

**CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
Monday, March 12, 2012 - 7:00 p.m.**

210 State Street, City Hall, Council Chambers, Charlevoix, MI

I. Call to Order/Pledge of Allegiance

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

II. Roll Call

Chair: John Hess
Members Present: Becky Doan, Judy Clock, Sherm Chamberlain, Larry Boog
Members Absent: Francis Flanders, Toni Felter, Dan Buday, John Elzinga
City Planner: Michael Spencer
City Clerk: Stephanie C. Brown, Deputy Clerk

III. Inquiry Into Potential Conflicts of Interest

None.

IV. Approval of Agenda

Chair Hess stated that if there were no corrections, the agenda would be approved as presented. There were no objections; the agenda was approved as presented.

V. Approval of Minutes

Planner Spencer explained why the minutes appear differently than in the past: the Clerk's office has taken over responsibility for the minutes. Member Chamberlain reminded the Board that Council had asked, many years ago, for more detailed minutes. Chair Hess stated that if there were no objections, the February 13, 2012 minutes would stand as approved. There were no objections; the February 13, 2012 minutes were approved as presented.

VI. Call for Public Comment not Related to Agenda Item

Chair Hess opened the meeting to public comment at 7:03 p.m. There was no public comment. Chair Hess closed public comment at 7:03 p.m.

VII. New Business

A. Discussion on a Landscape Nursery Business in a C-1 Zone

Chair Hess opened the item to public comment at 7:05 p.m. There was no public comment. Chair Hess closed the item to public comment at 7:05 p.m.

Planner Spencer presented the item and stated that he was unsure, based on the language of the ordinance, if a Development Plan Review is required since the proposed business is temporary and will use a temporary structure. There isn't a precedent to determine if a Development Plan Review is necessary and Planner Spencer reviewed the language of the ordinance. Planner Spencer stated that the Board has three options: (1) to not require a Development Plan Review unless or until the temporary structure is replaced with a permanent structure, (2) to allow the business to run for one year before determining if a Development Plan Review is necessary, or (3) require a Development Plan Review at this time.

Chairman Hess polled the members, giving each an opportunity to comment and ask questions.

Member Chamberlain stated that there exists a topographical survey in possession of the current owner and that Mr. Helstrom, who is purchasing the property, may be able to obtain that survey and draw up his plans for review by the City Planner. Chamberlain also suggested that if there is enough parking as determined by the Planner's office, that a Development Plan Review is not necessary.

Upon questioning, business owner Chris Helstrom stated that it is his intent in this first year that the temporary business would operate from April to July, would sell plants on-site but grow them elsewhere, that a port-a-john will be available on-site, and that there are two entrances to the site, both off Bridge Street.

Chair Hess stated that he thinks a Development Plan Review is a good idea, can be done fairly easily, and is preferable over a "temporary" exemption. Additionally, it can easily be revised in future years as the business grows. Business owner Helstrom stated that timing is crucial, as he hopes to open by May 3 and cannot close on the property until the Development Plan Review is completed, if required. Mr. Helstrom believes that since he meets all the language requirements and is not building a foundation, he does not need a Development Plan Review at this time. Department policy is that adjacent property owners be notified of Development Plan Reviews prior to the Planning Commission meeting. Additionally, City Council must review the recommendation of the Planning Commission on all Development Plan Reviews. This makes for a lengthy process and Mr. Helstrom reiterated that he needs to have approval for the business before he can close on the property.

Motion by Member Doan that it [the business] passes on the Site Plan and that next year review it, as long as it [the business] is temporary. Motion died for lack of a second.

Petitioner Helstrom restated that there is nothing on site that is permanent at this time. If a Development Plan is required in the future, he is doing nothing at this time that would have to be changed in the future. Mr. Helstrom also offered to obtain the topographical map and detail his plans for this year so that Planner Spencer can review it for setbacks and other requirements. Mr. Helstrom stated that his temporary structure would be at least 25' back from the property line and would be parallel to Bridge Street. The proposed structure is 21' x 96'.

Motion by Member Chamberlain, second by Member Clock, that the proprietor, Mr. Helstrom, prepare a site plan showing the temporary use of the property and have it submitted to the City Planner for his review for compliance with the City ordinance and that if the use continues next year, then a site plan will be submitted to the Planning Commission for review no later than April, 2013.

Motion passed by unanimous voice vote.

- B. Planners Moments: Blue Infrastructure
Members watched a training video entitled "Planners Moments: Blue Infrastructure".
- C. Planners Moments: Linking Economic Development and Planning
Members watched a training video entitled: "Planners Moments: Linking Economic Development and Planning".

VIII. Old Business

None.

IX. Staff Updates

None.

X. Requests for Next Month's Agenda or Research Items.

None.

XI. Adjournment

Chair Hess stated that if there were no objections, the meeting would adjourn. There were no objections.
Meeting adjourned at 8:06 p.m.

Stephanie C. Brown Deputy City Clerk

John Hess Chair

Carol A. Ochs City Clerk