaw@charlevoixmi.gov>
To: Larry Sullivan <larrysullivan00@hotmail.com>
Cc: Elise Crafts <elise.crafts@networksnorthwest.org>

Wed, Dec 6, 2017 at 4:51 PM

Mr. DeWilttdt owns the property at [207 Stover Road](#).

Linda Weller
Executive Assistant to the City Manager
[231-547-3270](tel:231-547-3270) Office
[231-547-3617](tel:231-547-3617) Fax



City of Charlevoix
210 State Street
Charlevoix, Michigan 49720
www.charlevoixmi.gov
lindaw@charlevoixmi.gov

This email transmission contains information that is confidential and may be privileged. It is intended only for the address(s) named. If you receive this email in error, please do not read, copy, or disseminate in any manner. If you are not the intended recipient, any disclosure, copying, distribution or use of the contents of this information is prohibited. Please reply to this message immediately by informing the sender that the message was misdirected.

From: "Gary DeWildt" <bigdee1156@sbcglobal.net>
To: "Linda Weller" <planner@charlevoixmi.gov>
Sent: Wednesday, December 6, 2017 4:43:19 PM
Subject: Wojan's Plans

To: Mr.Sullivan and to Whom it may concern:

I am writing about Wojan's proposed addition Case # 2017-11 SP on Stover Road.Due to the short notice, I will not be able to leave my job to attend the meeting on the 11th of December. I own the closest residential lot to this business and have recently built a very nice home on this lot, needless to say, we are very concerned about the proposed expansion. Wojan's current business already produces too much noise, too much traffic and speeding employees on Stover Road by my house already! There is no way a addition to this business will be better for any of us residents that reside around this manufacturing facility stuck in the middle of a residential community. I think Wojan's is pushing the limit on how much more us homeowners can take. I have talked to my mother, who grew up at my address, and she says that they have never respected the neighbors like they should. In the last few years I've had at least two instances I've had to handle with Mr. Wojan

regarding the business disrespecting my property. Wojans chose their location in this residential neighborhood and now they don't have enough room! Not our problem and we shouldn't have to pay the price. There is no way the city should approve these addition plans. Thank You,

Gary DeWildt
[207 Stover Rd.](#)
[616-299-0738](#)

Sent from my iPad

MEMO

December 6, 2017

To: City of Charlevoix Planning Commission

From: Elise Crafts, Networks Northwest

Re: Nuisance Ordinance Amendments

The proposed sign ordinance amendments require changes to the nuisance ordinance as detailed below:

Section 6.2 **Definitions.** As used in this Article.

“Dangerous Sign or Advertising Device” means a sign or advertising device that is in such a state of disrepair or has such a design and/or construction flaw that it poses an imminent threat of total or partial collapse such that following the procedures of *Section 5.111 Unsafe Signs* of the Zoning Ordinance would result in substantial likelihood of injury to persons or property.

Section 6.3 **Nuisances.** The following are hereby declared to be nuisances:

- (7) **Dangerous Signs.**
- (8) Except as required by law, the distributing, placing, posting, or affixing of posters, notices, or handbills on private property without consent of the owner or occupant or in a public right-of-way ~~.; provided, however, notices which do not cause a visual obstruction to traffic or pedestrians may be placed on public utility poles.~~

Section 6.7 Abatement of Dangerous Signs.

- (1) To protect the health, safety and general welfare of the inhabitants of the City of Charlevoix, the hearing officer is hereby authorized and empowered to order city officials to enter onto private property to remove, repair or otherwise make safe any dangerous sign or advertising device without notice to the owner of the sign or advertising device or the owner of the property on which the sign or advertising device is located.
- (2) If the hearing officer exercises the authority granted in *Section 6.7(1)* above, he or she shall cause a written notice of such action to be served on the entity who benefits from the sign or advertising device and on the owner of the property on which the sign or advertising device is located as soon as possible after the action is taken. The service required by this subsection shall be by personal service or by first class mail. Service shall be deemed completed when the notice is mailed. Acceptance of the certified mail is not required.
- (3) The costs incurred by the city in removing, repairing or otherwise making a dangerous sign or advertising device safe under this section, including reasonable attorney fees, may be collected in a lawsuit against the owner of the sign or advertising device or the owner of the property on which the a sign or advertising device is located.

MEMO

December 6, 2017

To: City of Charlevoix Planning Commission

From: Elise Crafts, Networks Northwest

Re: Council Feedback on Ordinance Amendments

Council reviewed the first batch of Ordinance amendments drafted by the Planning Commission – including general updates and new signage standards – at their December 4th regular meeting. Generally, the Council and public in attendance did not have many questions or concerns regarding the proposed language. Council appreciates the time and effort the Planning Commission spent on these proposed changes.

Specific feedback is detailed below (all related to signage):

1. Increase the size of temporary signs allowed in commercial districts without a permit. 8 sf may be too small for temporary signs used to sell commercial real estate, for example.
2. Change name of “portable signs” to “sandwich board signs”. The term “portable” is too similar to “temporary” and may cause confusion. These types of signs are commonly referred to as “sandwich boards” and the ordinance should reflect that.
3. Create graphics to illustrate current sign maximums allowed vs. proposed sign maximums because it will be easier to understand the ramifications of the proposed changes that way. These graphics will be presented to the Council at their next regular meeting on December 18th (the Planning Commission is welcome/encouraged to attend). This still provides time to schedule a public hearing for the January 8 Planning Commission meeting.

Based on Council feedback, suggested changes to the proposed signage ordinance are detailed below:

Sections 5.107-5.115 (signs allowed with/without permit in zoning districts and schedule of regulations):

For commercial PUD, PF, GC, CM, CBD, I, PO, MC, and CH districts (basically all non-residential districts):

- Temporary signs less than or equal to 16 sf do not require permit.
- Temporary signs greater than 16 sf require permit.
- Why 16 sf? I looked up “commercial real estate signage” and found most common dimensions of 4x4 (16) or 4x8 (32).

Definitions and Section 5.103(8) Portable Signs:

Change “portable sign” to “sandwich board sign”. Keep definition and standards the same.

MEMO

December 6, 2017

To: City of Charlevoix Planning Commission

From: Elise Crafts, Networks Northwest

Re: Zoning Overlay Districts in Charlevoix

The City of Charlevoix has 4 overlay districts. Article 6 of the Zoning Ordinance provides the standards of each district as follows:

Central Business District Overlay District

- Purpose: To create a vibrant downtown district fronting Bridge Street consisting of primarily retail and food service businesses that enhance the city's economy by defining specific uses intended to increase consumer traffic.
- Location: All buildings with store entrances facing Bridge Street, from Antrim Street north to the Pine River Channel
- For complete list of standards, see *Section 5.41* of the Ordinance.

West Garfield Avenue General Commercial Overlay District

- Purpose: To support the future development of the 200 block of W Garfield (north side) and the 200 block of W Lincoln (south side) where industrial uses have been present in the past and commercial development currently exists, surrounded by residential uses.
- Location: 204 and 208 W Lincoln, 205 and 207 W Garfield
- For complete list of standards, see *Section 5.42* of the Ordinance.

West Carpenter/State Street Industrial Overlay District

- Purpose: To support the continued use of, and future development of, larger lots adjacent to the municipal airport without negative impacts to the adjacent residential areas.
- Location: 210A W Carpenter, 1209, 1213, and 1217 State
- For complete list of standards, see *Section 5.43* of the Ordinance.

North Side Professional Office Overlay District

- Purpose: To continue to allow the conversion of homes to offices fronting US 31/Bridge Street while having a minimal impact on the residential character of the neighborhood.
- Location: Lots zoned R1 on the east side of Michigan Avenue between East Dixon Avenue and Petoskey Avenue and lots zoned R1 on Petoskey Avenue between Michigan Avenue and Fairway Drive. The overlay district does not apply to the site occupied by the Charlevoix Community Reformed Church at 100 Oak.
- For complete list of standards, see *Section 5.44* of the Ordinance.