

PLANNING COMMISSION

Minutes

March 16, 2006

I. ROLL CALL

Fred Walstrom	Present
Andrew Bowman	Absent
Jack Deegan	Present
Jeff Ford	Present
Mary Ellen Hughes	Present
Laura Kors	Present
Sheryl McCleery	Absent
Peter Sears	Present
Sara Smith	Absent

Also present were City Planner Larry Nix, City Attorney James T. Ramer and City Manager Fred Geuder.

Chairman Fred Walstrom called the meeting to order at 6:05 p.m.

II. MINUTES

Motion by Sears, seconded by Deegan, to approve the minutes of the January 19, 2006, meeting, as presented. Motion carried.

III. PUBLIC COMMENT AND CORRESPONDENCE

None.

IV. NEW AND OLD BUSINESS

A. Public Hearing on the Proposed Rezoning of 420 Glenn Drive from R-1-B to R-1-A—Lambert Johnson

Chairman Walstrom opened the public hearing and asked the City Manager to review the proposal.

The City Manager said that applicant Lambert Johnson had requested the re-zoning to match properties in Glenn Woods and across Glenn Drive.

The City Manager noted correspondence on file from Susan Riley and Lambert Johnson.

No public comment was received.

Walstrom closed the Public Hearing. Walstrom noted that discussion on the Planning Commission recommendation would be deferred until later in the agenda.

- B. Consideration of SLU-2005-03, a proposed Parking Lot at 669 State Street, Harbor Car Care (Dan Warner)

Walstrom noted that the Planning Commission had looked at this item in December, and had recommended approval of the re-zoning to City Council, but deferred action on the Special Land Use request. He further noted that the Council had approved the re-zoning to TR.

The City Manager suggested that Planner Larry Nix review the plan and his suggestions.

Nix noted that the property had been re-zoned, so that consideration of the parking plan was now permitted. Nix said that he had asked the applicant to look at the possibility of exiting the parking on State Street with a different lay-out, but that the applicant was more comfortable with the current proposal.

Nix noted that the Planning Commission could consider the Special Land Use request and noted that it would require six (6) affirmative votes for adoption.

Nix reviewed some of the concerns from the public hearing in December, including the use of the public alley, drainage and maintaining residential character on the State Street side.

Nix said he had reviewed possible alternatives and said that he would recommend "Plan B", which was displayed on the overhead. In this proposal, Nix suggested that access to the alley from the new parking lot be closed, noting that the parking in the new lot would be exclusively for Harbor Car Care and that the employees would likely be the ones moving vehicles. He also suggested using an obscuring fence along at least part of the west property line to screen the parking lot from the adjacent residential uses. Nix felt such a proposal might be somewhat inconvenient to Harbor Car Care, but it would be safer not to exit from the parking lot into the alley.

Nix suggested that if Plan B were to be approved, the following conditions should be considered:

1. The proposed parking lot (all shaded areas on the plan) must be paved by June 15, 2006.
2. On the west property line, a wood privacy fence of the same height as the south line should be extended from the SW property corner to close in the parking area, deny access to the alley, and provide screening.
3. A drainage plan must be prepared by an engineer, and be approved by the City.
4. The area labeled "storage" must stay as it is and be used ONLY for a dumpster and a bulk waste oil container.
5. The existing garage must be used only in conjunction with the residential use.
6. The existing home must continue to be used as a single family home, and be maintained in residential character.
7. Parking in front of the house is restricted to the owners of the house, and not to be used for equipment, cars under Harbor Car Care's care, or for employees.

8. A cedar hedge should be planted along the north property line from State Street to the corner of the Harbor Car Care building to separate the commercial use from the residential use.
9. All required improvements must be completed by June 15, 2006.

Walstrom asked the applicant if he had any concerns, and his main concern was with #8, because he moved snow in the winter onto the residential lot.

Nix commented that the key to the overall plan is whether it makes sense in its entirety.

Adjacent property owner Jim Nichols said he was satisfied with Plan B; he did understand the applicants concern over moving snow.

Nearby property owner Buck Neesley felt Plan B was okay, but suggested adding a hedge on the alley side in addition to the fence.

The City Manager noted that he and Nix had considered a hedge there also but felt it would be hard to maintain the hedge because of alley snow plowing.

The Planning Commission discussed the plan at length. Two changes were suggested to the list of conditions: one would be that the fence on the west property line be extended to the shed that is on the alley; the second is that the hedge in the front not be required as suggested, but that a hedge be planted to extend south from the corner of the Harbor Car Care building, perpendicular to the north property line, for about 10 feet. Chairman Walstrom asked for a motion.

Hughes was ready to make a motion and asked for Nix to review the conditions. Nix reviewed the conditions, and noted that the Planning Condition would be approving a Special Land Use and that the proposal met the conditions of a Special Land Use.

Ford asked City Attorney Ramer whether the ownership of the eight foot strip of property at the west side of the property had been resolved. Ramer noted that the applicants had obtained title insurance for the eight foot strip of property to go with the 669 State Street property. Ramer also noted that the applicants had made a written offer to discontinue the use of the property at such time as the applicants are no longer using the Harbor Car Care property. Ramer suggested this offer be accepted.

Motion by Hughes, seconded by Sears, to approve SLU-2005-03, a parking lot use at 669 State Street as proposed by Daniel and Connie Warner and Joan Evans, noting that the proposal meets the City Code conditions for a Special Land Use, and per Plan B as described, and subject to the following conditions:

1. That the parking area adjacent to the west property line as shown on the drawing (shaded area) be paved by June 15, 2006;

2. That an obscuring wood fence approximately six feet in height shall be constructed adjacent to the west property line beginning at the SW corner of the property and extending north about 35 feet to the "new shed" on the adjacent parcel as shown on the drawing, in order to prohibit access to the alley from the approved parking lot;
3. That a drainage plan for the new parking lot area as shown shall be prepared by a professional engineer and approved by the City Manager prior to construction of the parking lot;
4. That the proposed "storage" area between the existing garage and the Harbor Car Care building shall be used only for a dumpster and a bulk waste oil container;
5. That the existing garage adjacent to the single family home shall only be used for garage and storage purposes associated with the single family home;
6. That the existing single family home shall only be used as a single family home and shall maintain the appearance of a single family home;
7. That parking in the driveway of the single family home (from State Street to the garage) shall be restricted to the owners of the property;
8. That a cedar hedge a minimum of four feet in height shall be planted and maintained in a living condition to be located perpendicular to the north property line of 669 State beginning at the SE corner of the Harbor Car Care facility and extending south approximately ten feet;
9. That the Special Land Use shall be discontinued at such time as the applicants discontinue using the neighboring property as a commercial gas station and automobile repair station, and that the applicant will take any action requested by the City of Harbor Springs to do so.
10. That all required improvements be completed by June 15, 2006.

Motion approved, 6-0.

C. Consideration of SPR-2006-02, Boat Storage Building, Hoyt Street (Ward Walstrom)

Walstrom stepped down from the chair; Sears replaced him.

Ward Walstrom presented a plan for a storage building just south of the City's water reservoir. The building would be just less than 10,000 square feet, with 18' doors, and designed to accommodate boats in the 20-35' length range. The building will be tucked into the bank.

Jeff Ford noted potential stability problems with the drive and the re-graded areas, as well as potential drainage issues. Both Ward Walstrom and Fred Walstrom addressed these issues, and noted that the entire site had room to correct any problems that may develop.

Planner Larry Nix noted that the plan meets the zoning for this area, including setbacks, etc. He questioned whether they would access Hoyt from the top of the hill as shown on the plan.

Fred Walstrom noted that this opening was in existence and is a utility access site also. It is not the intent of Walstrom Marine to use this curb cut, and safety in moving boats will always be their top priority.

Motion by Ford, seconded by Deegan, to approve SPR-2006-02, a Hoyt Road boat storage building, as presented.

Motion carried, Walstrom abstaining.

Fred Walstrom resumed his place as chair.

D. Zoning Code Discussion

1. Open Signs

The City Manager noted that the Chamber of Commerce Business Committee had requested consideration of a uniform open sign, approximately 18" x 36", red in color with white letters. The signs would hang either perpendicular to the buildings or could be placed against the front facades.

Walstrom voiced his concern as to whether we would be changing the look of the community.

Brian Ewbank, chair of the Business Committee, noted that the primary reason for the request was for businesses to let people know they are open in the winter. The signs could potentially be a little smaller (maybe 12 x 24) and he suggested that they may only need to be up in the winter.

The City Manager noted that Commission member Sheryl McCleery had sent her thoughts to the commission via e-mail, supporting the idea.

Pringle Pfeifer generally supported the request, but felt the idea of limiting the signs from Labor Day to Memorial Day was a good idea.

In reply to a question, City Attorney Jim Ramer said he felt the Council could approve such a deminimus project for a trial period by resolution.

The general consensus of the Commission was to suggest that City Council approve a trial period.

2. CBD/B-1 Parking Requirements

The City Manager said he felt the Commission should move forward with consideration of a revised parking standard for residential living units in the downtown area. He suggested that for units up to 950 square feet that only one (1) parking space be required; those units over 950 square feet would still need two (2) spaces.

The question of what would happen to existing units that had less than 950 square feet, and had two spaces required. Would they be required to keep two spaces? Ramer said he would have to give that question some consideration and that such a requirement might be problematic.

The City Manager said that he would discuss the issue with Ramer and proceed with a proposed ordinance.

3. R-1-D Zoning District

The City Manager presented a potential plan for an R-1-D zoning district, with a minimum 50' wide lot and amended setbacks.

Walstrom asked whether the first part of the new setback should be limited to one story in height, so that the mass of the building would not be too close to the street. The general consensus of the Commission was that this suggestion had merit.

The City Manager said he would work with the City Attorney on bringing a proposal to the Commission.

E. Consideration of Recommendation on the proposed Re-zoning of 420 Glenn Drive from R-1-B to R-1-A

Planner Larry Nix noted that there is very little difference between the two districts as far as the size or setbacks of the accessory buildings are concerned, which is the primary focus of the concern. In R-1-B, accessory living quarters would require a Special Land Use hearing enabling the neighbors to see the plan and there is a 30 day stay limit for guests. In R-1-A, the guest quarters is a use by right, and no hearing is required. There is no time limit on the stay of guests. In neither district can the guest quarters be rented. Nix noted that there is no right or wrong answer in this case.

It was noted that the guest quarters permitted use is new to the R-1-B zoning district.

Motion by Hughes, seconded by Kors, to table consideration of the recommendation until April. Motion carried, 4-2, Ford and Walstrom dissenting.

V. MEMBER COMMENTS

The City Manager reminded the Commission of the HARBOR, Inc. meeting on Recreation and Open Space scheduled for Tuesday, March 22nd.

The City Manager noted that he had received comments on the Master Plan from two Commissioners, and would incorporate their comments into the proposed goals.

VI. ADJOURNMENT

There being no further business, the meeting was adjourned. The next meeting is tentatively scheduled for Thursday, April 20, 2006, at 6:00 p.m.

Frederick W. Geuder, City Manager