

PLANNING COMMISSION

Minutes

October 21, 2004

I. ROLL CALL

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

Also present were City Planner Larry Nix and City Manager Fred Geuder.

The meeting was called to order by Chairman Fred Walstrom at 6:35 p.m.

II. MINUTES

Motion by Pfeifer, seconded by Sears, to approve the minutes of the September 16, 2004, meeting, with the following correction: on Page 3, IV. E., the third paragraph, the word "that" should be changed to "then". Motion carried.

III. PUBLIC COMMENT AND CORRESPONDENCE

None.

IV. NEW AND OLD BUSINESS

A. Consideration of SPR-2004-05, American Legion Proposed Building Addition

The City Manager noted the letter received from the Legion that addressed the issues of seating, drainage and the exterior materials (copy attached). The City Manager also noted that the Zoning Board of Appeals had approved the needed setback variances.

Tim Hayner, on behalf of the American Legion, clarified that the seating in the upstairs would be spread out more, by being able to move the serving line into the old kitchen area. Hayner further explained that the drainage is in existence by agreement with the neighboring property to the east. He also noted that the addition would be of a split-faced block, and the new windows would not be mirrored.

Mary Ellen Hughes noted a question she had from Sheryl McCleery as to whether or not shutters could be added. Hayner noted that the budget is limited, so it is not included, but it could be looked at in the future.

Andrew Bowman noted that the drawing showed the fenced area being over the property line (perhaps 4-6”), noting that the adjacent property owner was concerned about this.

Hayner said the existing fence was there already, but said the new fence could be moved back onto the property.

Planner Larry Nix asked whether there would be new exterior lighting, and Hayner replied that no new lighting was anticipated. Nix noted that all other issues had been addressed.

Motion by Bowman, seconded by Sears, to approve SPR-2004-05, as presented, with the conditions noted in their letter and the discussion being a part of the approval, and with a condition that the block wall be moved back onto their own property. Motion carried, 7-0.

B. Consideration of SPR-2004-06, Walstrom Marine Proposed Docking Addition (Basin Area)

The City Manager noted that the process for consideration of new docks, such as in this case, was multi-faceted. The Planning Commission reviews issues specific to the Site Plan; the Harbor Commission reviews all issues related to the waterfront; and then based on the considerations of the Planning Commission and the Harbor Commission, and following public input, the City Council makes a recommendation to the State of Michigan. In this case the project is ultimately dependent on the applicant, Walstrom’s, obtaining a bottomlands lease from the State.

Fred Walstrom, stepped down from the Commission, and the chair was assumed by Peter Sears.

Walstrom reviewed the existing leases that they have with the State and how they are used. Walstrom also reviewed the proposed new docking plan, noting that it would be a floating breakwall, and noted that the area where the slips are located would have to be dredged. He also reviewed the parking requirements and showed how Walstrom’s would meet those zoning requirements.

Planner Larry Nix noted that the east side of the proposed floating dock shows a two level arrangement. Walstrom noted that he is showing a lower 6’ wide level dock that would be accessible to the public from the Zoll Street area. The upper area, accessible only to the dock users, would need to have a railing.

Nix acknowledged that the parking shown on the plan does meet the requirements of the Zoning Code. He did note the logistical concerns that are not necessarily site plan related, but included the use of on-street parking by Zoll Street, and the access from the fence gate off the Zoll Street beach area. Nix also noted the impact on the “vista” from the Zoll Street beach.

Deegan commented that while some marina users may use the Zoll Street parking, additional parking on the City property is available nearby.

Pfeifer noted that she was concerned about the impact of the proposal on the Zoll Street beach. Parking is a concern with eight new slips added on the east side. She also noted a concern with the vista.

Members of the Commission discussed whether the parking requirement for this use was adequate.

Walstrom noted that the parking covers all of the uses, even though some of the buildings were in place prior to the requirements, and the parking requirements may be technically “grandfathered”.

Nix again noted that the Planning Commission is only the first step in a multi-step process. Nix noted that the parking shown is reasonable, although there are other related concerns that may not be a part of the Planning Commission process.

In response to a question, Nix stated that changing the parking requirements after a process has already been started is not looked upon favorably by the courts. If need be, the requirements could be changed later. Nix noted that while it is a big project, it does meet the requirements.

Pfeifer made a motion to table consideration of the plan. There was no second.

Sears asked the time frame of the consideration of the plan.

Walstrom said he would go one step at a time, and each step may have different time requirements; the state would likely take the longest time.

Sears also commented on the mess associated with any dredging project, both on the streets, and dust on the cars, boats and buildings in the vicinity.

Walstrom noted that one alternative for disposal of dredgings is to go into deep water and dump them, a process which can be approved by the DNR, but is not usually the case.

Walstrom also felt the parking available is reasonable for the busy season, and noted that Walstrom’s also works with individual users to park cars up on Hoyt Street at times.

Motion by Bowman, seconded by Ford, to approve the plan as presented, and as shown, noting that parking shown must be available for use by patrons and employees as required. Motion carried, 6-0, Walstrom abstaining from the voting process.

C. Petition for Zoning Changes—Glenn Drive Area

The City Manager noted the petition that had been received last month, and noted the memo from Planner Larry Nix in response to the petition, which did not recommend changes.

The City Manager suggested that Nix be asked to write a cover letter to send with his memo to the signers of the petition, in order to educate them on their request.

The Planning Commission concurred with this idea, and directed Nix to make a response.

D. Other Zoning Code Changes

The City Manager noted the City Attorney was working on a proposal to define the bluff, and had met with Benchmark Engineering.

The City Manager also presented a draft of an ordinance change for the Accessory Building rules that Ramer had prepared. (copy attached) With no objection from the Planning Commission, the City Manager would put this out for Public Hearing at a future meeting.

V. MEMBER COMMENTS

None.

VI. ADJOURNMENT

There being no further business, the meeting was adjourned. The next meeting is scheduled for Thursday, November 18, 2004.

Frederick W. Geuder, City Manager