



Agenda
City of Charlevoix Planning Commission Regular Meeting
Monday, March 13, 2023 - 6:00 PM
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. Draft Minutes of February 13, 2023
- F. Call for Public Comment Not Related to Agenda Items**
- G. New Business**
 - 1. Lake Charlevoix Shoreline Protection Presentation
 - 2. 120 Michigan Review: expansion of outdoor rooftop at Hotel Earl
 - 3. Bed and Breakfast Parking Ordinance Review
 - 4. ADU Ordinance Review
- H. Old Business**
 - 1. Housing Types Discussion
- I. Staff Updates**
- J. Requests For Next Months Agenda or Research Items**
- K. Adjournment by 8:00 p.m. unless extended by a motion**

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Clerk's Office at 231-547-3250 or by email clerk@charlevoixmi.gov. A 24-hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodations requests.

City of Charlevoix
Planning Commission Regular Meeting Minutes
Monday, February 13, 2023 - 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 Muladore at 6:00 p.m.

B. Roll Call

Chair: Jennifer Muladore

Members Present: Scott Beatty, Sherm Chamberlain, Toni Felter, Mary Millington, Maureen Radke, RJ Waddell

Members Absent: John Kurtz

Staff Present: Jennifer Neal, Community Planner

C. Inquiry into Potential Conflicts of Interest

D. Approval of Agenda

Motion by Member Chamberlain, 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 January 9, 2023

Motion by Member Chamberlain, seconded by Member Felter to approve the minutes of January 9, 2023 as presented.

Motion carried by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. 120 Michigan Ave Review: Expansion of outdoor rooftop at Hotel Earl

Chair Muladore stated the Commission is still waiting for some additional information from the applicants and from stakeholders in the area.

Motion by Member Radke, seconded by Member Beatty to table this item until a future meeting.

Motion carried by unanimous voice vote.

2. 101 Hurlbut Ave: Preliminary review of proposed hotel

Chair Muladore stated this item was in reference to a proposed project at 101 Hurlbut Avenue which is at the top of the hill above Oleson's. The site is zoned CM - Commercial Mixed Use. The agenda packet included proposed renderings and the property owners were present to receive some feedback on the project before the formal hearing.

Michael Sherman, General Partner, Seaford Land Development stated that what they had prepared was designed to define the property and stay within the uses as stated in the City's ordinances and show the Commission their first attempt at renderings and share their vision of the building. Mr. Sherman stated their company was not just a developer, they were unique in that they are architects, engineers, a building company and developers. Mr. Sherman shared the company's background and relevant projects in northern Michigan, particularly Traverse City and Elk Rapids.

Mr. Sherman responded to questions from the Commission Members.

Mayor Lyle Gennett commented that he did not believe the existing retaining wall would support the proposed structure, and expressed concern about possible erosion down the hill on the backside of the property.

3. Public Hearing: Zoning Ordinance Amendment

Planner Neal gave a brief description of the proposed changes to Bed & Breakfast parking requirements. The proposed amendments include a minor change to the ordinance wording and creates parking requirements for bed and breakfast establishments to include one (1) off-street parking space per rental room.

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

Motion by Member Waddell, seconded by Member Felter to approve the draft language as presented to clarify/establish parking requirements for bed and breakfast establishments and to forward the language changes to the City Council for approval.

Motion carried by unanimous voice vote.

H. Old Business

1. Planning Commission Activities Follow Up

Chair Muladore stated Planner Neal had compiled a matrix of the proposed activities as discussed at the Commission's December Meeting. Planner Neal reviewed each of the nine (9) activities and asked for direction as to which tasks the Commission wanted staff to work on. Member Waddell outlined his reasons for suggesting they pursue item #3 - Review Downtown Building Height Ordinance as one of the first activities.

2. *Seasonal Population Study for Northwest Lower Michigan* Presentation

Planner Neal stated Networks Northwest prepared a report titled Seasonal Population Study for Northwest Lower Michigan, which is essentially an update to the study prepared in 2012. The study includes data and analysis of seasonal population statistics for ten (10) counties in Northwest Lower Michigan at the County-level, not by individual cities. She reviewed the report in detail and responded to questions from Commission Members.

3. Expanding Housing Types Discussion

Planner Neal stated there is a specific goal in the Master Plan, which is a new goal to create housing that meets the needs of all residents, ensuring all are safely and adequately housed. The goal includes the following details: encourage higher density in appropriate locations, promote infill development and preserve and create new dedicated affordable

housing units. Ms. Neal stated the City has 15 zoning districts with six (6) residential districts and nine (9) non-residential districts and mixed-use districts.

Planner Neal reviewed the materials provided in the agenda packet in detail and responded to questions from Commission Members. Ms. Neal directed their attention to the table titled: Missing Middle Opportunity Examples. Ms. Neal stated each housing task identified requires working with property owners to determine their willingness to develop or redevelop their property, and explained the level of effort involved in each of the examples. Ms. Neal described in detail each of the missing middle opportunity examples. Discussion followed regarding the potential impacts and benefits of adding additional housing.

Planner Neal stated a full site analysis needs to be completed for each of the locations identified in the staff report including: 755 Petoskey Avenue; Bridge Street at M-66N (1500 Bridge Street and 102 M-66); east of Meech Street between Elm Street and Cherry Street; Sheridan Triangles; parcels at May Street and Stover Road; and a unified Charlevoix Corridor along Petoskey Avenue. Ms. Neal continued reviewing potential new areas for rezoning and multi-family housing.

After discussion, Chair Muladore stated staff should continue expanding the information available on the identified sites and property ownership, and then contact Housing Yes to assist with inviting property owners to the table to see the level of interest in redevelopment. Additional discussions were held regarding the vacant property in the Industrial Park and the possibility of adding housing within the park.

I. Staff Updates

Planner Neal stated they were working on an update to the Zoning Map which she hoped to bring before the Commission within the next couple of months. Chair Muladore asked for a map defining brownfield areas as well.

Chair Muladore stated she has been working with the City Manager and will participate in the interview panel for the new Zoning Administrator position and they have two interviews scheduled for next week.

J. Requests For Next Months Agenda or Research Items

Chair Muladore stated the Hotel Earl Project will be on the March agenda if the applicants submit all the requested information in time.

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

Motion by Member Radke, seconded by Member Chamberlain to adjourn the meeting at 8:02 p.m.

Motion carried by unanimous voice vote.

Charlevoix Planning Commission

New Business

Title: Lake Charlevoix Shoreline Protection Presentation

Date: March 13, 2023

Presented By: Jennifer Neal, Community Planner

Background:

Presenters from the Land Information Access Association (LIAA) and Tip of the Mitt Watershed Council have prepared a slideshow and a handout on Lake Charlevoix shoreline protection. They will be presenting via zoom.

Recommendation:

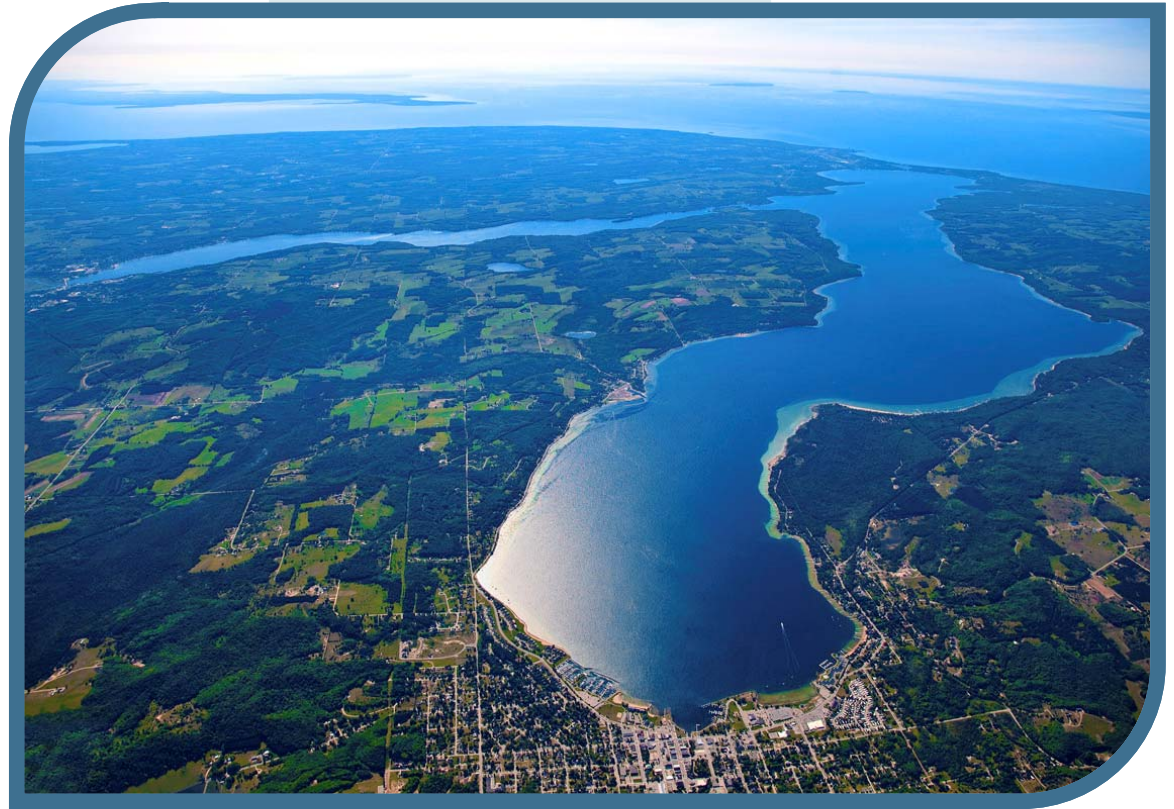
Attachments:

1. LIAA_Round2_Presentation_CityofCharlevoix
2. LIAA_Round2_CityofCharlevoix_Handout

LAKE CHARLEVOIX SHORELINE PROTECTION

PREPARED FOR

THE CITY OF CHARLEVOIX



SHORELINE DEVELOPMENT



Increased
pressure along
the shoreline

1956 > 1978 > 2010: <80% hardened shoreline lake-wide (TOMWC 2018 survey)

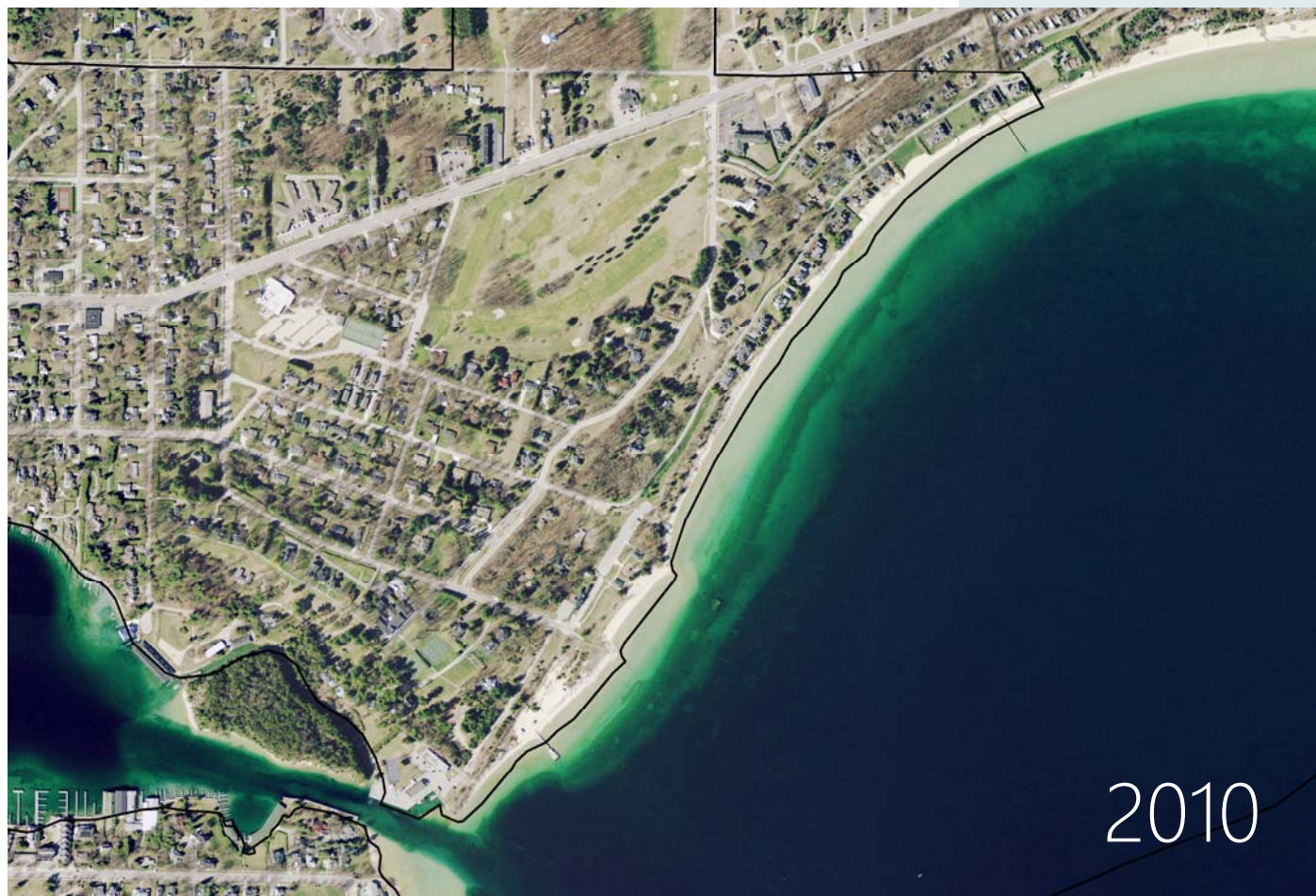
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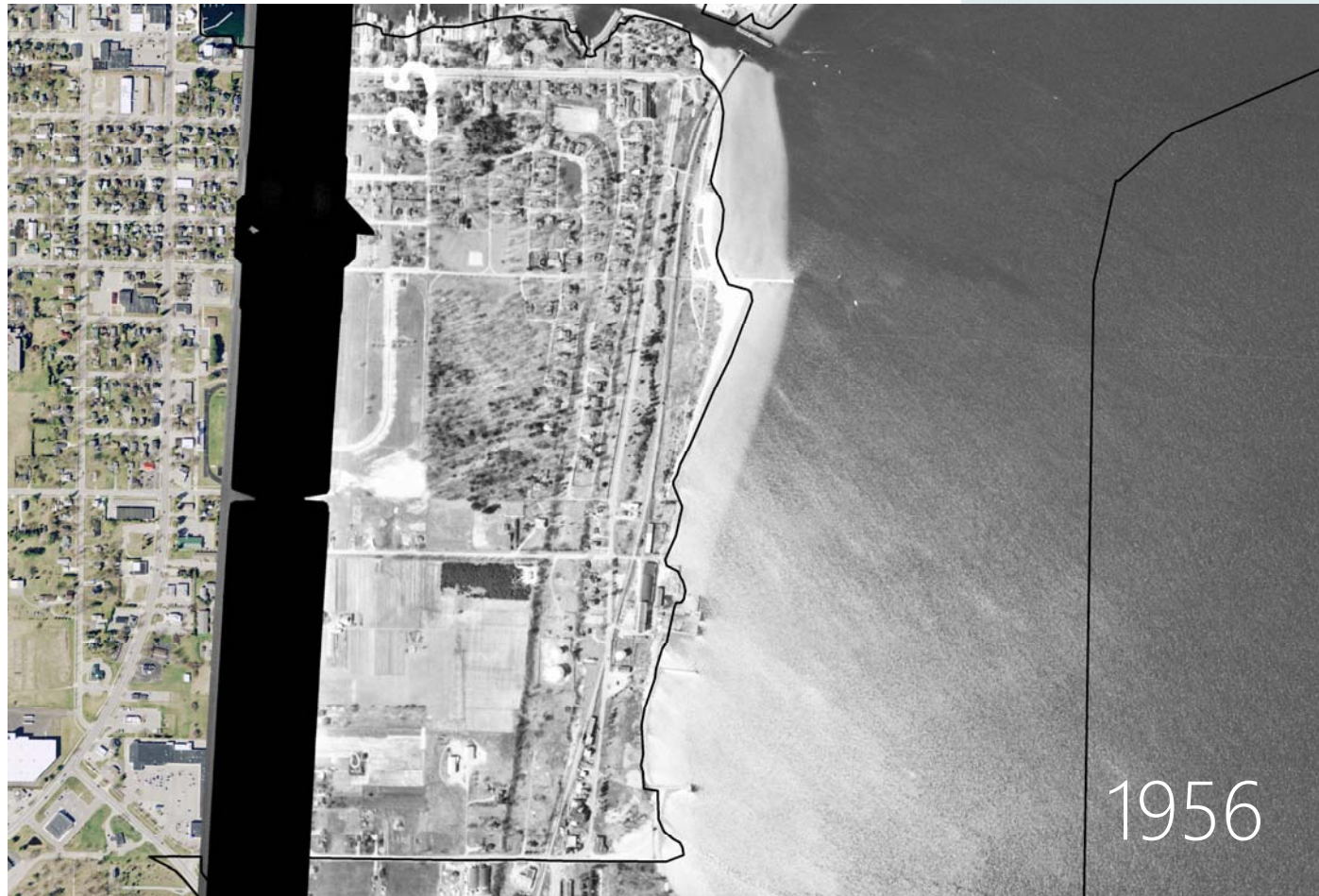
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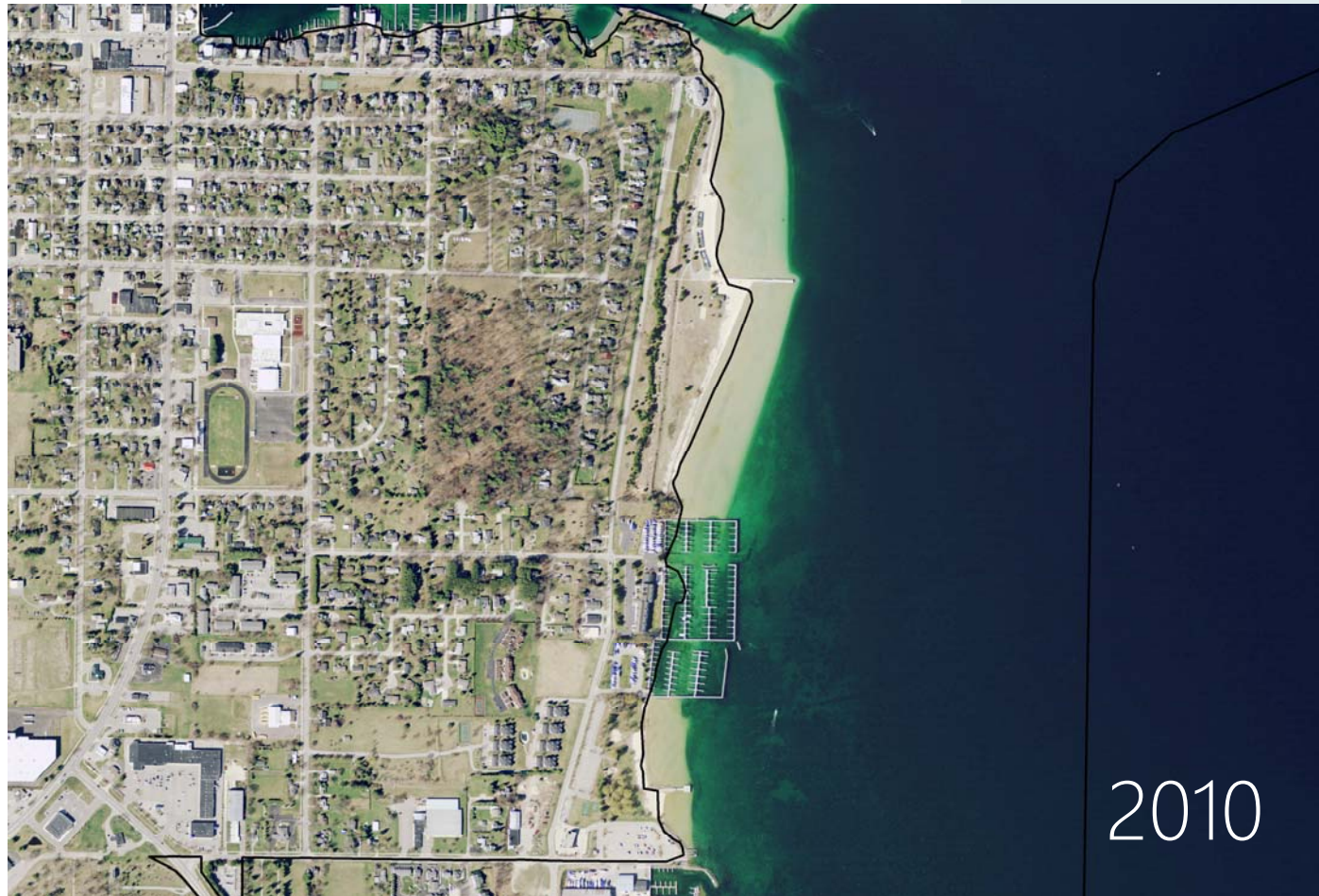
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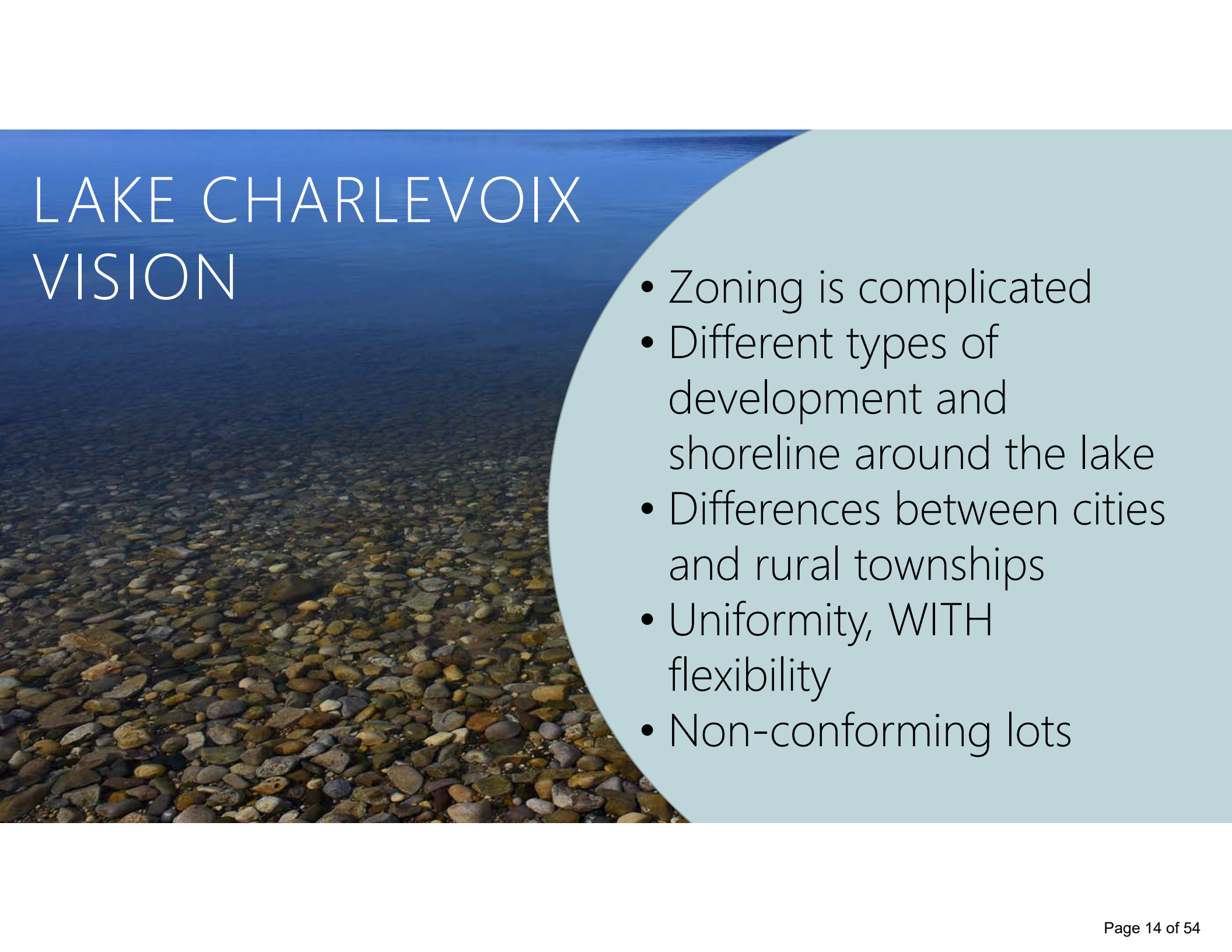
Increased
pressure along
the shoreline

1956 > 1978 > 2010: <80% hardened shoreline lake-wide (TOMWC 2018 survey)

A photograph of two young boys swimming in a lake. The boy in the foreground is smiling and looking towards the camera, with his head and shoulders above water. The boy behind him is also smiling and looking towards the camera. The water is a mix of blue and brown, suggesting some sediment or algae. The background is slightly blurred, showing more of the lake and some distant structures.

LAKE CHARLEVOIX VISION

- Long-term protection of Lake Charlevoix for future generations to swim, boat, fish, and enjoy healthy waters
- Improve ordinances
- Regulations are not enough
- Education
- Coordination



LAKE CHARLEVOIX VISION

- Zoning is complicated
- Different types of development and shoreline around the lake
- Differences between cities and rural townships
- Uniformity, WITH flexibility
- Non-conforming lots

THE CITY OF CHARLEVOIX CONCERNS/CHALLENGES

- Enforcement
- Education
- Few Properties for Oversight
- Wealth Brings in Larger Development



LAKEWIDE RECOMMENDATIONS



Education



Ban Construction of Seawalls



Coordination on Permitting



Attend Advisory Committee Mtgs



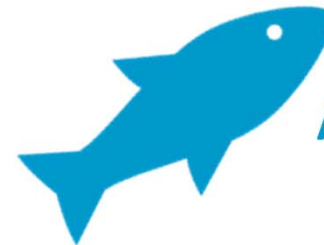
Reinvigorate Planner's Forum



Use Bonds or Predetermined Fines



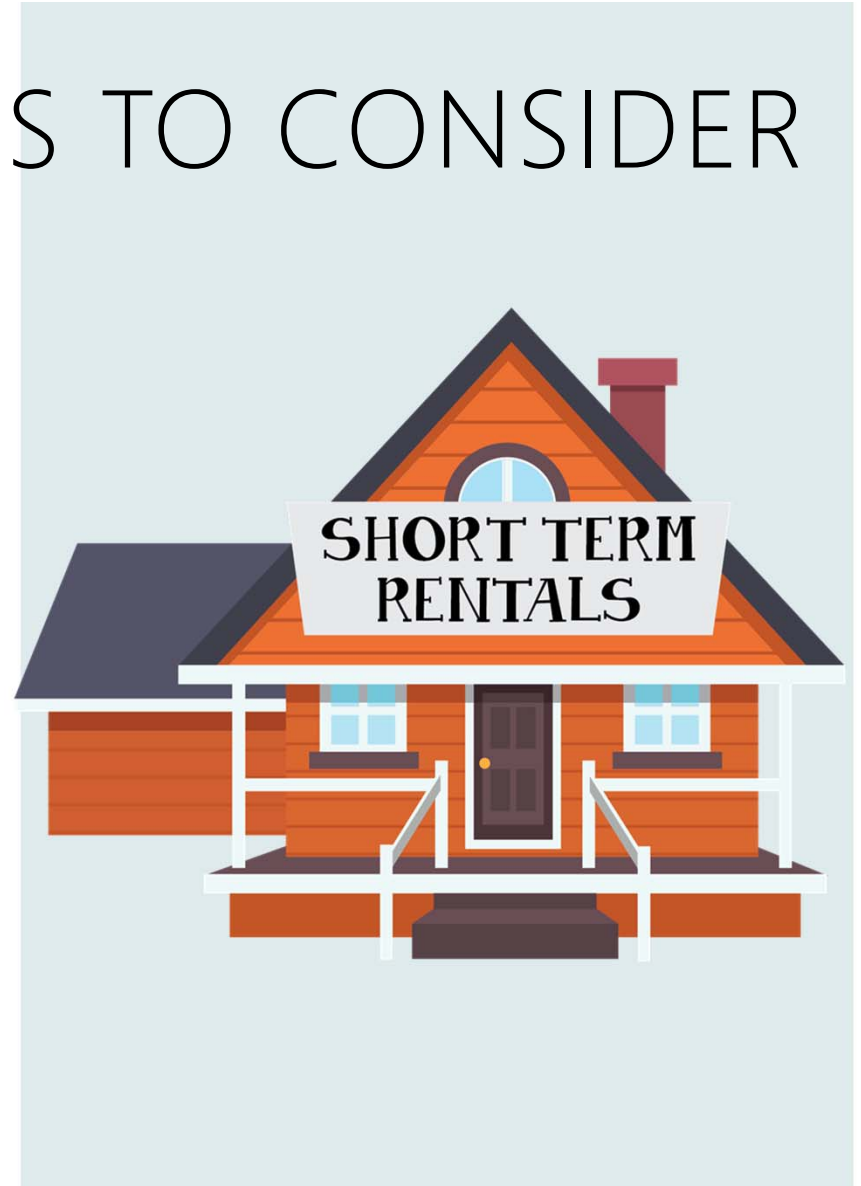
Improve Permit Application



Attend Trainings

ADDITIONAL OPTIONS TO CONSIDER

- Overlay Districts
- County Zoning
- Third-Party Review and Enforcement
- Ordinary High-Water Mark Interpretation
- Short-Term Rental Regulations





RECOMMENDATIONS FOR THE CITY OF CHARLEVOIX

- Redefine Ordinary High Water Mark
- Prohibit Seawalls, Where Feasible
- Require Greenbelts on All Public Waterfront Properties
- Require Greenbelts on Newly Developed or Renovated Properties
- Develop Stringent Greenbelt Parameters
- Install Trash Capture Technologies in Stormwater System

NEXT STEPS

- Meet with remaining local governments around the lake
- Develop final report and individual recommendations to local governments
- Assist with follow-up on recommendations



www.lakecharlevoixprotection.org

2023 Lake Charlevoix Shoreline Protection Visioning



Lake Charlevoix Association (LCA) – Promotes understanding of shared use of Lake Charlevoix and advocates for sensible and sustainable lakefront development practices.



Tip of the Mitt Watershed Council (TOMWC) – Dedicated to protecting northern Michigan lakes, streams, wetlands, and groundwater.



Land Information Access Association (LIAA) – Non-profit serving other non-profits and governments to support planning and technology needs to increase civic engagement and foster sustainable and resilient communities.

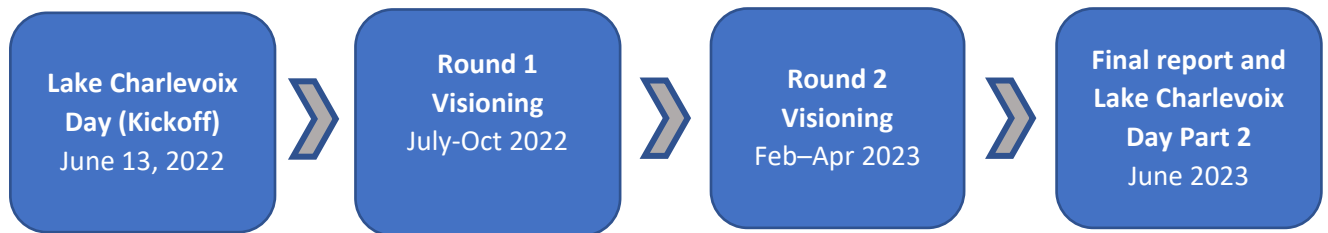
Project Background:

www.lakecharlevoixprotection.org

LCA has contracted with TOMWC and LIAA to accomplish two main objectives:

- 1) Revisit the 2016 efforts and discuss the status of lakeshore protection standards with each community.
- 2) Develop a shared vision of Lake Charlevoix with common goals and objectives shared by all of the communities around the lake as well as individual community visions.

Project Timeline:



City of Charlevoix's Vision for Shoreline Protection:

Greatest concerns

- Enforcement – uniform and ubiquitous across all jurisdictions
- Education – dissemination of information to contractors, realtors and homeowners
- Ordinances – varies greatly from community to community; would like to see more universal ordinances, but understands there are areas around the lake where that may not be possible; make easier to enforce

Ideas

- Preserve and protect the Park Island shoreline as much as possible as it is one of the last spots in the city that has not been hardened.
- City could investigate which shorelines could be restored, protected, or improve water quality starting with city-owned land
- Have a shoreline development worksheet or checklist that people could use to follow responsible practices
- Shorelines Stewardship Program – education starting at a young age to encourage shoreline protection and to maintain water quality and natural habitats

Needs/Wants

- Checklist for anyone looking to alter shoreline that outlines local and state regulations as well as best practices
- Progress – how do we measure progress over time? For example, do we know greenbelts work? How do we measure this to show future permit applicants.

- Data – felt the last shoreline survey was immensely helpful; more information like this would be helpful for decision makers.
- Ordinances that activate shoreline restoration requirements (such as a non-conforming use ordinance)

Lake-wide Recommendations

- **Overlay District** An overlay district is a common tool for establishing development restrictions, or extending development incentives, on land within a defined geographic area or characterized by specific physical features or site conditions. Adopted as part of a zoning bylaw, overlay districts are superimposed over one or more underlying conventional zoning districts in order to address areas of community interest that warrant special consideration, such as shoreline protection or to ensure new development fits the existing community character and needs. Common standards or regulations in an overlay zone may include building setbacks, density standards, lot sizes, impervious surface reduction, vegetation requirements, building floor height minimums, and flood-proofing to high water levels. Overlay districts can be useful for many of the jurisdictions around Charlevoix County.
- **Education**
 - Homeowners
 - Realtors
 - Contractors
 - Planners Forum
 - Watershed Plan Advisory Committee
- **Coordinated Permitting**
 - **Regulation** Local jurisdictions would coordinate regulations both through the use of lake-wide overlay zones/districts and through regulations that may impact the watershed and water-quality, such as impervious surfaces and alternatives to accommodate development while allowing natural processes to continue.
 - **Comment on permit applications** Local governments are provided notice and given the opportunity to review and comment on proposed public notice prior to action. In addition, local governments are copied on permits and violation letters. Local units of government need to take the opportunity to participate in the permitting process with the State of Michigan by providing comments, particularly when a proposed project will violate a local ordinance.
 - **EGLE to attend Planning Commission** District permitting staff from the Michigan Department of the Environment, Great Lakes, and Energy has agreed to attend Planning Commission/Board meetings to further understanding and coordination between the state and local units of government.
 - **Require all other relevant permits to be obtained prior.** Local communities may include provisions in their zoning ordinance that all other relevant permits are received prior to permit approval. Local units of government could also conditionally approve a permit, requiring submission of all other required permits prior to final approval. Once a sequence for permits has been established communities can create and use checklists to guide and document their workflow.

Next Steps

- Has anything been missed or mis-interpreted?
- Does the jurisdiction plan to implement shoreline protection efforts?

Charlevoix Planning Commission

New Business

Title: 120 Michigan Review: expansion of outdoor rooftop at Hotel Earl

Date: March 13, 2023

Presented By: Jennifer Neal, Community Planner

Background:

The Applicant, Shoreline Architecture, is proposing to expand the rooftop deck at 120 Michigan Avenue, the Hotel Earl. The rooftop space is currently 3,770 square feet, and the applicant is proposing a 1,070 square foot expansion. Planning and Zoning staff have prepared a staff report for your review.

Recommendation:

Attachments:

1. 2_Hotel Earl Review
2. 2_Hotel Earl Police Noise Review
3. 2_Hotel Earl Fire Review
4. Police Parking letter
5. Police Parking letter2
6. Building Dept Letter
7. Hotel Earl-1-Application
8. Hotel Earl-2a-Submittal - narrative
9. Hotel Earl-2b-Submittal - cover sheet
10. Hotel Earl-2c-Submittal - floor plan
11. Hotel Earl-2d-Submittal - image



PLANNING COMMISSION AGENDA ITEM

AGENDA TITLE: Planning Commission Review – Hotel Earl Rooftop Deck Expansion

PUBLIC MEETING DATE: January 9, 2023 at 6:00 PM, continued on March 13, 2023

EXHIBITS:	1. Application from Shoreline Architecture 2. Narrative provided by Shoreline Architecture 3. Cover sheet dated 3-28-18 from Performance Engineers 4. Floor plan dated 12-23-2022 from Shoreline Architecture 5. Google Earth imagery, 2020 copyright date, provided by Shoreline Arch. 6. City of Charlevoix Zoning Ordinance
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I. GENERAL INFORMATION

Applicant:	Shoreline Architecture
Property Owner:	Hotel Earl LLC (Silva Property Management) 1005 N Stephenson Hwy. Royal Oak, MI 48067
Requested Action:	Approval to expand rooftop deck with no additional parking
Zoning:	Commercial Mixed Use (CM)
Project Location:	120 Michigan Ave Tax ID 052-199-000-10
Project Site Size:	Property is .905 acres (39,436 sft) Existing deck is 3,779 sft; proposed is an additional 1,070 sft
Existing Land Use:	Three-story hotel with existing rooftop deck
Adjacent Land Uses:	To the south: Condominiums/office space/retail To the west across Michigan Ave.: a bed & breakfast and a condominium suite hotel To the east and north: residential
Adjacent Zoning:	To the south: Commercial Mixed To the west across Michigan Ave: Commercial Mixed Use To the east and north: R-1 residential

II. PROJECT LOCATION & DESCRIPTION

The applicant is proposing a 1,070 square foot addition to an existing 3,779 sft rooftop deck at the Hotel Earl, 120 Michigan Avenue. The proposal, if approved as presented, would expand the existing 63 seats by an additional 71 seats for a total of 134 seats on the rooftop deck.

The Planning Commission, on January 11, 2021, approved a motion that waived the parking requirement for the existing roof top deck. The applicant is requesting relief from the additional parking spaces required by the zoning ordinance's Table 153.187 of "1 per employee on the largest shift, plus 1 per 200 sq. ft. of usable floor area." Per the site plan and the applicant's narrative, there are 33 existing parking spaces on the property. To meet the square footage requirements for the expansion, 5 parking spaces would be required in addition to number of parking spaces required for employees. The applicant has been contacted and asked to have the number of additional employees at the meeting.

§ 153.188 (B) allows the Planning Commission to waive or modify the amount of parking. Paragraphs 2, 3, and 4 appear the most applicable.

Notes: per www.hotelearl.com, the hotel has 56 rooms. In addition, the subject property is inside the DDA boundary.



Image captured from the Hotel Earl website on January 3, 2023

III. REQUIREMENTS

The completed application and fee were received in the zoning office on January 3, 2023. That day, the application and accompanying documentation were emailed to the Superintendent of Public Works, the Interim Police Chief, and the DDA Director for their comments. Pat Elliott, DPW Superintendent, responded that he did not have any issues with the proposal.

On the date this report was completed, no comments regarding the proposal had been received from the Interim Police Chief or the DDA Director. This is not unexpected, given the short time

frame. If their comments are received before the meeting, they will be forwarded to the Planning Commission.

The Charlevoix Township Fire Chief, Dan Thorp, was contacted by phone on January 3, 2023. Plans were left for him to pick up on January 4. If the Fire Chief provides his comments before the meeting, they will be forwarded to the Planning Commission.

An update of communications and reports:

On January 11, 2023, Police Sergeant Barbara Orban reported there were no noise complaints from the Hotel Earl Rooftop. See attached email communication.

On February 27, 2023 Chief Jill McDonnell reviewed parking violations related to Hotel Earl employees and guests. Police Department staff found no violations issued during summer months. See attached email communication.

On February 3, 2023, upon review of the site, Chief Dan Thorp of the Charlevoix Township Fire Department provided a letter with his comments. See attached letter.

On March 6, 2023, the Charlevoix County Department of Building Official, Kevin Schlickau, confirmed engineered drawings are required for review and approval prior to construction of the rooftop deck. See attached email communication.

The DDA Director, Lindsey Dotson, has no comment on the project.

As this proposed project does not require a Level B site plan review, following the Level B site plan review standards is not required. However, three sections of the zoning ordinance do apply and follow.

IV. PLAN REVIEW

Three sections of the zoning ordinance apply to this proposal:

- § 153.118 (D) Roof top decks
- § 153.170 Building Appearance
- §§ 153.185 et seq., Off-Street Parking, Loading, Access and Circulation

§ 153.118 Lodging, Dining and Entertainment Uses

(D) Roof top decks. The following provisions are intended to regulate roof top deck use, permanent or temporary, in all districts to reduce safety concerns, noise and other nuisances, and visual impact on neighboring properties and on the community generally. The use of roof top decks is subject to the following restrictions:

- (1) A zoning and building permit for any roof top deck must be first obtained from the City Zoning Administrator and Charlevoix County Building Department and is subject to construction of and maintenance of guardrails and other protective features as required by the Charlevoix County Building Code.
- (2) Any request for a City of Charlevoix zoning permit that includes a roof top deck must undergo site plan review and receive approval by the Planning Commission prior to issuance of a zoning permit.

- (3) Parapet walls and perimeter guardrails shall extend around the perimeter of the roof top deck and incorporate exterior building materials consistent with the architectural style of the underlying structure subject to § 153.170.
- (4) Any structure on a deck or patio must be permitted under the Zoning Code. Portable appurtenances are prohibited. Temporary appurtenances and structures are subject to site plan review to assure public safety.
- (5) Except within the CBD, Central Business District, amplified musical instruments or sounds are prohibited. Any other music or sound that would violate the city's noise ordinances and restrictions is prohibited.
- (6) All commercial food preparation shall take place inside the establishment.
- (7) No open flames are allowed.
- (8) Lighting shall be shielded and pointed downward and shall not be a nuisance to adjacent properties subject to § 153.172.
- (9) Roof top deck space is subject to the requirements of §§ 153.185 et seq., Off-Street Parking, Loading, Access and Circulation.

(Prior Code, § 5.48) (Ord. 794, passed 9-17-2018; Ord. 795, passed 11-5-2018; Ord. 821, passed 10-19-2020)

§ 153.170 Building Appearance

- (A) Purpose. The purpose of this section is to provide quality exterior architectural building styles and material standards to enhance the visual environment of the main corridor entries to the city, thereby improving property values and stimulating investment in the business districts. The provisions of this section are intended to promote quality architecture to ensure that buildings retain their value, protect the investment of adjacent landowners, blend harmoniously into the streetscape and create a positive image for business and the city.
- (B) Applicability. This section shall apply to all new construction in the General Commercial (GC), Professional Office (PO) and Commercial Mixed Use (CM) Districts on lots fronting U.S. 31 (Bridge Street and Michigan Avenue) and M-66. This section shall not apply to single-family detached and two-family residential structures. Architecture shall be reviewed by the Zoning Administrator or Planning Commission, as applicable, as a part of site plan review under the requirements of §§ 153.230 through 153.243 of this chapter.
- (C) All exterior materials shall comply with the following:
 - (1) Design standards. Buildings shall have architectural variety, but enhance the overall cohesive community character. At a minimum, the following standards shall be met.
 - (a) Buildings shall provide architectural features, details and ornaments such as archways, colonnades, cornices, peaked roof lines, hip returns, operable window shutters, transoms, gas lights or towers to accent and add interest.
 - (b) Repair of existing structures may utilize the existing roof pitch and roof design at the time of application.
 - (c) Plazas, strip malls or similar types of commercial or office developments where multiple businesses are located within the same building shall provide at least one dormer, archway or similar feature per business or store front.

- (d) Building walls over 100 feet long shall be broken up with varying building lines, vertical architectural features, windows, architectural accents and trees.
 - (e) Building entrances shall utilize windows, canopies and awnings; provide unity of scale, texture and color; and clearly identify the entry.
 - (f) Building-mounted mechanical equipment shall be screened.
- (D) Site elements. Signs and other site features shall be designed and located so they are aesthetically consistent and harmonious with the overall development. Sign bases shall be constructed of material which is compatible with the principal building. Mechanical equipment shall be screened.

(Prior Code, § 5.80) (Ord. 823, passed 1-4-2021) Penalty, see § 153.999

§§ 153.185 et seq., Off-Street Parking, Loading, Access and Circulation (the most pertinent sections are below; the full zoning parking section is eight pages in length and is available on the city's website)

§ 153.185 Description and Purpose

- (A) The purpose of this subchapter is to prescribe regulations for off-street parking of motor vehicles in residential and non-residential zoning districts, to ensure that adequate parking and access are provided in a safe and convenient manner and to afford reasonable protection for adjacent land uses from light, glare, noise, air pollution and other effects of parking concentrations.
- (B) It is the further intent of these regulations to:
 - (1) Implement the goals and policies of the city's Master Plan;
 - (2) Reduce the impacts associated with parking lots through minimum and maximum parking requirements; and
 - (3) Accommodate shared parking to limit the extent of paved and impervious surfaces.

(Prior Code, § 5.90)

§ 153.186 Applicability

- (A) For all buildings and uses established after the effective date of this chapter, off-street parking shall be provided as required by this section, except in the CBD Central Business District. Parking spaces provided in this manner shall be unreserved and generally available to the public.
- (B) If the intensity of the use of any building or site is increased by adding floor area, increasing seating capacity or employees, or by any other means, additional off-street parking shall be provided to the extent required by this subchapter.

(Prior Code, § 5.91) (Ord. 807, passed 9-3-2019)

§ 153.187 Parking and Access Requirements by Use

Service Uses: Bars, lounges, taverns, nightclubs (majority of sales consist of alcoholic beverages)

1 per employee on the largest shift, plus 1 per 200 sq. ft. of usable floor area

(Prior Code, § 5.92) (Ord. 802, passed 4-15-2019; Ord. 807, passed 9-3-2019)

§ 153.188 Parking Alternatives

- (B) *Modification of parking requirements.* The Planning Commission may reduce the parking space requirements of this section for any use, based upon one or more of the following.
- (1) Shared parking by multiple uses is expected due to the likelihood of numerous multipurpose visits, or if uses have peak parking demands during different times of the day or days of the week; subject to the following.
 - (a) Sidewalks shall be maintained or established between the uses.
 - (b) Pedestrian connections, both within and to the site, shall provide safe and convenient access to building entrances.
 - (c) For separate properties, shared parking lots shall be within 300 feet to one another with vehicular and pedestrian access.
 - (d) Unless the multiple uses are all under single ownership and within a unified business or shopping center, office park or industrial park, shared parking agreements shall be filed with the City Clerk after approval by the Zoning Administrator.
 - (2) Convenient municipal off-street parking facilities or on-street spaces are located no further than 600 feet from the subject properties.
 - (3) An expectation of walk-in trade is reasonable due to the proximity of residential neighborhoods, downtown or employment areas that are interconnected with sidewalks.
 - (4) Other forms of travel such as bicycle or transit are available and are reasonable alternatives.
 - (5) The Planning Commission may require a parking study to document that the above divisions (B)(1)(a) through (B)(1)(d) have been addressed.
 - (6) Where the applicant has provided a parking study, it shall demonstrate that a standard other than that required by this subchapter would be more appropriate based on the number of employees, expected level of customer traffic, or actual counts at a similar establishment. Parking studies shall be prepared by a qualified expert, such as a professional transportation engineer or professional transportation planner, based upon standards, manuals and research published by professional organizations, such as the Institute of Transportation Engineers, the Transportation Research Board or Urban Land Institute. The Planning Commission may require parking studies of comparable uses in the general area as part of the study.

V. PLANNING COMMISSION OPTIONS

- A. Approve, as the Planning Commission waives the parking requirements in Table 153.187 under the authority § 153.188 (B).
- B. Deny. The project does not meet the parking requirements in Table 153.187.
- C. Table. This option is typically used when additional information is needed to assist the Planning Commission in making the decision.
- D. Other, as determined by the Planning Commission.



Jennifer Neal <jennifer.neal@networksnorthwest.org>

Hotel Earl - noise

Planner <planner@charlevoixmi.gov>

Tue, Jan 17, 2023 at 2:42 PM

To: Jennifer Neal <jennifer.neal@networksnorthwest.org>

From: Barbara Orban <barbarao@charlevoixmi.gov>

Sent: Wednesday, January 11, 2023 10:07 AM

To: Planner <planner@charlevoixmi.gov>

Subject: Hotel Earl

Janet,

Kristen checked and there were no noise complaints from the Hotel Earl Rooftop.

Thanks,

Barbara Orban

Sergeant

Charlevoix City Police

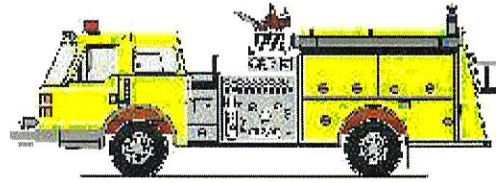
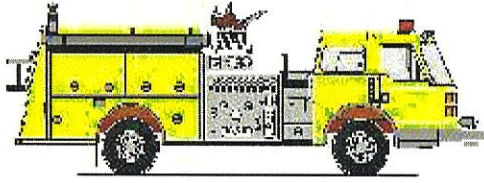
[210 State St.](#)

[Charlevoix, MI 49720](#)

p: 231-547-3258

f: 231-547-3255





CHARLEVOIX TOWNSHIP FIRE DEPT.

8977 Martin Rd., CHARLEVOIX MI, 49720

Chief Dan Thorp 231-675-0416

Assistant Chief Dave Christiansen 231-330-1095

Assistant Chief Greg Seese 231-675-1622

2/1/2023

Dan Thorp
Charlevoix Township Fire Department
8977 Martin Rd.
Charlevoix MI. 49720

City of Charlevoix
210 State St.
Charlevoix MI. 49720
Janet Koch
Zoning Administrator
Hotel Earl Roof Plan

To Whom it may concern,

I have gone to the site and looked over the proposed plans.

1. Life safety, Is the roof capable of handling the extra weight?

Trying to get 134 people off the roof in an emergency could be challenging while dealing with the issue.

2. Parking is very limited as it is already, we have days in the summer when we cannot get firetrucks down the first block of East Dixon as it is now.

Fire lanes are something we will have to look at doing.

Sincerely,

Dan Thorp
Fire Chief



Jennifer Neal <jennifer.neal@networksnorthwest.org>

Hotel Earl - noise

Kristen Young <kristeny@charlevoixmi.gov>

Wed, Feb 22, 2023 at 3:20 PM

To: "jennifer.neal@networksnorthwest.org" <jennifer.neal@networksnorthwest.org>

Cc: Barbara Orban <barbarao@charlevoixmi.gov>

Jennifer,

In 2021 our department issued 69 parking tickets to guests staying at Hotel Earl. In 2022 our department issued 41 parking tickets to guests staying at Hotel Earl. Mostly all of these parking tickets were issued during the months our snow ordinance is in effect, December 1st - April 1st. Hotel Earl instructed their guest to park on E Dixon Ave. since their parking lot does not accommodate all of their guest's vehicles. Each guest that received a ticket was then told my Hotel Earl that Hotel Earl would take care of the ticket for them. Hotel Earl failed to take care of the tickets so when guests/registered owners of the ticketed vehicles received late notices in the mail they were not happy since Hotel Earl stated they would take care of their parking tickets. After many complaints, Hotel Earl ended up paying for the parking tickets they originally promised to take care of.

Thank you,

Kristen Young

Administrative Assistant

Charlevoix City Police

[210 State St.](#)[Charlevoix, MI 49720](#)

p: 231-547-3258

f: 231-547-3255

From: Barbara Orban <barbarao@charlevoixmi.gov>**Sent:** Tuesday, February 21, 2023 4:10 PM**To:** Kristen Young <kristeny@charlevoixmi.gov>**Subject:** Re: Hotel Earl - noise

Jennifer,

I forwarded the email to Kristen Young. She will be the best person for you to contact for that.

Thanks,

Barb

Sent from my iPhone

On Feb 21, 2023, at 16:08, Barbara Orban <barbarao@charlevoixmi.gov> wrote:

Sent from my iPhone

Begin forwarded message:



Jennifer Neal <jennifer.neal@networksnorthwest.org>

Hotel Earl - noise

Jill McDonnell <jillm@charlevoixmi.gov>

Mon, Feb 27, 2023 at 12:56 PM

To: Jennifer Neal <jennifer.neal@networksnorthwest.org>

Jenni,

Just to let you know, the parking ordinance was not consistently being enforced prior to my arrival. Parking is allowed around there during April-to December. Just like the Fire Department we would want to be able to access the streets, parking lot and building.

Overall last summer the roof top was not open all that much to where it could have created a noise issue.

Jill McDonnell
Chief of Police



**CITY OF
CHARLEVOIX**

Phone 231-547-3258**Web** www.charlevoixmi.gov**Email** jillm@charlevoixmi.gov

210 State Street

Charlevoix, MI 49720

From: Jennifer Neal <jennifer.neal@networksnorthwest.org>**Sent:** Monday, February 27, 2023 12:46 PM**To:** Kristen Young <kristeny@charlevoixmi.gov>; Jill McDonnell <jillm@charlevoixmi.gov>

[Quoted text hidden]

[Quoted text hidden]



Jennifer Neal <jennifer.neal@networksnorthwest.org>

Hotel Earl

Kevin Schlickau <schlickau@charlevoixcounty.org>

Mon, Mar 6, 2023 at 8:09 AM

To: "jennifer.neal@networksnorthwest.org" <jennifer.neal@networksnorthwest.org>

Jenni,

Before a permit will be issued to Hotel Earl there will have to be a plan review on the project. At that time there will be a set of plans that are stamped and sealed by an engineer stating that the roof can handle the added load to the roof.

Thank you,

Kevin Schlickau

Charlevoix County

Building Official, Electrical Inspector

schlickau@charlevoixcounty.org

231-547-7236



Date Received: **1-3-2023**
Decision Date:
Permit #:

Office of Planning and Zoning
210 State Street Charlevoix, MI 49720
planner@charlevoixmi.gov
www.charlevoixmi.gov
(231)547-3265

ZONING PERMIT APPLICATION

1. This application is to be completed by the applicant, signed, and filed with the Zoning Administrator. The Zoning Administrator may waive certain application requirements such as lot corner staking, certain drawings, and/or building location staking if it can be determined that the proposed project meets the requirements of the Title V Planning and Zoning without such documentation.
2. Applicant must provide a scaled site plan of the proposed construction. See requirements on Page 3 of the application. Floor plans, elevation drawings, and other documentation may be required.
3. Applicant pays \$45.00 Zoning Permit fee made payable to the City of Charlevoix.
4. Applicant provides field staking of property boundaries and structures by applicant for inspection by Zoning Administrator. A registered land surveyor may be required to stake the property corners.
5. Zoning Administrator makes determination based on the application, site plan, and site visit against applicable sections of the City of Charlevoix Zoning Ordinance.
6. If approved, two copies of Zoning Permit are provided to the applicant. The original application is part of the City's permanent records.
7. Applicant takes copy of the Zoning Permit to the County Building Department.

Checklist for Zoning Permit Applications		☒
• Complete Application-Sign		☐
• Pay fee to City \$45		☐
• Provide Scaled Site Plan		☐
• Stake building corners		☐
• Stake lot boundaries		☐

ZONING PERMIT APPLICATION

SHORELINE ARCHITECTURE 120 MILLIGAN AVE.
Applicant Address of subject property

8 PENNSYLVANIA PLAZA, PETOSKEY, MI 49770
Address (City/State/Zip)

SILVA PROPERTY MANAGEMENT
Property Owner Name (If different than applicant)

1005 N. STEVENSON HWY, ROYAL OAK, MI 48067
Property Owner Address (City/State/Zip) (If different than address of subject property)

Property Owner Phone Email
(248) 705-5969 TDUL@SPMLIVING.COM

Agent Phone Email
(231) 348-3303 TULKE@SHORELINEARCHITECTURE.COM

Use of Property: (Example: Single Family, Duplex, Apartments, Commercial, etc.)

HOTEL

Please describe the type of construction: (Example: 12X14 addition for a new bathroom extending west on the south side of a single family home.)

EXPANSION OF EXISTING ROOF TOP DECK

Dimensions of proposed construction excluding eaves: (SEE DRAWINGS)

Total square footage of proposed construction: (SEE DRAWINGS)

Height of proposed construction to the top of the roof: 32'

Height of proposed construction to the midpoint of the roof for gabled roof: N/A

Roof Type: (Examples: Gable, Hip, Gambrel, Mansard, Flat)

FLAT

Square footage of all impervious surfaces: (Please show on site plan) (Examples:

Ashphalt/concrete driveways, sidewalks, patios) NO CHANGE

Expected date to begin construction if known: SPRING 2023

Attach a scale drawing of the proposed construction. Please be as detailed as possible, as this will be used to determine if a permit can be issued in accordance with the Zoning Ordinance. Corrections or additions may be required by the Zoning Administrator to determine compliance with the Zoning Ordinance.

Include all of the following:

- Lot or parcel dimensions.
- Existing building and dimensions, excluding eaves.
- Proposed building and dimension, excluding eaves.
- Front, site, and rear yard dimensions.
- Dimensions between existing and/or proposed buildings.
- Location and dimensions of all impervious surfaces including structures, sidewalks, driveways, patios, etc.
- Name of nearest road, easement, or dedicated right-of-way.
- Scale, North arrow.

AFFIDAVIT

I hereby certify that the proposed work is authorized by the property owner, 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 are true, and if found not to be true, any zoning permit issued may be void. I also agree to comply with the conditions and regulations provided with any permit that may be issued. Further, I agree that any permit that may be issued is issued with the understanding that the individual(s) or organization(s) named or represented on that permit will comply with all applicable sections of the City of Charlevoix Zoning Ordinance. Accordingly, I agree that any and all construction, installation, alteration, addition, or demolition described herein will be conducted and carried out in compliance with City of Charlevoix Zoning Ordinance. 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. Finally, I understand that this is a zoning permit application (not a zoning permit) and that a zoning permit, if issued, conveys only land use rights, and does not include any representation or conveyance of rights in any other statute, building code, deed restriction, or other property rights.

Signed:  _____

Date: 12-28-22

THIS SECTION FOR OFFICE USE ONLY

Zoning District: **Commercial Mixed (CM)**

Tax ID: 052- 199 - 000 - 10

Receipt Number: **1652897**

Date Inspected: _____

Approved: ☐ Denied: ☐ If variance was required: Project # _____

Lot Coverage Calculations: Existing: n/a
Proposed: n/a
Total: n/a
Lot Size: n/a Percentage: n/a

Staff findings or notes: _____

Zoning Administrator Signature: _____

Date: _____



December 23, 2022

Ms. Janel Koch
Zoning Administrator
City of Charlevoix
210 State Street
Charlevoix, MI 49720

Re: Amendment to Site Plan Approval
Hotel Earl – 120 Michigan Avenue
Request for Expanded Roof Deck

Janet,

The current roof deck at Hotel Earl was approved via an Amendment to the Site Plan Approval in March 2019, amended for public use in February 2021, and opened for public use in the summer of 2022. The owner would now like to expand the deck 1,070 sq.ft. to allow for additional seating as depicted on the attached sheet A-1.12. As such, I am writing on behalf of the owner and operators of Hotel Earl seeking approval for the expanded deck as well as relief from the additional parking spaces required with the expanded area.

Currently, there are 33 parking spaces provided on site (pending completion of the driveway and parking on the north side of the hotel). Per the Zoning Ordinance, the hotel is required to have 32 spaces to accommodate guests (28 spaces) and employees (4 spaces). This leaves 1 extra parking space for additional use on the site (see sheet C-1.0 attached).

The combined original deck and the proposed expansion will result in Usable Floor Area (UFA) of the 3,000 sq.ft. Based on the ordinance parking requirement of 1/200 sq.ft. of UFA (Table 153.187), an additional 15 spaces are required to accommodate deck occupants that are not hotel guests/occupants. This leaves the project 14 parking spaces short of meeting the ordinance requirement. When the amendment for public use was granted in 2021 a parking exemption of 9 spaces as granted. Likewise, the Owner is now seeking an additional 5 space exemption to satisfy the combined 14 space shortfall.

The following are arguments in favor of permitting the expanded roof deck in spite of the site not accommodating the specific parking requirement:

Parallel Parking on Michigan Avenue (US31)

There are approximately 23 parallel parking spaces on Michigan Avenue in front of Hotel Earl (see aerial image attached). Excluding the busiest weekends in the summer season, these spaces are typically available for use by visitors to adjacent businesses. As all of the adjacent business have their own on-site parking, these spaces are often unused for a significant portion of the day or turning over multiple times throughout the day. The primary users appear to be those visiting the downtown area by parking

here and crossing the bridge on foot. These spaces will typically be more than enough to accommodate the additional parking needed by visitors to the hotel roof deck.

Proximity to Downtown (CBD District)

Admittedly, Hotel Earl is not located in the Central Business District (CBD) where this parking requirement would not be an issue. However, in all practicality, the hotel will function much like a downtown business in terms of access. Hotel guests will routinely walk to the CBD rather than drive and look for parking. Likewise, downtown visitors will often leave their cars parked in shared lots and walk up Michigan Avenue to visit the hotel thereby reducing the on-site parking accommodations needed for non-registered guests. Obviously, this reduced parking demand is a preferred circumstance in lieu of ever-expanding parking lots.

Pine River Lane Parking & Shuttle

In addition to the public parking available on Michigan Avenue, the public parking lot on Pine River Lane typically has spaces available. This serves as a shared lot for use by area businesses just as the public lots in the CBD. As this lot is within manageable walking distance, it is anticipated that this lot will contribute to satisfying the parking demand associated with the proposed roof deck. To help facilitate this further, the hotel will also provide a shuttle that can pick visitors up in this lot, as well as others in the CBD, and safely transport them to and from the hotel.

Not a Destination Restaurant/Bar

The proposed roof deck is not intended to be a destination restaurant. It is envisioned as a casual lounge with beverage and hors d'oeuvre service. As such, it will not be an establishment wherein the majority of the guests would arrive by car. Instead, the deck will be enjoyed by hotel guests, individuals living in the neighborhood, and those already visiting downtown Charlevoix; the vast majority of which will walk from their homes or their downtown destinations.

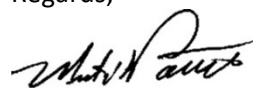
Additional Accommodations

It is important to remember that the parking requirement "gap" is only 14 spaces, 9 of which the Owner was previously granted relief. Should granting this exception result in a parking shortage, the owner/operator could park their employees off-site during the busy season(s) thus reducing the shortfall by 4 parking spaces. Furthermore, it can be assumed that many of the roof deck occupants will in fact be registered hotel guests. This should be considered when evaluating the impact of the parking shortfall.

Based on these circumstances, the Hotel Earl ownership and management team request relief from this parking requirement and ask for approval for the proposed roof deck expansion. It is the desire of all involved to ensure that beyond the hotel guests, the spectacular views of the area lakes and stunning sunsets offered by the roof deck, be accessible for local residents and area visitors.

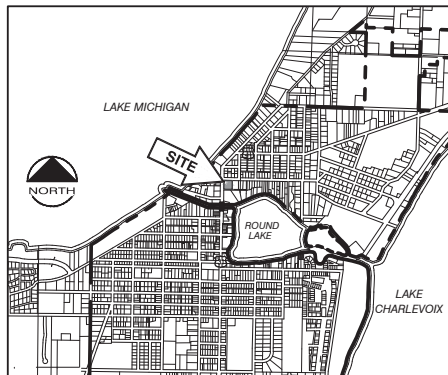
Your consideration is appreciated and please contact me if you have any questions.

Regards,



Michael H. Pattullo, AIA
President

SCALE: 1"=2000'



EXISTING ZONING CM - COMMERCIAL MIXED USE

EXISTING ZONINGCM - COMMERCIAL MIXED USE
TOTAL PROPERTY AREA 0.905 ACRES
39,436 SQ.FT.

EXISTING HARD SURFACE AREA	32,290 SQ.FT.
PROPOSED HARD SURFACE AREA	26,217 SQ.FT.
NET REDUCTION SURFACE AREA	6,073 SQ.FT.

LOT COVERAGE
(26,217 sq.ft. / 39,436 sq.ft.) 66.5%

SETBACKS	
FRONT	15 FEET
REAR	20 FEET
SIDE STREET	15 FEET
MAX. BUILDING HEIGHT	35 FEET

PARKING
EXISTING PARKING 22

REQUIRED POST RENOVATION PARKING
ONE-HALF (0.5) SPACE PER UNIT,
PLUS 1 PER EMPLOYEE DURING
LARGEST SHIFT
(0.5x56 UNITS) + 4 32

PROPOSED PARKING	
RENTAL UNITS	29
EMPLOYEE	4
TOTAL	33

PROPOSED

1ST FLOOR	18	16
2ND FLOOR	22	22
3RD FLOOR	<u>0</u>	<u>18</u>
TOTAL	40	56

USABLE

1ST FLOOR	12,637	9,555
2ND FLOOR	12,811	9,141
3RD FLOOR	<u>13,385</u>	<u>9,845</u>
TOTAL	<u>38,833</u>	<u>28,541</u>

EXISTING LANDSCAPING TO REMAIN, WITH ADDITIONAL
ENHANCEMENTS, AS DEPICTED.

ALL LIGHTING TO BE SHIELDED DARK SKY COMPLIANT TO MINIMIZE LIGHT POLLUTION TO SURROUNDING NEIGHBORS.

ASPH	- ASPHALT	HDPE	- HIGH DENSITY POLYETHYLENE
BF	- BARRIER FREE	LF	- LINEAL FEET
BLDG	- BUILDING	PVC	- POLYVINYLCHLORIDE PIPE
C/L	- CHAIN LINK	ROP	- REINFORCED CONC. PIPE
CMP	- CENTER TO CENTER	RR	- RAILROAD
CNC	- CORRUGATED METAL PIPE	ST	- 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
FF	- FINISH FLOOR ELEVATION	TE	- TOP ELEVATION
IE	- INVERT ELEVATION	TP	- TYPE

PART OF GOV'T LOT 8, SECTION 26, T34N, R8W
CITY OF CHARLEVOIX, CHARLEVOIX COUNTY, MI

SILVA PROPERTY MANAGEMENT
1005 N. STEVENSON HWY
ROYAL OAK, MI 48067



C-1.0	COVER SHEET
C-1.1	EX. CONDITIONS & DEMO PLAN
C-1.2	SITE PLAN
A-1.0	MAIN LEVEL FLOOR PLAN
A-1.1	SECOND LEVEL FLOOR PLAN
A-1.2	THIRD LEVEL FLOOR PLAN
A-2.0	EAST & NORTH ELEVATIONS
A-2.1	WEST & SOUTH ELEVATIONS

MARK	DATE	DESCRIPTION
0	3-16-18	ZONING PERMIT APPLICATION
1	3-28-18	MINOR ZONING PLAN REVISIONS

PROJECT NO:	18-5072
CAD DWG FILE:	5072SITE.DWG
DRAWN BY:	PEI
DESIGNED BY:	C. STEIN
CHECKED BY:	

SEAL

SHEET TITLE

COVER SHEET

C-1.0

SHEET 1 OF 1

Copyright: Performance Engineers, Inc 2017

Page 41 of 54

Performance Engineers, Inc.

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

INFORMATION BY:
ARGUSON & CHAMBERLAIN AND ASSOC.
 103 W. UPRIGHT STREET
 CHARLEVOIX, MICHIGAN 49720
 (231)547-6882 FAX: (231)547-0021



shoreline
Archery, Inc.

ARCHITECT:
SHORELINE ARCHITECTURE
#8 Pennsylvania Plaza
Potoskey, MI 49770
(231) 348-3303

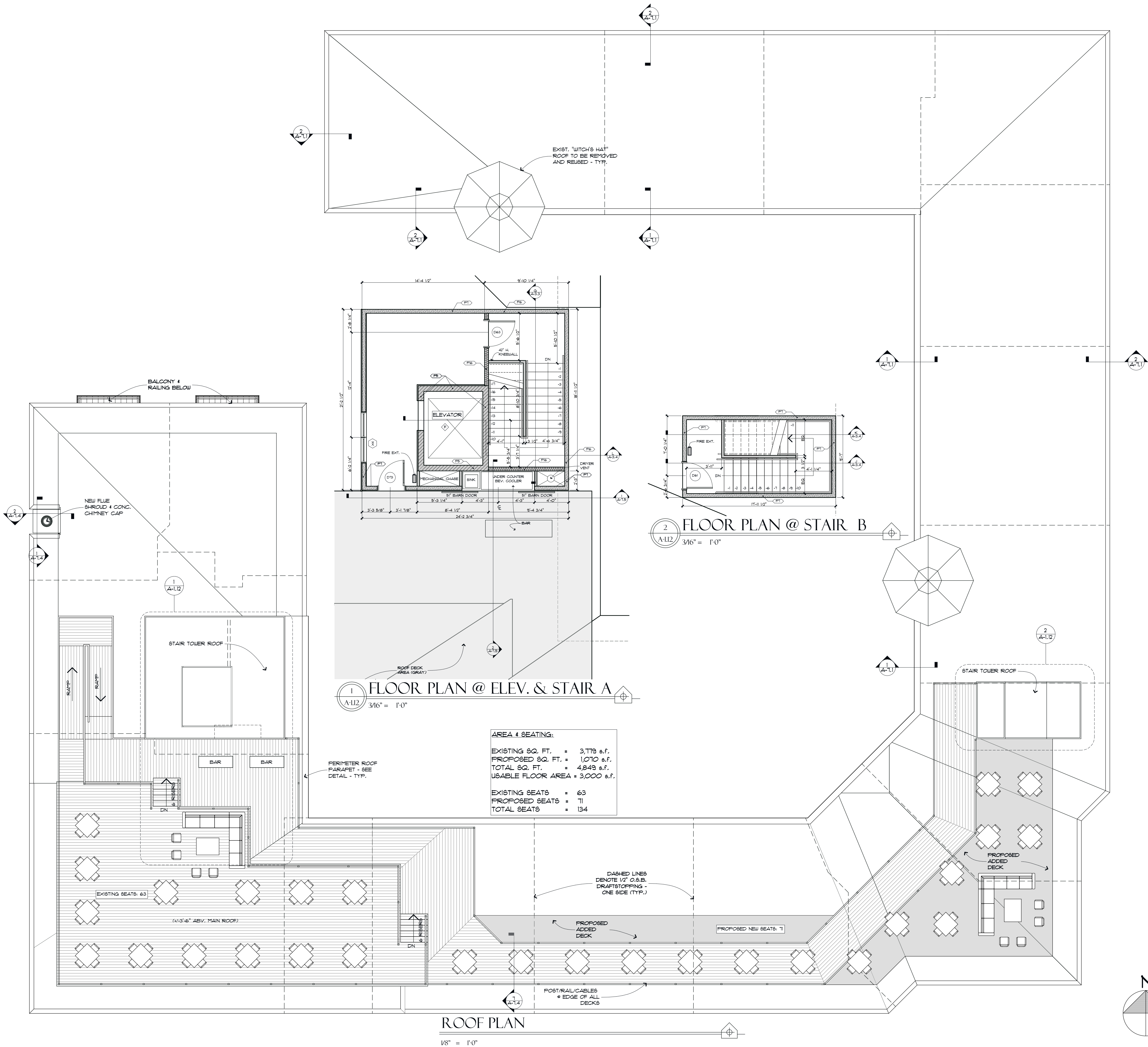
THE LODGE OF CHARLEVOIX
2018 BUILDING & SITE RENOVATIONS

120 MICHIGAN AVENUE
CHARLEVOIX, MI 49720

OWNER
SILVA PROPERTY MANAGEMENT

WALL & CEILING ASSEMBLY NOTES	
ID	SCHEDULE NOTE
P1	INTERIOR NON-LOADBEARING PARTITION: 5/8" GYPSUM WALL BOARD ON EACH SIDE OF 2x4 WOOD STUDS AT 16" O.C. EXTEND FROM FLOOR TO UNDERSIDE OF FLOOR ASSEMBLY ABOVE.
P1	INTERIOR NON-LOADBEARING PARTITION: 5/8" GYPSUM WALL BOARD ON EACH SIDE OF 2x4 WOOD STUDS AT 16" O.C. EXTEND FROM FLOOR TO UNDERSIDE OF FLOOR ASSEMBLY ABOVE. REQ'D. FIRE RESISTANCE RATING: 1 HR. UL DESIGN U185.
P2	INTERIOR LOADBEARING/NON-LOADBEARING FIRE PARTITION: 5/8" TYPE X GYPSUM WALL BOARDS ON EACH SIDE OF 2x4 WOOD STUDS AT 16" O.C. AND PERPENDICULAR RESILIENT CHANNELS @ 24" O.C. (ONE SIDE), END JOINTS TO BE BACKLOCKED WITH CHANNELS PROVIDE 5" MINERAL WOOL INSULATION (20 OR 23 P.F.) W/ OPEN FACE TOWARD RESILIENT CHANNELS. UL DESIGN U181 REQUIRED FIRE RESISTANCE RATING: 1 HOUR BETWEEN DWELLING UNITS, 1/2 HOUR BETWEEN CORRIDOR AND DWELLING UNITS. REQUIRED STC RATING: 52. EXTEND FROM FLOOR TO UNDERSIDE OF FLOOR ASSEMBLY ABOVE.
P3	INTERIOR NON-LOADBEARING PARTITION: 5/8" GYPSUM WALL BOARD ON EACH SIDE OF 2x4 WOOD STUDS AT 16" O.C. W/ 3/4" MINERAL WOOL SOUND ATTENUATION BATT. EXTEND FROM FLOOR TO UNDERSIDE OF FLOOR ASSEMBLY ABOVE.
P4	EXTERIOR WALL: 5/8" GYPSUM BOARD OVER 2x4 WOOD STUDS AT 16" O.C. W/ MIN. R-13 BLOWN CELLULOSE INSULATION OVER 1/2" OSB SHEATHING, REQUIRED FIRE RESISTANCE RATING: 1 HOUR UL356. SEE EXTERIOR ELEVATIONS FOR EXTERIOR FINISH MATERIAL.
P5	ELEVATOR SHAFT WALL: 8" CONCRETE BLOCK W/ 5/8" GYPSUM BOARD ON 2x4 FURRING @ 16" O.C. ON FINISHED SIDE, REQUIRED FIRE RESISTANCE RATING: 2 HOUR. UL DESIGN U886.
P6	EXTERIOR WALL: 5/8" GYPSUM BOARD OVER 2x6 WOOD STUDS AT 16" O.C. W/ MIN. R-21 BLOWN CELLULOSE INSULATION OVER 1/2" OSB SHEATHING, REQUIRED FIRE RESISTANCE RATING: 1 HOUR UL356. SEE EXTERIOR ELEVATIONS FOR EXTERIOR FINISH MATERIAL.
P7	EXTERIOR WALL: 5/8" GYPSUM BOARD OVER 2x6 WOOD STUDS AT 16" O.C. W/ MIN. R-21 BLOWN CELLULOSE INSULATION OVER 1/2" OSB SHEATHING, REQUIRED FIRE RESISTANCE RATING: 1 HOUR UL356. SEE EXTERIOR ELEVATIONS FOR EXTERIOR FINISH MATERIAL.
P8	STO INTERIOR FINISH SYSTEM FOR POOL ROOMS (SFC: F477) OVER 5/8" MOISTURE-RESISTANT GYPSUM WALL BOARD OVER 2x6 WOOD STUDS @ 16" O.C. W/ MIN. R-21 BLOWN CELLULOSE INSULATION OVER 1/2" OSB SHEATHING. SEE EXTERIOR ELEVATIONS FOR FINISH MATERIAL.
P9	STO INTERIOR FINISH SYSTEM FOR POOL ROOMS (SFC: F477) OVER 5/8" MOISTURE-RESISTANT GYPSUM WALL BOARD OVER 2x4 WOOD STUDS @ 16" O.C. W/ 3/4" MINERAL WOOL SOUND ATTENUATION BATT W/ 5/8" GYPSUM WALL BOARD OVER RESILIENT CHANNELS @ 24" O.C.
P10	STO INTERIOR FINISH SYSTEM FOR POOL ROOMS (SFC: F477) OVER 2 LAYERS 5/8" MOISTURE-RESISTANT GYPSUM WALL BOARD OVER 2x6 WOOD STUDS @ 16" O.C. W/ 5/2" MINERAL WOOL SOUND ATTENUATION BATT W/ 2 LAYERS 5/8" GYPSUM WALL BOARD, REQUIRED FIRE RESISTANCE RATING: 2 HOUR. UL DESIGN U181, STC RATING: 40. PROVIDE VINYL SANITARY COVE BASE WHERE FLOOR MEETS WALL.
P11	STO INTERIOR FINISH SYSTEM FOR POOL ROOMS (SFC: F477) OVER 5/8" MOISTURE-RESISTANT GYPSUM WALL BOARD (A SIDE OF 2x4 WOOD STUDS @ 16" O.C. W/ 3/4" MINERAL WOOL SOUND ATTENUATION BATT. PROVIDE VINYL SANITARY COVE BASE WHERE FLOOR MEETS WALL.
P12	STO INTERIOR FINISH SYSTEM FOR POOL ROOMS (SFC: F477) OVER 5/8" MOISTURE-RESISTANT GYPSUM WALL BOARD OVER 2x4 WOOD STUDS @ 16" O.C. W/ 3/4" MINERAL WOOL SOUND ATTENUATION BATT W/ 5/8" GYPSUM WALL BOARD. PROVIDE VINYL SANITARY COVE BASE WHERE FLOOR MEETS WALL.
P14	INTERIOR LOADBEARING/NON-LOADBEARING FIRE PARTITION: 5/8" TYPE X GYPSUM WALL BOARDS ON EACH SIDE OF 2x6 WOOD STUDS AT 16" O.C. AND PERPENDICULAR RESILIENT CHANNELS @ 24" O.C. (ONE SIDE), END JOINTS TO BE BACKLOCKED WITH CHANNELS PROVIDE 5" MINERAL WOOL INSULATION (20 OR 23 P.F.) W/ OPEN FACE TOWARD RESILIENT CHANNELS. UL DESIGN U181 REQUIRED FIRE RESISTANCE RATING: 1 HOUR BETWEEN DWELLING UNITS, 1/2 HOUR BETWEEN CORRIDOR AND DWELLING UNITS. REQUIRED STC RATING: 52. EXTEND FROM FLOOR TO UNDERSIDE OF FLOOR ASSEMBLY ABOVE.
P15	INTERIOR LOADBEARING/NON-LOADBEARING FIRE PARTITION: 5/8" TYPE X GYPSUM WALL BOARDS ON EACH SIDE OF 2x6 WOOD STUDS AT 16" O.C. AND PERPENDICULAR RESILIENT CHANNELS @ 24" O.C. (ONE SIDE), END JOINTS TO BE BACKLOCKED WITH CHANNELS PROVIDE 5" MINERAL WOOL INSULATION (20 OR 23 P.F.) W/ OPEN FACE TOWARD RESILIENT CHANNELS. UL DESIGN U181 REQUIRED FIRE RESISTANCE RATING: 1 HOUR BETWEEN DWELLING UNITS, 1/2 HOUR BETWEEN CORRIDOR AND DWELLING UNITS. REQUIRED STC RATING: 52. EXTEND FROM FLOOR TO UNDERSIDE OF FLOOR ASSEMBLY ABOVE.
P16	INTERIOR/EXTERIOR LOADBEARING/NON-LOADBEARING SHAFT WALL: 2 LAYERS 5/8" TYPE X GYPSUM WALL BOARD ON EACH SIDE OF 2x6 WOOD STUDS @ 16" O.C. AND PERPENDICULAR RESILIENT CHANNELS @ 24" O.C. (ONE SIDE), END JOINTS TO BE BACKLOCKED WITH CHANNELS PROVIDE 5" MINERAL WOOL INSULATION (20 OR 23 P.F.) W/ OPEN FACE TOWARD RESILIENT CHANNELS. REQ'D. FIRE RESISTANCE RATING: 2 HR. UL DESIGN U181, STC RATING: 58.
P17	INTERIOR/EXTERIOR LOADBEARING/NON-LOADBEARING SHAFT WALL: 2 LAYERS 5/8" TYPE X GYPSUM WALL BOARD ON EACH SIDE OF 2x4 WOOD STUDS @ 16" O.C. W/ 3/4" MINERAL WOOL SOUND ATTENUATION BATT. REQ'D. FIRE RESISTANCE RATING: 2 HR. UL DESIGN U181, STC RATING: 56.

NOTE: DESIGNATED ASSEMBLIES ON EXISTING WALLS ARE BASED ON EXISTING ASSEMBLY ASSUMPTIONS. FIELD VERIFY AND REPORT DISCREPANCIES TO ARCHITECT.

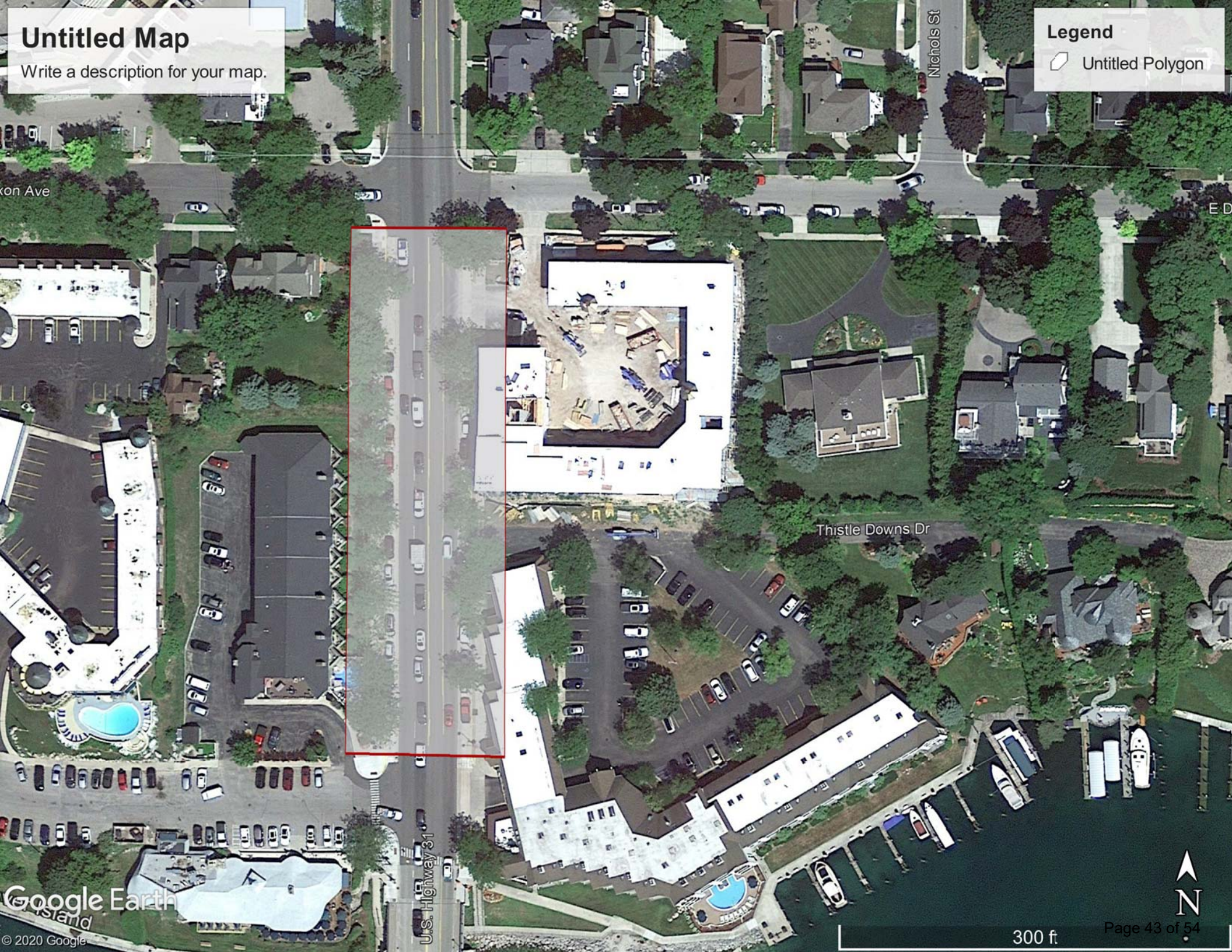


Untitled Map

Write a description for your map.

Legend

Untitled Polygon



Charlevoix Planning Commission

New Business

Title: Bed and Breakfast Parking Ordinance Review

Date: March 13, 2023

Presented By: Jennifer Neal, Community Planner

Background:

At the February 13, 2023 meeting, the Planning Commission held a public hearing for an amendment to the Bed and Breakfast parking requirements. After consulting with the City's attorney, a minor change has been made to the recommended language and a change to Section 153.187 Parking Requirements and Limitations has been added. The draft language is included for your review.

Recommendation:

Attachments:

1. 3_BandB Ordinance Amendment

**Draft Zoning Ordinance Amendment
City of Charlevoix Planning Commission
Bed and Breakfast Parking Standards
Changes Marked in Red**

§ 153.116 ACCESSORY BUILDINGS AND USES.

(D) Bed and breakfast establishments.

- (1) The bed and breakfast shall be located within a residence which is the principal dwelling unit on the property. Whenever the bed and breakfast is open for the renting of rooms, the residence shall be occupied by the owner or innkeeper at all times.
- (2) The rental rooms within the establishment shall be part of the principal dwelling. Bed and breakfast establishments shall not contain more than five rental rooms, however the Planning Commission may consider-approve additional rooms based on the following criteria:
 - (a) The existing single-family home has the capacity for more than five rental rooms;
 - (b) It is a single-family home which has been operated as a bed and breakfast establishment in the past;
 - ~~(c) There is sufficient parking on site, or within 300 feet of the property, to accommodate additional rooms; and~~
 - (d) The Planning Commission finds that the additional rooms will not have an adverse impact to the residential character of the neighborhood.
- (3) The residence shall have at least two exits to the outdoors.
- (4) Signage shall be subject to the requirements of §§ 153.205 through 153.219.
- (5) A bed and breakfast establishment shall be consistent with the essential character of the residential neighborhood in terms of use, traffic generation and appearance.
- (6) A bed and breakfast establishment shall not be permitted on a lot or parcel, (including a non-conforming lot or parcel of record) which does not meet the established lot size requirements for the zoning district in which it is located.
- (7) A minimum of one (1) off-street parking space per rental room is required. The parking spaces shall be accessible at all times. Parking shall be subject to the requirements of Off-Street Parking, Loading, Access and Circulation requirements (§153.185 - 153.190).

§ 153.187 PARKING REQUIREMENTS AND LIMITATIONS

(H) The minimum required number of off-street parking spaces shall be determined based on the requirements listed in Table 153.187.

<i>Table 153.187: Parking and Access Requirements by Use</i>	
Use	Number of Parking Spaces
Residential Uses	
Bed and breakfast	<u>See § 153.116 (C) 1 space per rental room in addition to primary residential dwelling unit parking requirements</u>

Charlevoix Planning Commission

New Business

Title: ADU Ordinance Review

Date: March 13, 2023

Presented By: Jennifer Neal, Community Planner

Background:

The Planning Commission previously held a public hearing for review of an amendment to the ADU requirements. Upon further review, Section 153.071 Schedule of Uses and Table 153.071 were excluded from the amendment. This correction has been made as well as a recommendation to include ADUs as a permitted use in the R2A District. Ordinance language included for review.

Recommendation:

Attachments:

1. 4_ADUOrdinance Amendment

**Draft Zoning Ordinance Amendment
City of Charlevoix Planning Commission
Accessory Dwelling Unit
Changes Marked in Red**

§ 153.071 SCHEDULE OF USES

Uses permitted in the R1, R2, R2A, R4 and PC Districts are listed in Table 153.071 of this chapter. Additional requirements related to a specific use, if any, are referenced in the “Specific Requirements” column.

Table 153.071: Allowed Uses in Residential Zones						
P = Permitted Use by Right						
S = Special Land Use						
	R1	R2	R2A	R4	PC	Specific Requirements
RESIDENTIAL						
Dwellings						
Accessory dwelling unit	<u>P</u>	P	<u>P</u>			

Section 153.072(C) Dimensional requirements: square footage for accessory dwelling units and home conversion units. Square footage for accessory dwelling units and home conversion units shall conform to the requirements of Table 153.072(c).

Table 153.072(c): Dimensional Requirement: Square footage for Accessory Dwelling Units and Home Conversion Units		
Zoning District	Minimum	Maximum
R1, <u>and R2, and R2A</u>	300	900

§ 153.116 ACCESSORY BUILDINGS AND USES

(3) In the R1, and R2, and R2A ~~Single-Family~~ Residential Districts, if the principal building has an attached accessory building, only one detached accessory building shall be permitted.

(4) Lots in the R1, and R2, and R2A Zones shall be permitted to have a secondary detached accessory building, such as a storage shed. Secondary accessory buildings shall meet all the requirements of this section and not exceed 200 square feet in area.

(9) Prohibited uses within detached accessory structures or accessory structures connected by a breezeway or similar structure in all districts except the R1, and R2, and R2A Zones:

Charlevoix Planning Commission

Old Business

Title: Housing Types Discussion

Date: March 13, 2023

Presented By: Jennifer Neal, Community Planner

Background:

The attached memo has been prepared for the ongoing discussion of adding new housing development in the city.

Recommendation:

Attachments:

1. Housing Memo Vacant Lots

MEMO

TO: City of Charlevoix Planning Commission

FROM: Jennifer Neal, AICP, Community Planner, Networks Northwest

SUBJECT: Vacant Parcels for Housing Development

DATE: March 13, 2023

Background

This report is prepared for informational purposes only. The discussion at the February meeting focused around what and where missing middle housing can be added. The Planning Commission has requested to continue to evaluate properties throughout the city that are redevelopment ready or require minimal changes in order to be developed. These parcels are considered the “low-hanging fruit” for new housing development. The Commission is asked to consider the development potential of each site and how each may contribute to the City’s housing goals.

The following conditions contribute to the property being considered “highly developable”

- Current zoning
- Future land use designation
- Size of the property
- Location of the property
- Existing greenfield (development of a lot that is currently unoccupied or vacant of existing structures)

Each property(ies) described below is ideal for missing middle housing or higher density multi-family housing. Disclaimer: A thorough review and detailed site analysis is needed to determine development potential.

1. Petoskey Avenue

755 Petoskey Avenue (adjacent to Jax) meets the minimum lot size for multiple family development.

Parcel # 052-123-080-10

Current Zoning General Commercial

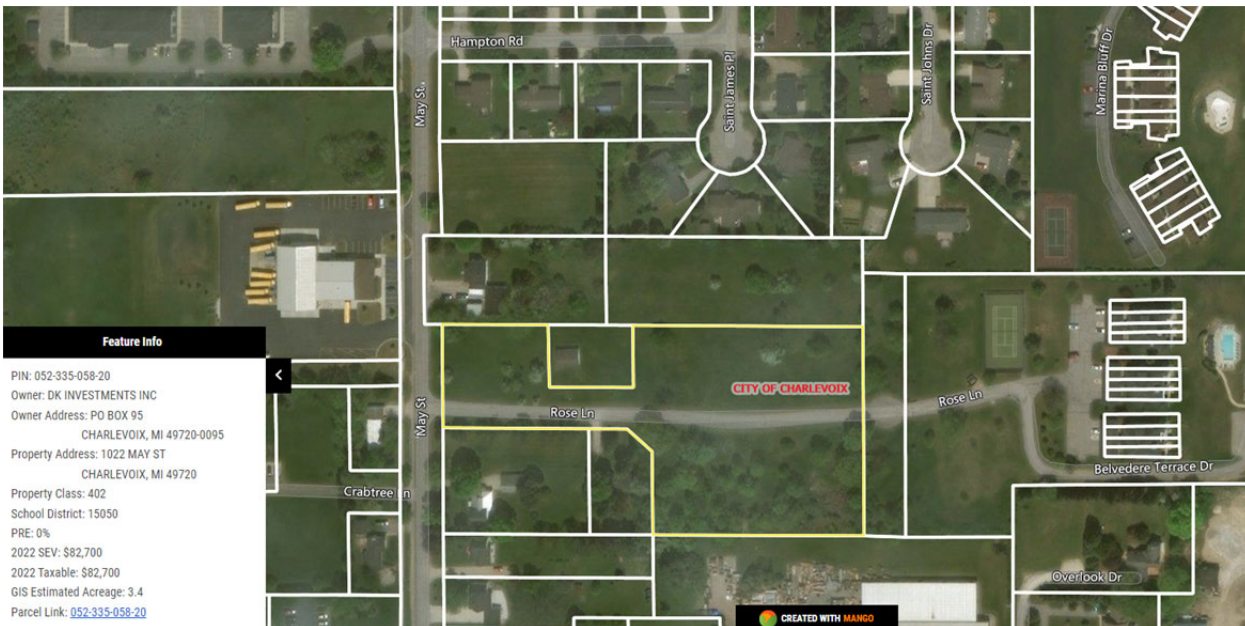
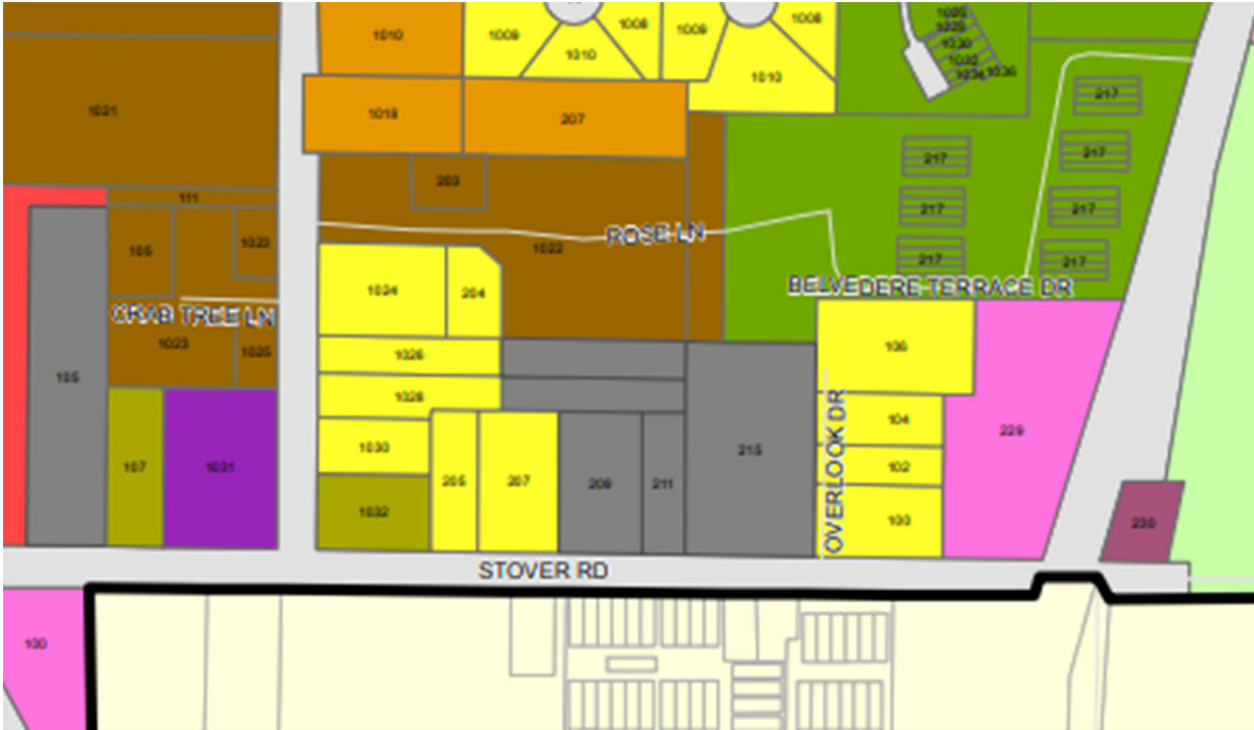
Approximate acreage: ~.75 acres

Future Land Use: Charlevoix Corridor

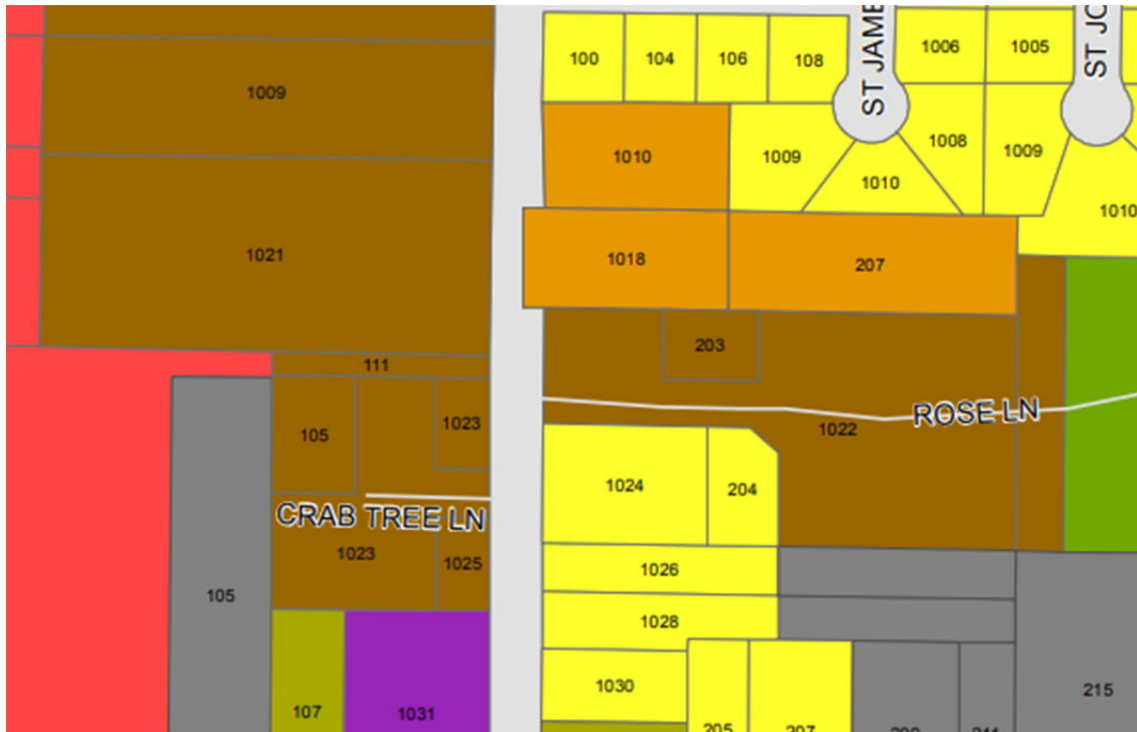
Existing Use: residential structure recently demolished - vacant



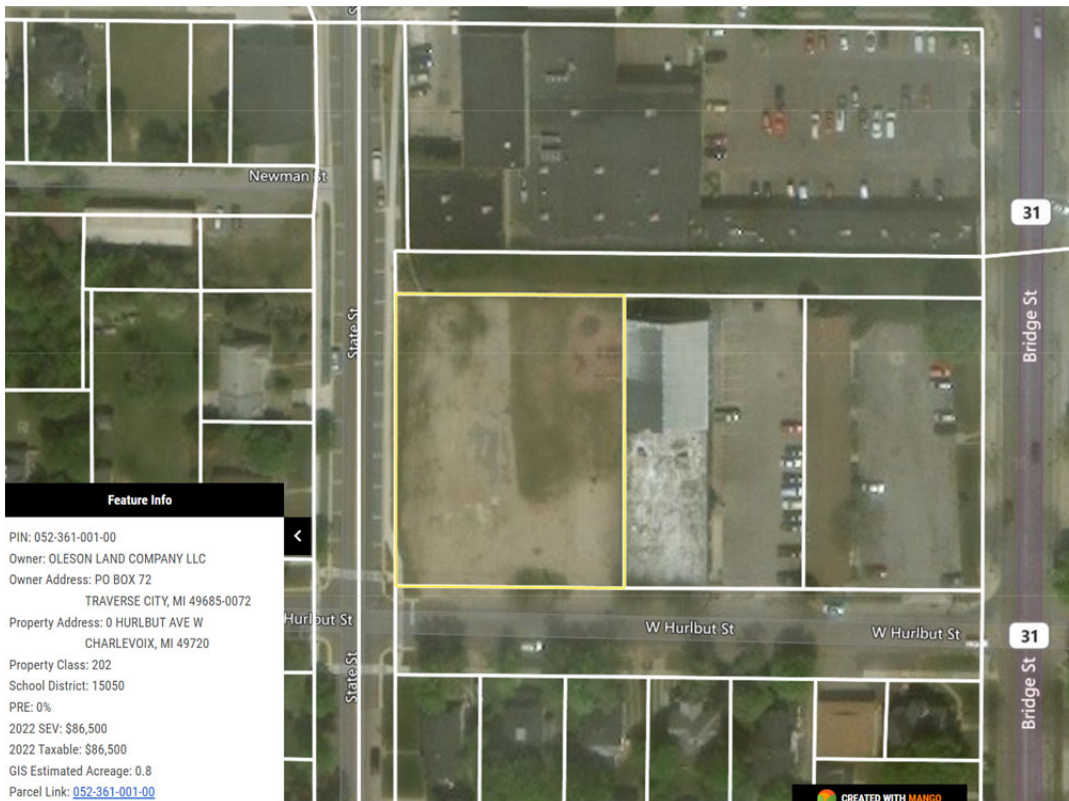
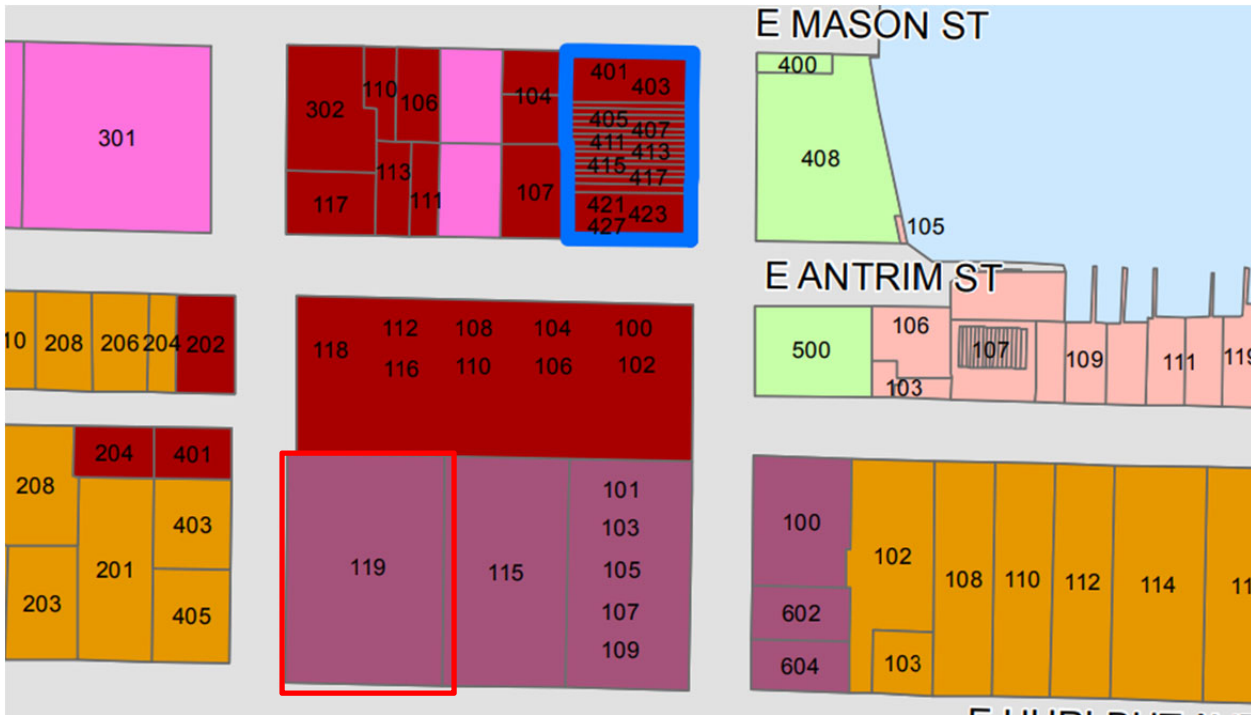
2. Parcel # 052-335-058-20,
 Current Zoning R4 Residential Planned High Density
 Approximate acreage: ~3-5 acres
 Future Land Use: Community Mixed Use
 Existing Use: vacant



3. Parcel # 052-335-045-00
 Current Zoning R4 Residential Planned High Density
 Approximate acreage: ~2.5 acres
 Future Land Use: Community Mixed Use
 Existing Use: vacant



4. Parcel # 052-361-001-00
 Current Zoning Commercial Mixed Use
 Approximate acreage: ~.84 acres
 Future Land Use: Charlevoix Corridor
 Existing Use: vacant



The Commission is asked to consider what levels of density may be appropriate. Based on this information, staff may begin to review language from surrounding communities with zoning ordinance language that may be appropriate or develop new language to fit the desired outcome.