

CITY OF CHARLEVOIX PLANNING COMMISSION MEETING MINUTES  
Monday, April 11, 2011 – 7:00 p.m.  
210 State Street, City Hall, Council Chambers, Charlevoix, Michigan

A) CALL TO ORDER

The meeting was called to order by Chairman John Hess at 7:05 p.m.

B) ROLL CALL

Commissioners Present: Dan Buday, Sherm Chamberlain, Judy Clock, June Cross, Becky Doan, and Toni Felter

Commissioners Absent: Larry Boog (excused), Francis (Brownie) Flanders (excused) and John Hess (excused)

Staff Present: City Planner Mike Spencer

City Planner advised the Commission that as both the Chairman and Vice-Chairman were absent, the Commission may choose someone to run tonight's meeting per Roberts Rules of Order.

Motion made by Commissioner Buday and seconded by Commissioner Doan to appoint Commissioner Cross as temporary Chairman. Motion adopted by unanimous voice vote.

The Commission stated that it wished to table action on the proposed zoning amendment until next month as several Commission members were absent. The City Planner asked the Commission to hear comments from the individuals attending the meeting.

C) INQUIRY INTO POTENTIAL CONFLICTS OF INTEREST – None.

D) APPROVAL OF AGENDA

The Commission approved the agenda as presented.

E) APPROVAL OF MARCH 14, 2011 MINUTES

The Commission reviewed the March 14, 2011 minutes.

Commissioner Felter asked that the second line on page three be amended to read:

The Commission needs to ~~look~~ continue looking at long range community plans and how things fit in the community.

Commissioner Clock asked that the word "Segway" be capitalized on page four.

Motion made by Commissioner Felter and seconded by Commissioner Clock to approve the March 14, 2011 minutes as amended. Motion was adopted by unanimous voice vote.

F) CALL FOR PUBLIC COMMENT NOT RELATED TO AGENDA ITEMS - None

G) OLD BUSINESS

1. Review of Zoning Amendments

a. Staff updates

The City Planner reviewed his April 12<sup>th</sup> memorandum with the Commission. The Commission received a letter from the Retail Committee dated March 28, 2011, an e-mail from Nancy Suzor dated April 4, 2011 and an e-mail from Doyle Hyett of HyettPalma, Inc., drafters of the 2007 Charlevoix Downtown Blueprint.

Commissioner Chamberlain asked if an Ebay type of business or a catalog center would be allowed on Bridge Street. He has been researching the type of businesses located in downtown Charlevoix in the late 1960's and today.

Commissioner Felter asked for information of the number of second floor retail/office spaces along Bridge Street. The City Planner stated that there are a number of communities that have retail space on the second floor, but the majority of Charlevoix's downtown buildings are old and are not ADA compliant (e.g. no elevators). It may be cost prohibitive to create retail space on the second floor. Currently there is a number of business offices and residences located on second and third floors.

The Commission discussed the number of vacate store fronts along Bridge Street.

Commissioner Buday asked that the word "food" be added to specialty shops. The amendment will read as follows:

- (a) Food service and beverage uses including grocery stores, restaurants, cafés, coffee shops, bars, taverns, wine bars, breweries, bakeries, delicatessens, bistros and food specialty shops.

Commissioner Buday also asked that the words in the marine section be rearranged as follows:

- (e) Marine related uses including fishing charter services, tours, cruises, and sailing instruction or tours and the sale or rental of boats, marine products, fishing supplies.

The Commission discussed other uses that should be included in downtown Charlevoix.

b. Call for public comments

Kirby Dipert owner of Charlevoix Wear and Color Wear addressed the Commission. He understands the need to define the ordinance, but he feels if you wish to keep things crystal clear, then than the ordinance should be left as is. He asked the Commission to review the Retail Committee's March 28<sup>th</sup> letter. Charlevoix is a different community than it was in the late 1960's. He asked the Commission to be careful, as its decision may not be in the community's best interest. He also commented on Doyle Hyett's letter. The 2007 Charlevoix Community Blueprint commended the City on its restriction of Bridge Street to strictly retail and his recent letter of states that the proposed changes are ok. This is contradictory.

Mark Snyder of Prudential Real Estate asked the Commission to allow natural competition to determine what uses located in the downtown area. If this is done, a more vibrant year-round business community will be created.

Jacque Dipert of The Clothing Company voiced support of keeping the downtown a vibrant community. The off-season is oblique. Businesses survive on their summer traffic. To keep money coming into the

downtown area, we need restaurants, coffee shops and retail in the downtown area. It is important to keep downtown a place to shop, dine and family oriented. She would like the downtown (Bridge Street) to have only retail, beverage and food establishments.

c. Planning Commission discussion

The Commission discussed the proposal. The downtown area has had a number of fine retail over the years. The City would like to create and maintain a vibrant year-round business area.

Commissioner Buday asked if the term "retail" was defined in the ordinance. The Planner stated that the ordinance did not have the term in its definition. He also asked that minor changes be made to the draft language for Section 5.33(3) and Section 5.43(3). The changes are outlined below:

Proposed Language:

5.33(3) *Side Yard:* There shall be a side yard of not less than fifteen (15) feet on each side of any dwelling or accessory building, excepting the street side of any corner lot. On corner lots the front yard shall be parallel to the street frontage upon which the traditional front ~~entrance~~ **entrance** for persons, ~~ie~~ **eg.** the front door, is located.

5.43(3) *Side Yard:* There shall be a side yard of not less than ten (10) feet on each side of any dwelling or accessory building, excepting the street side of any corner lot. On corner lots the front yard shall be parallel to the street frontage upon which the traditional front ~~entrance~~ **entrance** for persons, ~~ie~~ **eg.** the front door, is located. The side yard parallel to the other street frontage shall not be less than fifteen feet (15) feet.

The Planner asked the Commission to carefully consider whether professional offices, travel agencies and salons should be permitted along Bridge Street.

Commissioner Chamberlain stated that the expansion of the stores along Bridge Street should entice locals and retirees to shop in the downtown area.

Jacque Dipert agreed that retirees have helped her business in the off season.

Kirby Dipert asked the Commission to keep in mind that buildings fronting on Bridge Street frontage are limited to retail, but the side streets and second floors can be have service businesses. Parking is limited on Bridge Street and the parking lots are available for side street businesses.

d. Motion – No action taken

H) NEW BUSINESS

1. Planners Moments: What is place making? -- Tabled

I) REQUEST FOR NEXT MONTH'S AGENDA OR RESEARCH ITEMS

J) ADJOURNMENT

Motion made by Commissioner Buday and seconded by Commissioner Doan to adjourn. Motion adopted by unanimous voice vote.

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The meeting was adjourned at 8:03 p.m.

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June Cross, Acting Chairman

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John Hess, Chairman

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Linda Jo A. Weller, Recording Secretary

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Carol A. Ochs, City Clerk