

CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
Monday, October 14, 2013 - 7:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

A. Call to Order/Pledge of Allegiance

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

B. Roll Call

Chair: John Hess

Members Present: RJ Waddell, Toni Felter, Judy Clock, John Elzinga, Sherm Chamberlain, David Novotny, and Keith Sherwood

Members Absent: Adam Whitley

City Planner: Michael Spencer

New members Keith Sherwood and David Novotny introduced themselves to the Planning Commission.

C. Inquiry Into Potential Conflicts of Interest

Member Chamberlain stated that he had done survey work on the site for the proposed Charlevoix Pointe Townhome project, in addition to a lot of work for the people involved in the project. Planner Spencer stated that Member Chamberlain's company did the original survey on the property, but Mansfield Land Use Consultants have their own surveyor that verified the accuracy of everything. The Commission generally agreed that Member Chamberlain should abstain from voting on this item.

D. Approval of Agenda

There were no changes requested.

E. Approval of September 9, 2013 Minutes

Motion by Member Elzinga, second by Member Felter, to approve the September 9, 2013 minutes as presented.

Motion passed by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Item

Chair Hess opened the meeting to public comment at 7:04 p.m. There was no public comment, and the item was closed.

G. New Business

1. Review Charlevoix Historical Society Request to Place a Caboose at the Depot Museum.

Planner Spencer stated that the Society was looking to place a railroad caboose as an amenity representing Charlevoix's history at the Depot Museum property. The property is owned by the Historical Society and has a zoning designation of Public Facilities. The dimensions of the caboose are 10'W x 30'L. Planner Spencer indicated that there is a proposed policy which clarifies which projects should come before the Planning Commission, and even though the policy is not yet adopted, staff felt that they should bring this project to the Commission for comment before City Council makes its decision.

Denise Faith, President of the Charlevoix Historical Society, responded to inquiries from the members.

Chair Hess opened the item to public comment. There was no public comment and the item was closed.

Motion by Member Elzinga, second by Member Clock to recommend to City Council approval of the request to place a caboose at Depot Museum.

Motion passed by unanimous voice vote.

2. Introduction to Charlevoix Pointe Townhome Development.

Member Chamberlain stepped down from the dais.

Planner Spencer briefly reviewed the items included in the agenda packet and advised that the large size plans displayed on the wall are also available on the City's website. He stated that the Staff Report would be presented at the public hearing. One question about the project is how the developer is going to deal with the change in grade going up the property, and the Fire Chief also wants information on the proposed slope. Doug Mansfield, consultant with Mansfield Land Use Consultants, has agreed to provide a profile of the centerline of the road and the finished grade of the road. He described a proposed change to unit numbers six and seven that will provide better alignment of the

buildings. He also referenced the preliminary three-dimensional site layout, a conceptual drawing showing the finished floor elevations of the units with the slope of the site from the front to back of the property, and which is included in the packet.

Doug Mansfield, President of Mansfield Land Use Consultants, stated that he is representing Midtown Development Incorporated of Traverse City, and the architects for the project are Progressive Associates Incorporated of Petoskey. He proceeded to give a PowerPoint presentation on the project and responded to questions from Members. He stated that, with the change in the Zoning Ordinance, they had missed the 10' buffer zone required along the north side. The proposed 5' would be changed to 10'. He also reported that, depending on timing of the approval process and the winter season, construction could begin in the spring with the first three-unit building at the front of the property. Construction is tentatively scheduled as two phases over one and a half to two years. Mr. Mansfield noted that they are also going through the site condominium procedure, as the units would be sold as site condominiums.

Chair Hess opened the item for public comment.

Chris Jones, 113 Pine River Lane, stated she appreciates how many things have changed in the last few years and the improvements to the City's planning and zoning ordinance. She noted that her greatest concerns are about population density and that typically a quarter-acre lot is sufficient for one house and a three quarter-acre lot could basically fit three houses. She believes that seven homes on this lot would be too dense.

Alberta Beyers, 110 West Dixon, stated that she had no problem with the proposed development, but she did want the Commission to be aware that this development does affect her property line on the northwest corner. Additionally, because of the elevation down to her property and the elevation of the units "it's going to be like a big tower up there". She stated that her family has had their property since 1949 and the development would impact the privacy of her backyard and garden.

Upon questioning, Mr. Mansfield indicated the architect would be Chip Ironside of Progressive Associates Incorporated and members of the Mansfield firm will serve as the engineer, surveyor, and landscape architect.

The item was closed to public comment.

Upon questioning, Mr. Mansfield stated that there was 25% open space. Planner Spencer advised that the City's Engineer, Performance Engineers, has also reviewed the plans and will be making some recommendations at the public hearing. Member Clock noted that the plans indicate the height is measured from the finished grade and asked if they are backfilling to get the finished grade or using the existing grade. Mr. Mansfield stated that the finished floors of the houses at the back are 6" lower than the existing grade. Member Clock also noted a concern about the distance between units 3 and 4; Mr. Mansfield stated the distance was 10' eave to eave, which was allowed per the Fire Code.

Member Sherwood referenced the units at the back of the property on the hill and asked if those units will be on flat land or would there be a drop. Mr. Mansfield responded that there would be a 721 contour and the building would be 6" above that grade "back on the bench, not on the hill".

Chair Hess questioned how many units could be placed on the property based on the City's zoning ordinance and Planner Spencer responded that it would depend on the footprint and the type of unit that was used. Chair Hess asked about trash collection and storage. Mr. Mansfield responded that it would be independent, inside each garage, with no dumpsters. Chair Hess asked about vegetative screening between the development and Mrs. Beyer's property. Planner Spencer responded that the zoning ordinance requires a buffer area between a high density development and a residential property; as a condition of approval, the developer would have to install appropriate hedging at the back of the property. Chair Hess questioned if an origin and destination (O & D) study has been conducted. Mr. Mansfield responded that he had not done a traffic study, but that he could provide the information, as he has a traffic engineer on his staff.

Planner Spencer asked if the members want to visit the site individually or as a Board. The Commission agreed to visit the property individually.

Member Chamberlain returned to his seat on the dais.

H. Old Business

None.

I. Staff Updates

1. Bridge Street Blooms

Planner Spencer stated the property owner had proposed adding a nursery to the property, but due to costs he has decided to delay the project until spring. The project will require a Level B site plan review, since it is a commercial building over 2,000 sq. ft.

2. Planning Commission Membership

Planner Spencer reminded the Commission of a discussion about the Zoning Enabling Act which allows up to two people who are not qualified electors of the City to serve on the Planning Commission. He has spoken to City Council and they agree with the Planning Commission that the change should be made. Staff will be bringing an ordinance change to City Council for consideration. Additionally, Planner Spencer reported that Adam Whitley would be resigning from the Commission due to his work commitments, creating a vacancy on the Planning Commission.

3. Municipal Infrastructure Projects

Planner Spencer stated that when the Commission had discussed the proposed Infrastructure Policy, Member Chamberlain had suggested that the Planning Commission should review changing road configurations as well. Planner Spencer has spoken to the City Manager and City Engineer about the suggestion, and staff can bring road configuration changes to the Commission for review under the Policy. Chair Hess addressed a concern regarding the intersection of Michigan Avenue and U.S. 31; Planner Spencer stated that staff will look at the issue.

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

Member Felter asked about traveling food vendors, and if the item would come before the Commission. Planner Spencer responded that some cities have food truck ordinances outside of zoning, and food trucks can be regulated through zoning. In Charlevoix, food trucks cannot be located on any City owned properties or public right-of-ways, they must be located on a commercially zoned lot and get permission from the owner to place the truck there, and the City ensures that there is adequate parking and access, and that they have all their permits from the Health Department.

X. Adjournment

Meeting adjourned at 8:17 p.m.

Stephanie C. Brown

Deputy City Clerk

John Hess

Chair