City of Charlevoix
Planning Commission Regular Meeting minutes
Monday, December 12, 2022 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

A. Call to Order/Pledge of Allegiance
The meeting was called to order by Chair Waddell at 6:00 p.m.

B. Roll Call

Chair:	RJ Waddell
Members Present:	Scott Beatty, Sherm Chamberlain, Annemarie Conway, Toni Felter, John Kurtz, Mary Millington, Jennifer Muladore, Maureen Radke
Members Absent:	
Staff Present:	Jennifer Neal, Community Planner; Janet Koch, Zoning Administrator;

C. Inquiry into Potential Conflicts of Interest
Chair Waddell stated he had a conflict of interest in the Lucido/Makowski property (411 Bridge Street).

D. Approval of Agenda
Motion by Member Felter, seconded by Member Millington to approve the agenda as presented.
Motion carried by unanimous voice vote.

E. Approval of the Minutes

1. Draft Minutes of November 14, 2022
   Motion by Member Chamberlain, seconded by Member Conway to approve the minutes of November 14, 2022 as presented.
   Motion carried by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. Review of Special Land Use Application - 411 Bridge Street Proposed Apothecary and Relocation of Lakeview Dentistry of Charlevoix
   Chair Waddell excused himself from the meeting. Vice Chair Muladore introduced the item and Zoning Administrator Koch reviewed the application and staff report. Mrs. Koch stated the application is very similar to the 2016 Special Land Use that was approved by the Planning Commission unanimously for a health care/wellness center with the biggest difference being that there is dedicated retail space upfront which is closer to meeting the definition of what is allowed in the Central Business District (CBD) Overlay.

   Dr. Melissa Makowski and Michael Lucido introduced themselves as the applicants (Lakeview

Dentistry) for this proposal. Dr. Makowski stated their proposal was a little unorthodox but they were trying to find a way to ensure continuity of care for her dental patients. The property where her current practice is located is undergoing changes and their offer to purchase the property was out bid. Dr. Makowski stated that the retail apothecary store would occupy approx. 500 sq. ft. of the 1,500 sq. ft. property. Mr. Lucido further explained the retail aspect, store hours, and products they will offer year-round.

Member Beatty stated he should also abstain from voting on this matter and left the dais. The applicants responded to questions from the Board members. Member Chamberlain listed past and present professional office uses in the downtown area.

Vice Chair Muladore reported that the Commission members had received letters from Kirby and Jack Dipert representing their individual businesses. The public hearing was opened.

Terry Left, Villager Pub owner, referenced the "marine store" which had been planned for retail, but no retail products were sold at that location. He experienced concern about setting a precedent that would allow other professional offices to be located in the downtown corridor.

Shirley Gibson questioned the definition of a specialty shop contained in the overlay district zoning ordinance.

The public hearing was closed.

Member Radke questioned what would happen to the special use permit if approved and then the retail shop failed. Zoning Administrator Koch stated that the Commission could approve the special use permit conditioned upon the existence of the retail shop.

Lindsey Dotson, Executive Director of the Downtown Development Authority stated the Planning Commission's role was to consider the use of space and didn't think it was appropriate the Commission was discussingperformas and financial plans.

Discussion followed regarding the retail aspect, the challenges of retail in the winter, and the potential for success of this particular business. Zoning Administrator Koch reviewed the potential conditions of approval. Vice Chair Muladore reviewed all of the review standards that were met with the exception of 153.253 (A). She proceeded to review in detail the staff submitted findings of fact and after discussion the consensus for each finding of fact was agreed to as follows:

- (A) The Planning Commission finds that the proposed special use of a retail front is a permitted use in the overlay district and it will be harmonious with the intended character of the general vicinity.
- (B) The Planning Commission finds that the proposal meets this standard.
- (C) The Planning Commission finds that the proposed special use will not be hazardous or disturbing to existing or future nearby uses.
- (D) The Planning Commission finds that, as the property is already developed, this section is not applicable.
- (E) The Planning Commission finds that the proposal meets this standard.

- (F) The Planning Commission finds that the proposal meets this standard.

Vice Chair Muladore read the conditions of approval identified in the staff report, she stated that she would like to see a more detailed plan from the architects, and the special use should be conditional on the owners and conditional on at least 500 sq. ft. of dedicated retail space in the front.

Michael Lucido questioned if the retail space could be a range between 450-500 square feet.

Motion by Member Chamberlain, seconded by Member Felter to approve the project based on specific findings of fact that the application does meet the review criteria in Chapter 153.253 with the condition that the front 450 square feet be retail space at a minimum.
Yeas: Chamberlain, Conway, Felter, Kurtz, Millington, Muladore, Radke
Nays: None
Absent: None
Abstained:Waldell, Beatty
Motion carried.

Chair Waddell and Member Beatty returned to the meeting.

2. 2023 Schedule of Meetings
   There were no conflicts with the 2023 scheduled meeting dates.
3. Review of Planning and Zoning Fee Schedule
   Zoning Administrator Koch reviewed the proposed changes to the Planning and Zoning Fee Schedule.

   Motion by Member Chamberlain, seconded by Member Conway to recommend that the City Council approve, starting in fiscal year 2023-2024, increasing the cost of a zoning permit to $50, and increasing the cost of a sign permit to $50 accompanied by an elimination of the cost per sign requirement.
   Motion carried by unanimous voice vote.
4. Activities Matrix Discussion
   Member Waddell reviewed the 2023 Proposed Tasks. The following tasks were identified on the matrix as follows:

   1. Review opportunities to expand Missing Middle Housing building options - **High Impact/High Effort**
   2. Review Outdoor/RV Storage Ordinance language - **High/Low Impact/High Effort**
   3. Review Downtown Building Height Ordinance language - **High Impact/Low Effort**
   4. Review Outdoor Lighting Ordinance language - **High Impact/Low Effort**
   5. Review Sign Lighting Ordinance language - **Low Impact/Low Effort**
   6. Review requirements to install utilities underground - **HighImpact/Low Effort**
   7. Create Charlevoix Corridor zoning district - **High Impact/High Effort**
   8. Consider expanding residential uses in industrial zoning districts - **High Impact/Low Effort**
   9. Review regulations and requirements for long-term residential uses on watercraft - **not selected as a proposed task**

10. Hold joint meeting with surrounding jurisdictions - **High Impact/Low Effort**

H. Old Business

1. Bed and Breakfast Parking Standards
   Item tabled to the January 2023 meeting.
2. Expanding Housing Types Discussion
   Item tabled to the January 2023 meeting.

I. Staff Updates

1. Zoning Administrator's Report
   Zoning Administrator Koch stated that in January the Commission would see a Level B Site Plan review for the expansion of the rooftop deck at the Hotel Earl.
2. Seasonal Population Study for Northwest Lower Michigan Presentation
   Item tabled to the January 2023 meeting.

J. Requests For Next Months Agenda or Research Items

Chair Waddell stated next month they would have election of officers, the three items tabled from this meeting, and the possible site plan review for the Hotel Earl.

K. Adjournment by 8:00 p.m. unless extended by a motion

The meeting adjourned at 7:59 p.m.

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Sarah J. Dvoracek/fgm City Clerk	RJ Waddell Chair