

City of Charlevoix
Planning Commission Regular Meeting Minutes
Monday, July 13, 2026 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

A. Call to Order/Pledge of Allegiance

The meeting was called to order at 6:00 p.m. by Chair Muladore. The Commission, staff and members of the public rose and recited the Pledge of Allegiance.

B. Roll Call

Chair: Jennifer Muladore
Members Present: Shelley Boehmer, Christine Galbreath, Kristin Jones, Maureen Radke
Members Absent: Scott Beatty
Staff Present: Jonathan Scheel, Director of Planning and Zoning

C. Inquiry into Potential Conflicts of Interest

None.

D. Approval of Agenda

Chair Muladore questioned if they were supposed to have a public hearing on changes to the parking ordinance and Director Scheel stated the public hearing will be advertised for the August meeting.

Motion by Member Boehmer, seconded by Member Galbreath to approve the agenda as presented.

Motion carried by unanimous voice vote.

E. Approval of the Minutes

1. June 8, 2026, Planning Commission Regular Meeting Minutes

Member Galbreath stated a change was needed in the first sentence on page 4, under the Zoning Administrator's Report to reflect Member Jones not Member Galbreath regarding the Andy's Party Store sign.

Member Boehmer stated a correction was needed on page 3. The last paragraph should read: Member Jones stated that she was grateful for the participation and for the audience's comments.

Motion by Member Jones, seconded by Member Boehmer to approve the minutes of June 8, 2026, as amended.

Motion carried by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

None.

G. New Business

1. Site Plan review 605 Sheridan

Director Scheel stated the Planning Commission had a couple of preliminary meetings regarding

this project and the final plan was before them for a 21-unit subdivision that is partially in the City and partially in Charlevoix Township. The Commission would only be approving the 9 units in the City, but should review how the entire subdivision as shown will impact the City. Mr. Scheel further reviewed details of the proposed subdivision and Master Plan considerations.

John Kurtz, applicant, provided a brief history and purpose of the project. Mr. Kurtz stated this was a two-phased project and the City portion of 9 units would be first, including two duplexes with four (4) units and five (5) single family homes. Mr. Kurtz stated he was applying for brownfield funding, which would allow people who live in the subdivision to have income up to 125% of the County's median income. The housing restrictions require the residents to live on the property 10 months of the year and the person who lives in one of the units has to be employed in Antrim, Charlevoix or Emmet Counties. Mr. Kurtz responded to questions from Commission Members.

Mr. Kurtz stated the project would not include streetlights or sidewalks. General discussion followed regarding sidewalks and other projects within the City that did or did not have sidewalks. Mr. Kurtz stated that his concern was to keep the housing prices down so that it fits the average median income in the County. Director Scheel asked Mr. Kurtz to obtain a cost estimate for including sidewalks for at least the nine (9) units proposed within the City, and Director Scheel stated he would look at any potential grant funding options for sidewalks.

Sherm Chamberlain expressed that he does not believe the project requires sidewalks. He lives on East Lincoln Street, which has no sidewalks, and has not experienced any safety issues with his grandchildren playing outside in his neighborhood.

Director Scheel reviewed in detail information required for a Level B site plan review. Mr. Scheel read the Standards for Site Plan Approval (Zoning Ordinance, Section 153.235 Submittal Requirements) including recommended findings of fact as prepared by staff.

The following item was changed to read as follows:

C. The Planning Commission finds that the proposal adds no hazards to adjacent properties. This is a single-family/duplex home development. The plan shows three (3) curb cuts for one private road and two driveways off of Sheridan Street.

Director Scheel stated the wording under landscaping would be changed to read: Development must meet the City of Charlevoix Landscaping not the Shade Tree Ordinance Standards.

Member Galbreath stated her concerns about the need for sidewalks given the Swanson site across from this property and the heavy equipment used on their site. Director Scheel stated there was a potential argument for the need for sidewalks, and they needed to know the cost of sidewalks. He stated that the City and the developer need to work together to address the safety concerns. Member Galbreath advocated for a public/private partnership to construct sidewalks on Sheridan, and she referenced the large public park that is just south of this development.

Motion by Member Radke, seconded by Member Jones to approve Project 2026-1 SPA with conditions, based upon specific Findings of Fact that prove the Project does meet the review standards in Section 153.237 Standards for Site Plan Approval.

Conditions:

1. Meet all standards of the City's stormwater ordinance with no stormwater leaving the site.
2. Meet all standards of the City's lighting ordinance.
3. Meet all standards of the landscaping ordinance.
4. Provide fire hydrants as required by Charlevoix Fire Department.
5. Applicant will work with the City Planner concerning possible additional funds to build sidewalks along the private road.
6. Review of condominium documents (Master Deed) by the Zoning Administrator and City Attorney if needed to include: Incorporation of approved provisions in Master Deed. All provisions of a final site condominium development plan which are approved by the Planning Commission, as provided by this section, shall be incorporated in the Master Deed for the site condominium project.

Yeas: Galbreath, Jones, Radke, Boehmer, Muladore

Nays: None

Absent: Beatty

Motion carried.

H. Old Business

1. Data Center Ordinance

Director Scheel reported that the Commission requested his consultation with the City Attorney regarding the Planning Commission's approach to data center regulations. He conveyed Scott Howard, City Attorney's viewpoint that Mr. Boal's theory, which suggests excluding data centers from the City zoning ordinance, exposes the City to potential lawsuits. While there may be validity to the argument that large hyperscaler data centers do not satisfy "local needs" as outlined in the Michigan Zoning Act, much of Mr. Boal's theory is specific to the Saline project. The City Attorney concurred, indicating that there could be a justified need for a small data center that addresses local demand, thus conflicting with the State Planning Act.

Director Scheel concluded by summarizing prior discussions of the Commission regarding data centers and expressed his intention to further investigate the City's specific regulatory requirements. After general discussion about data centers, the Commission concurred to discuss the issue again next month.

I. Staff Updates

1. Zoning Administrator Report

Director Scheel stated that nothing major was happening as far as zoning permits. He reported that there is an interested party looking at the 14 acres on Sheridan next to Mr. Kurtz's project.

J. Requests For Next Month's Agenda, Commissioner Comments or Research Items

Chair Muladore announced that the parking ordinance public hearing will be included in the August meeting agenda, along with an update on data center research.

Director Scheel requested feedback from Commission Members on discussion points and proposed changes to the Master Plan.

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

Chair Muladore adjourned the meeting at 7:45 p.m.

Sarah J. Dvoracek/fgm City Clerk

Jennifer Muladore Chair