

CITY OF HARBOR SPRINGS
PLANNING COMMISSION MEETING
MINUTES
APRIL 16, 2009

Chairman Fred Walstrom called the Planning Commission meeting to order at 6:03 p.m. in the City Council Chambers of City Hall, 160 Zoll Street, Harbor Springs, MI 49740.

1. Roll Call and Verification of a Quorum

Present: Fred Walstrom, Andrew Bowman, Jack Deegan, Jeffery Ford, Mary Ellen Hughes, Laura Kors, Lee Kramer and Sara Smith

Absent: Sheryl McCleery

Also Present: City Manager Thomas C. Richards, City Attorney James T. Ramer, City Planner Larry Nix, City Assessor/Zoning Administrator C. Timothy Grimm and City Clerk Ronald B. McRae

2. Approval of Minutes

Motion by Deegan, second by Hughes, to approve the February 19, 2009 Planning Commission minutes as read.

Motion carried.

3. Public Comments

Chairman Walstrom asked if anyone had any comments on an issue not on the agenda. There were no public comments.

4. Public Hearing on the Proposed Ordinance No. 372

Chairman Walstrom opened the Public Hearing on proposed Ordinance No. 372, which amends the City's Zoning Code for various residential zoning districts concerning set back requirements and lot coverage amounts, at 6:06 p.m..

Planner Nix reviewed the history of the development of proposed Ordinance No. 372. He reviewed the fact that a number of lots were sampled to determine if the proposed changes would adversely affect the many of the residential lots. He estimated that approximately one percent of the lots would be adversely affected.

Chairman Walstrom asked for comments or questions from the public.

Dennis Wiggins, 341 Second Street, stated that the lots affected most by the proposed ordinance change were the small lots. He was not in favor of the proposed ordinance.

Tom Graham, 198 E. Main Street, asked if the proposed ordinance would affect the building envelopes determined in the creation of the site condominiums. City Attorney Ramer stated that the site condominium building envelopes are governed by the site condominium description.

Betty Davis, Bluff Drive, stated that she favored the proposed ordinance. In her opinion, it came too late.

Wiggins stated that a number of years ago the zoning code was made less restrictive to keep from having so many Zoning Board of Appeals requests. Now it appears that the zoning code is being made more restrictive. In his opinion, this action would create more restrictions that cause non-conformities when additions are proposed in the future. Hughes stated that the Planning Commission was trying to stop people from over building on a lot. She offered the house on Arbor Street as an example. The Planning Commission was trying to be proactive in this issue, not reactive.

Wiggins pointed out that in the West Third Street area many of the lots are 52.8 feet wide, which is non-conforming with the R-1-C Zoning District. The zoning code sets the lot width at 65 feet to be conforming. Be reducing the allowed lot coverage from 50% to either 40% or 35% makes development in this area very difficult.

Chairman Walstrom asked Planner Nix to review the R-1-C Zoning District in the West Third Street area to determine the effect of proposed Ordinance No. 372 in this area. Ford stated that he too, would like to have the R-1-C Zoning District reviewed again.

Motion by Bowman, second by Hughes, to have the R-1-C Zoning District reviewed again to determine the effect of proposed Ordinance No. 372 on that zoning district.

Motion carried.

Chairman Walstrom closed the Public Hearing on proposed Ordinance No. 372 at 6:26 p.m.

5. New and Old Business

A. Consideration of SPR-2009-08, Proposed Boat Storage Building, 601 Hoyt Street
(Walstrom Investments, Ward Walstrom)

Ward Walstrom reviewed the proposed Boat Storage Building. He discussed the changes from the first submittal. Ward Walstrom stated that he reviewed proposed changes with Planner Nix. The proposed Boat Storage Building was moved further to the south and would be entered from the north end of the building. Further, the driveway used would not be the same drive way where the laundrymat patrons would park and enter the laundrymat building. Ward Walstrom reviewed the proposed screening on the south end of the building and the west side of the building.

Planner Nix stated that he had worked with Ward Walstrom over the last 60 days on this project. Planner Nix stated that he reviewed the proposed site plan and thought that the issues from the February 19, 2009 Planning Commission meeting were addressed. However, on his visit to the site this afternoon he noticed that the large diameter pine trees would probably have to be removed. He believed that some plantings should be required to replace the pine trees. Planner Nix recommended that the Planning Commission approve the proposed Boat Storage Building Site Plan as presented, with the condition that plantings be required along the north lot line.

The Planning Commission discussed the revised site plan. After the discussion, the following motion was offered:

Motion by Deegan, second by Smith, to approve the proposed Boat Storage Site Plan as presented with the condition that the pine trees be replaced with plantings.

Ayes: Hughes, Kors, Deegan, Smith, Kramer and Ford
Nays: None
Absent: McCleery
Abstention: Walstrom

B. Consideration of SPR-2009-09, Northwestern Bank Proposed Office Space at 106
East Main Street, Suite 2

Bruce Byl, Northwestern Bank, reviewed the proposed floor plan for the proposed branch office at 106 East Main Street, Suite 2. After Byl's review of the proposed floor plan, Planner Nix stated that the branch office is a permitted use in the Central Business District C-B-D. Planner Nix questioned the outside lighting proposed. Was it a light bar? Was the color of the light white light? What are the plans for the use of Suite 4?

Byl stated that the outside lighting would be a light bar with the light directed against the entrance of the building. The light would be a white light. The Bank is considering subleasing Suite 4.

After the questions were answered, Planner Nix stated that he would approve the site plan as presented with the following conditions:

- a. The proposed outside lighting should be white in color and directed toward the entrance, and
- b. The sublease of Suite 4 must be in conformance with the City's zoning code for an allowed use.

Smith questioned the canopies. Byl stated that they would be fabric or cloth.

Motion by Bowman, second by Deegan, to approve the floor plan and use of the space at 106 East Main Street, Suite 2, as proposed with the following conditions:

- a. The proposed outside lighting should be white in color and directed toward the entrance, and
- b. The sublease of Suite 4 must be in conformance with the City's zoning code for an allowed use.

Motion carried.

C. Holy Childhood Church Proposed Landscape Plan

Planner Nix discussed the proposed Landscape Plan for Holy Childhood Church. The approval of the Landscape Plan was a condition of the approval of the proposed Holy Childhood Church Project from March 2007. Planner Nix thought the proposed Landscape Plan was good and satisfied the condition of planting a hedge along the north property line to obstruct the view of Bill Horwath. Planner Nix questioned the height and type of hedge proposed. Wiggins stated that the hedge was an Arborvitae Hedge and would be eight feet tall at the time of planting.

Ford questioned if the Planning Commission would need to approve the lighting. Planner Nix stated that the approval was to be made by the City Manager and the Planner. If there was a need to bring the issue back to the Planning Commission, it would be brought back for their consideration.

Davis questioned if there would be trees planted to break up the view from State Street west to the Church. Wiggins stated that there were two large pine trees being planted to give the same view that people saw when the old building was there.

After a brief Planning Commission discussion of the project, the following motion was offered:

Motion by Ford, second by Bowman, to approve the landscape plan as presented.

Motion carried.

D. Wind Turbines and Wind Powered Generators

City Manager Richards stated that he had received inquiry about the City permitting wind powered generators in the City of Harbor Springs. He believed that this is an issue that needs to be on the table for study. Manager Richards reviewed some of the types of wind powered generators he has seen or read about.

Ford stated that West Traverse Township has been studying and putting together a proposed ordinance on wind powered generators and turbines. They may be a source to get information from.

Planner Nix stated that the technology on wind powered generators is changing daily. Manager Richards stated that he would work with Planner Nix and have a presentation for the Planning Commission on this issue at a future Planning Commission meeting.

6. Adjournment

With no further business, Chairman Walstrom adjourned the meeting at 6:50 p.m.

Ronald B. McRae, City Clerk