

CITY OF HARBOR SPRINGS
PLANNING COMMISSION MEETING
MINUTES – 23 July 2009

Chairman Fred Walstrom called the meeting to order at 6:00 PM in the Harbor Springs City Council Chambers, 160 Zoll Street, Harbor Springs, MI, 49470

I. Roll Call and Verification of a Quorum

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

Absent: Andrew Bowman

Also Present: City Manager; Tom Richards, City Planner; Larry Nix, City Attorney; Jim Ramer, Civil Engineer; Joe O'Neill,

II. Approval of Minutes – Meetings of April 16 and May 21, 2009

In discussion of the minutes of the April 16 meeting, City Attorney Ramer clarified that his response to Tom Graham's question (page 2, item 4 paragraph 5) as to whether the new ordinance would apply to the established building envelope for site condominiums plans that had been created prior to the ordinance. Ramer noted that his response should have read: "Ramer responded that his preliminary opinion is that the building envelope in a site condominium would be subject to a more restrictive set-back requirement if that was adopted as a part of the district regulations in the zoning district where the site condominium was located." It was also pointed out that the minutes should be corrected to show the correct meeting date of April 16.

A motion was made by Deegan and supported by Hughes to approve the minutes of the April 16 meeting (with the amendments) and the March 21 meeting (as presented). The motion was approved by a unanimous vote of the commissioners present.

III. Public Comments

Chairman Walstrom asked if there any correspondence had been received, or if any member of the public had comments or questions on any issue not on the agenda. There were no comments or correspondence.

IV. New and Old Business

- A. **Zoning of Annexed Property at Kiwanis Park**: City Manager Richards briefed the Commission on the recent annexation of a city-owned parcel located on the eastern edge of Kiwanis Park. He stated that the property had been selected as the best available location for the construction of two water storage

reservoirs which were critical elements of the City's water system reliability improvements. He explained that the parcel would retain the zoning originally assigned by West Traverse Township until it had been rezoned for the intended use in the City. He recommended that the Commission adopt the "Resolution to Recommend Rezoning", recommending that City Council establish zoning of district "C – Community" for the parcel.

Chairman Walstrom opened a public hearing regarding the zoning recommendation.

The Commission discussed and responded to questions by Arbor Street residents Brent and Karen Schaller regarding

- their concerns over plans to build the reservoirs in a location where they anticipated only residential use
- the need to visually screen the reservoir tanks from the adjacent properties
- their concerns over whether the City may be planning additional construction on the site (a community center or additional reservoir tanks)
- the type of improvements or facilities that the "C – Community" district allows

Discussion followed including City Attorney Ramer's response that any new use or project would again be subject to the consideration of the Planning Commission.

From the Zoning Code, City Planner, Larry Nix read the description of uses specified in the C – Community district.

Chairman Walstrom closed the public hearing.

B. Consideration to Recommend Zoning:

A motion was made by Kors and supported by Deegan to adopt the "Resolution to Recommend Zoning" of the property.

Ayes: Deegan, Ford, Hughes, Kors, Kramer, McCleery, Smith, Walstrom.

Nays: None

Absent: Bowman

The resolution passed.

C. Review – Site Plan for Water Storage Reservoir:

Richards briefed the Commission on plans for the water storage reservoir project, including:

- The need for additional water storage
- The consideration used for the selection of the site

- The need for a service drive adjacent to the tanks, allowing vehicles between the security fence and the storage tanks
- The plan for locating trees and shrubs that would grow to provide visual screening from the south, west and east.
- The planned location for a third storage tank, if growth of water system requires additional water storage in the future.

Discussion followed about commissioners concerns that the planned cedar hedge on the east side might not grow thick and tall enough to adequately screen the view from any future development to the east. It was suggested that six to eight foot cedars would be more adequate.

Also discussed was the choice of cedars for the east side, and larger trees on the west and south. Richards and Joe O'Neill of Benchmark engineering explained that due to the need for space for the service drive, cedars were chosen because they wouldn't be as wide as other trees.

Discussion continued regarding council members opinions that spruce and/or pine trees could provide more effective screening for the view from the east.

It was suggested that the service road could be moved to the west side of the reservoir tanks, allowing for more room and larger trees for screening on the east.

George Johnston, owner of the adjacent property asked about the city requirement for a side yard setback for the water tanks. City Planner Nix advised him that the 20 foot side yard (used in the plan), is the maximum side-yard setback requirement in any of the City's zoning districts.

A motion was made by Kors and supported by Hughes that the site plan be approved with the following conditions:

- The service road be relocated to the west side of the reservoir tanks
- The eastern security fence remain in the location shown, but the pine and spruce trees be planted within the fence, instead of spruce.
- The west fence is to be moved farther west to allow room for the service drive.
- Additional trees should be planted to the south, to provide screening for the additional storage tank, if one should be constructed in the future.

Ayes: Deegan, Ford, Hughes, Kors, Kramer, McCleery, Smith, Walstrom.

Nays: None

Absent: Bowman

The resolution passed.

- D. **Consideration of Lot Coverage Reductions – R1C**: City Planner Nix reviewed the concerns of the proposed lot coverage restrictions discussed at recent meetings of the Planning Commission.

With the Commission, he discussed an analysis he had prepared demonstrating the impact of the reductions proposed in Ordinance 372.

With his table, he demonstrated the impact of the proposed lot coverage reductions. He illustrated the size limitations on the smallest lot in each residential district. The commission discussed the opinion that the home size limitation was disproportionately greater in the case of the R-1-C district where the proposed lot coverage would be reduced from 50% to 35%.

The Commission discussed the possibility of incorporating an exception in the specific section being considered (Southard & Crandall addition). In further discussion Commissioners expressed concern over creating exceptions to the code requirements. Commission members expressed interest in considering different lot coverage percentages in the R-1-C district.

Nix suggested that he could provide further analysis, showing examples of other possible lot coverage percentages... at 45%, 40% etc.

He said he would prepare examples for review by the Commission at the next meeting.

V. Member Comments

There were no comments offered.

VI. Adjournment

With no further business, Chairman Walstrom adjourned the meeting at 7:37 PM.

Thomas Richards, City Manager