

PLANNING COMMISSION

Minutes

April 20, 2006

I. ROLL CALL

Fred Walstrom	Present
Andrew Bowman	Absent
Jack Deegan	Absent
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 6:00 p.m.

II. MINUTES

Motion by Kors, seconded by Sears, to approve the minutes of the March 16, 2006, meeting, as presented. Motion carried.

III. PUBLIC COMMENT AND CORRESPONDENCE

None.

IV. NEW AND OLD BUSINESS

A. Public Hearing on the Proposed Special Land Use with Cluster Option for the Bluff Estates Project at Summit & Sargent

Chairman Walstrom opened the public hearing and asked the City Manager to Note the correspondence.

The City Manager noted correspondence from the following:

- Judith Harvey
- Barry & Rebecca Baccus
- John & Elaine Kenzie
- Florence & Benjamin Blesi
- Mark Guisinger
- Robert Crosby
- Nancy Lightfoot
- Melissa Marchand
- Helen Reid

Doug Krug, along with Dave Faulkner of Birchwood Construction and Jamie Johnson of Benchmark Engineering, were present on behalf of the project.

Doug Krug noted that Ralph Moore had previously owned this property and it was a dream of his to do a development such as this. In looking at the site, he said plans were developed to respect the topography. A Cluster format was used, but did not achieve higher density than would be available with a traditional plan.

Melissa Marchand, who owns a vacant lot on Summit Street, asked whether you would be looking at rooftops.

Krug commented that the houses would be limited to 30' in height, and the houses would be 1800-2000 square feet.

Barry Baccus, who lives at the NW corner of Summit & Sargent, noted that when he built his home five years earlier he had kept within required setbacks; he tailored the home to the lot. He called a Cluster development a "cheater's" rule, a way to get around the regular rules. Baccus also noted several Cluster developments in town that had not been fully occupied. He felt that the City is at that fine line of whether such development is good for the community. He also noted that water pressure is an issue.

Ben Blesi, of 452 West Summit, asked whether the property was really just a worthless old gravel pit. He questioned whether a Cluster project was the right thing. He also felt the proposed house on the NE corner of the property was a recipe for disaster.

Krug noted that the density does not exceed the density allowed per code.

Judy Harvey, who lives on West Bluff just south of the proposed entrance to the project, asked whether houses could actually be built on Summit.

Jamie Johnson said it could be done physically with proper engineering, but would require filling and regrading.

Harvey then noted that while the plan does seek to preserve trees, the best trees come down where the street would be built and up on Summit on the NE corner.

Mark Guisinger, of 462 Summit, said most people were unaware of a Cluster option, which deviates from regular setbacks. He stated that while the plan could be built, would it blend into the neighborhood. He would like to see things similar to what is already in the neighborhood.

Elaine Kenzie, who lives on West Bluff across from the proposed entrance, was concerned about storm water run-off. She also does not want to see trees removed. She also does not want to see vacant houses that used only on weekends.

Doug Krug stated they would save as many trees as they could.

Jamie Johnson noted that in terms of run-off, a gravel pit is an ideal site, because water percolates very well. They have designed a collection system also. In terms of water pressure, the pressure in this part of the City is about 30 lbs. It is near the Peffer Well site, and six additional houses should not tax the system.

Florence Blesi, 452 W. Summit, said they have lived there since 1975, and water pressure has always been a problem. She wanted to know where the sewer would run. (Jamie Johnson pointed the proposed line on the map.)

Mark Guisinger pointed out that zoning on Third and Fourth Streets calls for closer housing, but the zoning here does not anticipate those setbacks.

Ben Blesi asked the lot sizes in the area be reviewed.

Judy Harvey asked about the sewer system. (The City Manager explained why the sewer system ends where it does.)

Florence Blesi commented that there are often deer in the area.

Chairman Walstrom closed the public hearing.

In reply to a question, the City Manager explained the Planning Commission process. He noted that six affirmative votes were needed for approval of a Special Land Use, and since there were not six members in attendance, the matter would be tabled until a later date.

B. Consideration of SLU-2006-01, Cluster Zoning Project for Bluff Estates Project

Walstrom asked Planner Larry Nix for his comments.

Nix noted the following points:

- The property is zoned R-1-B, which requires 80' lots, with a minimum of 8000 sf for new lots created.
- R-1-B does allow for Cluster projects as a Special Land Use, in order to preserve open space or unique geographic features.
- The proposed site has approximately 1.8 acres, which is in excess of the 1 acre minimum for Clusters. A test plan shows that you could theoretically get up to six living units on the space.
- Six units is the maximum threshold, but the applicant must still meet Cluster standards.
- The Commission has to decide whether the features being saved are consistent with the goals.

- The plans presented here differ from the plan shown to the Commission in September because the houses are larger and there is less open space.
- Several of the configurations shown impact into the slopes and tree lines.
- Most of the quality trees on the property are on Summit and where Backus Street would be and would be lost.
- What is being preserved? Nix noted that the plan is not impractical, because otherwise you would need to substantially fill in the site; the question is whether enough is preserved.
- The previous plan showed the water main being looped back to M-119, which may help with water main issues, although Nix acknowledged he was not an engineer.
- Nix noted that the plan showed potentially placing brick pavers on Backus Street, and suggested that might not be advisable for a City street.
- Nix talked about the character of the area, and whether this proposal fits the area; this project is somewhat isolated, but character needs to be considered.
- He noted that the 30' height limit means that the houses will not likely be seen from Summit Street.
- Nix noted that the Commission must review the plan in light of the Special Land Use and Cluster Zoning standards.

City Manager Fred Geuder noted the following:

- He asked whether a square footage limit for the houses was being proposed. (Krug said it would be a 2000 sf limit.)
- The plans do not detail the garage very well and asked whether there would be any living space above them. (Faulkner said no, but it might be storage.)
- The reduced cul-de-sac size was noted, and suggested that the sidewalk be included in the right-of-way.

Nix suggested that perhaps there only be four lots below the Summit.

Walstrom asked whether the side yard setbacks shown met the R-1-B standard of eight feet. (Yes.)

Kors asked how many homes could be built without doing any plan.

The City Manager noted that it could be from zero to four, but almost anything would need to come to the City for utility and grading approval.

Walstrom noted that if you just had three homes on Summit, they might be considerably larger homes.

Jeff Ford noted that it is a very tough site to develop, and this is a very aggressive plan. He said he understood the neighbors fears and concerns and suggested they try to work with the neighbors. Ford did note that the developer did a fine job with presentation folder.

Hughes felt that the Commission needed to listen to the neighbors.

Sears noted that the site is difficult, but said the plan needed to be tabled.

Motion by Sears, seconded by Hughes, to table consideration of the plan. Motion carried.

The Commission had a brief recess.

C. Consideration of Request to Modify SLU-2005-03, Parking Lot at 669 State

The City Manager stated that Dan Warner in reviewing the approval from the previous meeting would like to request that he be permitted to have a gate to the alley for purposes of easier access for hauling snow only. The gate would only be open during the times snow was being hauled and would not be used for general operations.

The consensus of the Commission was to approve the request, but it would need to be considered at the next meeting since it is a Special Land Use issue.

D. Presentation of Concept for a Downtown Hotel

Rob Mossburg and Rob Sears were on hand to make a presentation.

Peter Sears noted that Rob was his son, but he had no financial interest in the firm or in this plan.

Mossburg wanted to discuss a concept to tear down the existing Harborside Inn and build a new hotel. The new hotel in order to be successful should have a third story and be taller than the 30' allowed currently in the CBD. The basic concept was thus:

- Tear down the existing structure and start fresh.
- Have between 15-25 units, condo hotel unit—some one-bedroom and some two-bedroom.
- It would be a full-service hotel, with staff on hand 24/7; it would have an indoor pool; a “spa” open to the public; and either a concierge-type bar or small bar open to the public.
- The three-story portion of the hotel would be over the existing building site that is currently zoned CBD; the parking lot portion would have a two-story building and would need to re-zoned.
- Mossburg suggested “Contract” zoning for the re-zoned portion.

Why should the City consider such a plan? Mossburg suggested that with the redevelopment of the existing site, aesthetics could be improved. The project could be something very nice for the City—it would generate more taxes, and should be an asset to the downtown.

It was Mossburg’s opinion that the downtown needs to have a hotel.

Why three stories? Mossburg admitted that it makes more economic sense, but it can be a nicer and more historic building (Mossburg showed photos of old hotels). Why 36-38'? It can be done better architecturally, and there are a number of older buildings in the downtown that exceed the height.

Mossburg also suggested a different parking standard for this type of hotel use that is more consistent with national standards.

Finally Mossburg noted that the City has promoted outdoor seating for food service establishments and residential living in the CBD. Why not a hotel?

Walstrom noted that he was on the Planning Commission when the existing hotel was built; it was a difficult planning process. The Commission approved a third floor use that was turned down by the ZBA. This proposal might be timely.

Laura Kors had questions about the history of the current hotel. She also asked how a Condo Hotel is sold.

Mossburg reviewed the concept of selling the individual units and even would consider fractional shares. He also noted that in the case of two bedroom units, they would like to be able to lock out the room, so it could be and likely would increase the availability of renting the separate unit. Mossburg felt that generally half or more of the rooms would be available in the peak times.

Mossburg commented that Michigan as a state ranks 50th in the country in terms of hotel occupancy, and northern Michigan is only at 50-60% in the summer.

Mary Ellen Hughes noted that the site seems to have a stigma attached to it. She said she might be okay with a three-story, taller building.

Peter Sears noted that the availability of an indoor pool would definitely make it more desirable for occupancy in the winter and bring people to town.

Jeff Ford asked Nix what issues there were.

Nix noted that the TR Zoned parking lot would need to become CBD, and could be done with the Contract Zoning. The Contract Zoning does not give the Commission the authority to grant variances however.

Nix suggested that the best way to deal with the height and story issue is to amend the code, but how we do it is important, so that a new can of worms is not opened up.

Walstrom suggested a CBD-H category might work, much like WF-1 was created along the waterfront.

Ann Phillips said she could see allowing 36' height and three stories throughout the CBD, to give owners more options. She also noted that Mossburg has a proven track record with projects he has done to date.

Kors noted that she likes the concept, but that questions on how to resolve the height/story issue need to be resolved.

Nix suggested that the City Manager, City Attorney and he review potential options for presentation to the Planning Commission. The Planning Commission concurred.

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

The City Manager noted that consideration of this issue had been tabled in February to give the Commission more time to consider the request. Additional comments were received from Susan Riley (attached).

In reply to a question, City Attorney Jim Ramer noted that the primary difference between R-1-B and R-1-A was that R-1-B restricted guest use to 21 consecutive days (with a 30-day waiting period to reoccupy), while R-1-A had no such restriction.

It was noted that the R-1-A rules have worked well for many years. It was also noted that until about a year ago R-1-B did not even permit guest quarters, so the concept was still fairly new for the existing zoning district.

Planner Larry Nix said that a case could be made either way.

Motion by Sears, supported by Kors, recommend that City Council deny the zoning request.

Ayes: Sears, Walstrom, Kors

Nays: Ford, Hughes

Motion carried, 3-2.

F. Zoning Code Discussion

The City Manager noted that he and City Attorney Jim Ramer were close to having the wording ready to proceed with the public hearings on the CBD residential parking standard; the R-1-D new district; a change in the definition of Home Occupation; and a change in the ALQ zoning rules to permit guest quarters in only one accessory building per lot. This may be on the May agenda.

V. MEMBER COMMENTS

None.

VI. ADJOURNMENT

There being no further business, the meeting was adjourned. The next meeting is scheduled for Thursday, May 18, 2006, at 6:00 p.m.

Frederick W. Geuder, City Manager