

CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
Monday, January 12, 2015 - 7:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

A. Call to Order

Planner Spencer announced that Chairman Hess was attending a Veterans Affairs meeting and would not be present.

The meeting was called to order at 7:01 p.m. by Vice Chair Sherm Chamberlain.

B. Roll Call

Chair: John Hess (Absent)

Vice Chair: Sherm Chamberlain

Members Present: Judy Clock, John Elzinga, Toni Felter, Dave Novotny, Keith Sherwood, Julee Roth

Members Absent: RJ Waddell

Planning Director: Michael Spencer

C. Inquiry Into Potential Conflicts of Interest

Member Clock stated she would have a conflict if there was discussion involving Sunshine Charters.

D. Approval of Agenda

Motion by Member Clock, second by Member Sherwood to approve the agenda as presented. Motion passed by unanimous voice vote.

E. Approval of October 21, 2014 Minutes (November and December meetings were cancelled)

Motion by Member Elzinga, second by Member Clock to approve the October 21, 2014 meeting minutes as presented. Motion passed by unanimous voice vote.

F. Call for Public Comment not Related to Agenda Items

No public comment.

G. New Business

1. Nomination of Officers.

Planner Spencer stated that Chairman Hess was willing to continue as Chairman.

Motion by Member Chamberlain, second by Member Novotny to nominate John Hess as Chair for another year. Motion passed by unanimous voice vote.

Motion by Member Novotny, second by Member Elzinga to nominate Sherm Chamberlain as Vice Chair for the year. Motion passed by unanimous voice vote with the exception of Vice Chair Chamberlain who abstained.

2. Discussion on Lake Charlevoix Brewing Company.

Planner Spencer introduced Mr. Phil Parr, one of the partners of the Bridge Street Tap Room and the Round Lake Group, LLC. Mr. Parr stated that the Group wants to expand their business with the addition of a brewery in the City owned building on Bridge Park Drive. The building is zoned Central Business District. Planner Spencer indicated that City Council wants the Planning Commission to review the project even though the Zoning Ordinance does not require the Commission to take an official position on this change of use.

Mr. Parr presented information regarding the Bridge Street Tap Room and the Group's brewery plan. He discussed the improvement plan and financial investment, specifics of the brew house operation, building and code requirements, architectural layout of the space with a new hallway to add public egress, proposed outdoor seating for 20-30 customers, sustainability of water resources, and how gray water from the brewery operation will be treated.

Planner Spencer stated that the Round Lake Group is collaborating with Keweenaw Excursions and the Beaver Island Boat Company to coordinate deliveries and other operations in the immediate area. He stated that there was adequate parking in the area.

There were no public comments.

The Board members concurred that they were supportive of Lake Charlevoix Brewing Company in the proposed location at 109 Bridge Park Drive.

H. Old Business

1. Public Hearing for Zoning Amendments.

a) Staff update.

Planner Spencer stated the first zoning amendment dealt with allowing accessory dwelling structures in residential zones. Under the proposed language, an accessory structure would have to follow a special use permit application process. He stated that he was not supportive of requiring the owner or a family member to occupy the accessory structure. Discussion followed regarding enforcement issues, whether or not property owners should have to renew the special use permit each year, issues related to granny flats vs. duplexes, and rental inspection programs. Member Roth asked to see accessory structure regulations from other communities and how regulations were enforced. The Planning Commission generally agreed to not pursue the above change at this time.

The next amendment changes the front yard setback requirements for R-4 zoning from 30' to 15'. If the setback is reduced to 15', a building can be moved forward creating a nice front yard and require side or rear parking. Discussion followed regarding different setbacks for different zoning categories. A clause was added to require a front yard to be green space, and changes were made to the R2-A language to be consistent with a 15' front yard setback.

Planner Spencer explained that the new ordinance calculates lot coverage by counting all impervious surfaces such as sidewalks and patios. The City encourages property owners to install paver systems that filter storm water and Planner Spencer is encountering issues with owners wanting to create huge spaces that were not calculated in the lot coverage. He stated that the language as proposed would allow an entire lot with no green space. In order to encourage residential green space, Planner Spencer proposed that R-1, R-2, and R-2A zone properties shall maintain at least 40% of green space which would allow 40% hard space and up to 20% of permeable surface.

Planner Spencer indicated that at the last meeting, the majority of Planning Commission members felt that businesses should be allowed to have outdoor merchandise displays and there was discussion about limiting the size and height of the displays. Member Sherwood stated that the recommendation was for 48" display racks and he believed the height should be 60". The Commission concurred to stay with their original recommendation with the height of displays limited to 60".

Planner Spencer stated that the Commission had written an exemption for a storage bin or closet, and they wanted to regulate storage sheds/units. The Commission concurred.

Planner Spencer stated that he wanted to add language back in the Zoning Ordinance to require a 16' minimum primary structure width in residential areas. This language would limit a property owner from having a very narrow structure that may not fit with the City's traditional residential neighborhoods.

Member Roth stated that the U.S. Supreme Court is looking at the constitutionality of the rules for local governments seeking to limit sign clutter on properties. She stated that because of first amendment rights people are allowed to put up small directional signs on their property. She indicated that governments were trying to reduce the clutter, but not limit free speech. Planner Spencer stated that there is a guidebook authored by Michigan attorneys that sanctions municipality sign regulation, and states that regulations need to be consistently applied to everyone. He indicated that the proposed zoning change relative to sandwich board signs would apply to all businesses: portable signs have to be on private property, include a square footage requirement and disallow plastic, changeable message board signs. Planner Spencer stated in this instance, the Planning Commission was "regulating taste" in signage and was largely supported by the community and businesses. The Commission concurred with the proposed language for portable signs.

b) Call for public comment.

None.

c) Motion.

Motion by Member Felter, second by Member Novotny to recommend adoption of the zoning amendments as amended this evening. Motion passed by unanimous voice vote.

I. Staff Updates

Planner Spencer stated that the Capital Plan would be reviewed at the next meeting.

Vice Chair Chamberlain asked again if Council would reconsider adding a member of the Township to the Planning Commission, and Planner Spencer replied it would be a Council decision.

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

None.

K. Adjournment

Meeting adjourned at 9:08 p.m.

Joyce M. Golding/fgm

City Clerk

Sherm Chamberlain

Vice Chair