

NOTICE OF PUBLIC MEETING
COUNCIL CHAMBERS-VILLAGE HALL
102 South Huron Avenue
231-436-5351

7:00 P.M.

November 12, 2013

AGENDA-SPECIAL MEETING
MACKINAW CITY PLANNING COMMISSION

- I. Call to Order/Welcome
- II. Roll Call
- III. Pledge of Allegiance
- IV. Approval of Minutes
- V. Public Comment
- VI. New Business
 - A. Village Manager Adam Smith-review of Planning Commission Duties (P.A. 33 of 2008 and P.A. 110 of 2006)
 1. Annual Meeting Calendar
 2. 2013 Annual Planning Commission Report
 3. 2014 Proposed Work Program
- VII. Old Business
 - A. Letter/Comment Cheboygan County Master Plan
 - B. 2nd pre-application discussion for PUD-parcel ID# 012-V07-002-051-00
- VIII. Commissioner Comments
- IX. Commissioner Calendar
- X. Adjournment

All communication, petitions, additions, etc. must be in the office of the Village Secretary by 12 o'clock noon on the Monday preceding the second and fourth Thursday of every month to be on the Agenda

UNAPPROVED
MACKINAW CITY PLANNING COMMISSION MINUTES
COUNCIL CHAMBERS – VILLAGE HALL

102 S. Huron Ave
Mackinaw City, MI 49701
AGENDA – SPECIAL MEETING

November 12th, 2013 7:00 PM

1. Call to Order:

Chairperson Mann called the meeting to order at 7:00 PM.

2. Roll Call:

All members of the Commission present. Mary Clark, Robert Heilman, Rosada Mann, Earl Taylor, Matt Cooley, Ronald Dye, and Greg Gustafson signed in.

Staff:

Fred Thompson Jr.
Adam Smith – Village Manager

Guests:

Dave McFarland, Paul Allers, Chris Brown, Joseph Lieghio, Ron Wallin, Annabel Blair, Jeff Hingston, Joann Leal, and Pam Godchaux.

3. Pledge of Allegiance:

4. Approval of Minutes:

Chairperson Mann and Commissioner Heilman noted mistakes in last months minutes which were corrected. Motion to approve corrected minutes made by Commissioner Heilman, seconded by Commissioner Clark, motion passed 7 – 0.

5. Public Comment:

Mr. Wallin asked if public comments would be allowed for agenda specific items during the current and future meetings, to which Chairperson Mann replied that unless there is a time concern or a person gets belligerent that she would welcome the public comment.

Mr. Wallin then stated that it was the Planning Commissions responsibility to do what is best for the Community.

Mr. Allers spoke on past Planning Commission concerns about building heights obstructing the view of the lakes, to which Chairperson Mann responded that the view shed was a very important part of the Master Plan and an important consideration in decisions made by the Planning Commission and the City Council.

Mr. Brown made his own comments on the issue of view shed.

Mr. Wallin commented on the development of the State Dock and Conklin Park, along with his concerns of further development within the Waterfront District.

Mr. Brown commented that development on a property is the right of the land owner, also adding that a property left undeveloped is less income the Village would receive in taxes.

Chairperson Mann stated that the Planning Commission is in place to protect the jewels of community as well as to protect private property rights.

Mrs. Blair asked how the development in question would fit into the Mackinaw City Master Plan, to which Chairperson Mann answered that the public would be able to voice their opinions during a public hearing if the project in question goes forward.

6. New Business

A.

Village Manager Adam Smith – review of Planning Commission Duties (P.A. 33 of 2008 and P.A. 110 of 2006)

Mr. Smith opened with a brief outline of Planning Commission Duties along with the following items:

- 1. Annual Meeting Calendar**
- 2. 2013 Annual Planning Commission Report for Village Council**
- 3. 2014 Proposed Work Program**

1. Annual Meeting Calendar

Commissioner Heilman motioned to adopt the Annual Meeting Calendar for 2014, Commissioner Dye seconded, motion passed 7 – 0.

2. 2013 Annual Planning Commission Report for Village Council

The following changes were made to the report:

*** 'Recommendation to Council to leave SOB's in the B2 Waterfront District' -changed to: 'Recommendation to Council to leave Sexually Oriented Businesses in the B2 Waterfront District'.**

***Add 'discussion of Master Plan' to the report**

Requests for the Fiscal Year 2015:

***Request for ongoing training for Planning Commissioner as required by bylaws**

***Request for contracted services, consultants, and attorney review as needed**

3. 2014 Mackinaw City Planning Commission Proposed Annual Work Program

The following item was added to the Planning Commission Proposed Annual Work Program:

***Work on and review Master Plan Recommendations (non-zoning related)**

7. Old Business

A.

Letter/Comment Cheboygan County Master Plan

The following comment was added to the letter to the Cheboygan County Planning Commission regarding the Cheboygan County Master Plan:

***No reference to the recycling program offered in Mackinaw City
Staff will revise the letter to be presented at the next meeting.**

B.

2nd pre-application discussion for PUD-parcel ID# 012-V07-002-051-00

Chairperson Mann opened the discussion by stating that the property in question is currently zoned MC – Marina Commercial District, which permits museums, marinas, performance shells, off-street parking, and accessory buildings. She went on to state that the principle PUD uses and structures for Commercial PUDs are retail, museum, theater, restaurant, day care centers, office, medical facility, community

building, and hotel. Chairperson Mann also stated in granting any modification to the standards for PUD development, it shall be determined that a better PUD plan can be put into place because of the modifications. Modifications shall not be granted if they are found to be contrary to the spirit and intent of the zoning ordinance. Chairperson Mann concluded with the following criteria for the Planning Commission:

- 1. Any proposed commercial development can be justified at the location proposed.**
- 2. Any exception from the standard district requirements is warranted by the design and other amenities incorporated in the development plan, in accord with the planned unit development and the adopted policy of the Planning Commission and the Village Council.**
- 3. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.**
- 4. The planned unit development is in general conformance with the land use plan of the Village.**
- 5. The existing and proposed utility services are adequate for the population densities and nonresidential uses proposed.**

Mr. McFarland gave a presentation for the pre-application plan for PUD – parcel ID# 012-V07-002-051-00, explaining where the property is located and the proposed use on the site. Mr. McFarland presented three different designs for the proposed building. Site plans, floor plans, and 3-D renderings from street view were included. Overall heights for the proposed buildings are as follow:

***Option 1. – 40 feet**

***Option 2. – 42 feet**

***Option 3. – 45 feet**

The Commission members asked questions to Mr. McFarland, Mr. Lieghio, and Mr. Brown concerning the project. Several Commissioners voiced their concerns on view shed, building height, using a PUD for this particular project, and a number of other points regarding the proposed project. The property owner and his associates answered the Commissioners questions to the best of their abilities.

Some members of the public present at the meeting voiced their concerns about the proposed project and the use of the property in

question, and time limits on completion of the project. The property owner answered questions to the best of his abilities.

Further questions from the Commission arose about amending the ordinance to allow restaurants in the MC District, to which Village Manager Mr. Smith urged against. Mr. McFarland ended his presentation with some examples of PUD use and reasons it should apply to this project.

Mr. Wallin voiced strong feelings against the proposed plan, to which the Mr. Lieghio defended himself.

The discussion ended with members of the Planning Commission giving the recommendation for the property owner to go forward and submit the application for the PUD.

8. Commissioner Comments

Commissioner Heilman commented that the process of electing the Planning Commission Officers was done improperly, that there was no call for nominations, that there was a call for a motion, Commissioner Dean made a nomination, and that there no call for discussion on the motion or calls for additional nominations. Chairperson Mann stated that she believed that the process was done properly. Commissioner Dye asked if there was an issue on how the election was handled, if the Village attorney could look into it. Mr. Smith said that the attorney was available to review the minutes from the October meeting to see if protocol was followed. Chairperson Mann said she was fine with that. Mr. Smith said he'd have the minutes reviewed.

Commissioner Dye commented the TripAdvisor considers Bell's Fishery a restaurant, due to comments earlier during the pre-application discussion questioning if Bell's is a restaurant or not.

9. Commissioner Calendar

December 12th, 2013 – Special Meeting

January 23rd, 2014 – Regular Meeting

10. Adjournment

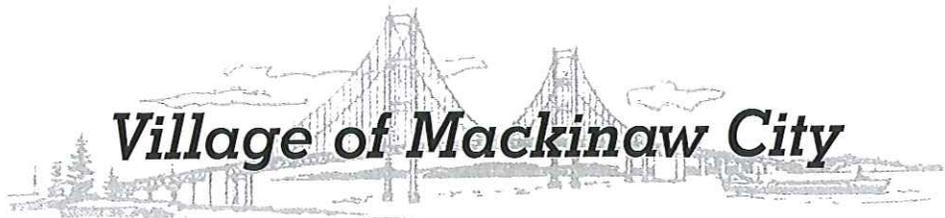
**Motion to adjourn made by Commissioner Clark, seconded by
Commissioner Taylor, motion carried 7 – 0. Meeting adjourned at 9:10
PM.**

G. S. Gustafson

Secretary

Rosada Mann

Chairperson



102 South Huron Avenue, P.O. Box 580, Mackinaw City, Michigan 49701

Telephone: (231) 436-5351 Fax: (231) 436-4166

www.mackinawcity.org village@mackinawcity.org

To: Mackinaw City Planning Commission
From: Adam R. Smith, Village Manager
Date: June 25, 2013
Re: Manager's Report June 27, 2013 Planning Commission Meeting

A handwritten signature in black ink, appearing to be "AS", is written over the right side of the header information.

VII. Planning Commission Duties

[Informational Item]

In reviewing the Village of Mackinaw City Planning Commission Bylaws and Planning Commission Ordinance No. 153 it appears that the detailed powers and duties have not been identified, only referenced by P.A. 33 of 2008, as amended and P.A. 110 of 2006, as amended. In order to operate in an effective and efficient manner, it is important to clearly outline the duties of any organization. To that extent, please reference the eleven (11) specific duties identified below as provided in the Michigan Planning Enabling Act and Michigan Zoning Enabling Act for a Planning Commission. Duties outside the scope of these items identified in the respective acts would be managed by other boards, commissions, entities, or municipal staff.

The Commission shall have their powers and duties as set forth in P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3801 *et seq.*; and P.A. 110 of the Public Acts of 2006, as amended, being the Michigan Zoning Enabling Act, (M.C.L. 125.3101 *et seq.*).

1. Undertake studies of existing social, physical and economic conditions and probable growth;
2. Prepare, adopt and maintain a plan for development;
3. Cooperate and coordinate with other local units of government on planning;
4. Review city, village, township (within and adjacent) plans;
5. Review and comment on draft master plans of adjacent communities;
6. Draft zoning ordinance, and amendments and review various zoning proposals.
7. Review and comment on proposed infrastructure physical improvements in the government;
8. Prepare and recommend subdivision regulations and rules to the Village Council for adoption (optional) and advise on proposed plats (if there are adopted subdivision regulations);
9. Prepare annual report for Village Council;
10. Prepare and submit budget for the next year;
11. Prepare annual work program.



Mackinaw City Planning Commission
2014 Calendar
102 South Huron Avenue
231-436-5351

January 23, 2014

February 27, 2014

March 27, 2014

April 24, 2014

May 22, 2014

June 26, 2014

July 24, 2014

August 28, 2014

September 25, 2014

October 23, 2014

★November 13, 2014

★December 11, 2014

★All Meetings begin at 7:00 PM and are located in the Council Chambers at the Village Hall

★All Meetings are the 4th Thursday of the month except as noted

2013 Annual Planning Commission Report for Village Council

The Planning Commission is required by statute to submit an annual report to its legislative body, the Village Council. The report includes operations of the Planning Commission, status of planning activities, planning and development recommendations, and major upcoming fiscal needs. These requirements are associated with PA 33 of 2008 (MPEA) and were requirements of the Municipal Planning Act, PA 284 of 1931.

2013 Planning Commission Operations:

Summary Status of 2013 Achieved-

- Amend Ordinance 138-Time Limit on Site Plans
Status: Approved 1/24/13
- Review By-laws
Status: Adopted
- Recommendation to Council to leave SOB's in the B2 Waterfront District
Status: Supported by Council
- Review 2013-SUP-001 and Site Plan review for MSHS
Status: both approved
- Review Parks and Recreation Plan
Status: Ongoing
- Review of 2013-SP-003 Pinecrest Village Sleep Study Center
Status: Approved
- Review of Planning Commission Duties by Village Manager
Status: Ongoing
- Review of 2013-SP-004 Mackinaw Beach/Bay Resort
Status: Approved
- Review of 2013-SUP-003 Shepler Nicolet Seasonal Parking
Status: Approved
- Review of 2013-SP-005 Shepler Nicolet Seasonal Parking
Status: Approved
- Discussion of PUD for parcel #012-V07-002-051-00
Status: Ongoing

Please note any requests for Fiscal Year 2015

2014 Mackinaw City Planning Commission Proposed Annual Work Program

The Planning Commission is required by statute to submit a proposed work program to its legislative body, the Village Council. The proposed work program should outline current objectives of the Planning Commission both short term (2014) and long term projects. These requirements are associated with PA 33 of 2008 (MPEA) and were requirements of the Municipal Planning Act, PA 284 of 1931.

2014 Planning Commission Proposed Objectives:

1. Site Plan(s)/Special Use Permit(s)/PUD(s) as needed
2. Annual Review of Proposed Infrastructure Physical Improvements in accordance with the Master Plan
3. Zoning Ordinances update(s) as needed in accordance with the Master Plan
4. Residential Capital Improvement Assessment

Planning Commission Memo
November 8, 2013

1. Mr. McFarland will be attending the meeting to present a new site plan and elevations for the proposed PUD-parcel ID# 012-V07-002-051-00.
2. Please be prepared with comments and/or questions concerning the Cheboygan County Master Plan.

MACKINAW CITY PLANNING COMMISSION
102 South Huron Avenue
Mackinaw City, MI 49701
231-436-5351

November 12, 2013

Patty Croft, Chairperson
Cheboygan County Planning Commission
870 South Main Street
Cheboygan, MI 49721

SUBJECT: Cheboygan County Master Plan

Dear Cheboygan County Planning Commissioners:

The Mackinaw City Planning Commission would like to thank you for the copy of Cheboygan County's Master Plan. We appreciate all of the thought and effort each of you contributed to this document.

Northern Michigan, most particularly Emmet and Cheboygan Counties, is a great place to live, work, and play. Our improved trail systems, parks, campgrounds, and waterways all contribute to the quality of life we have come to expect and enjoy. A comprehensive plan gives us the direction, as planners, which we need to ensure our future.

COMMENTS:

1. Public Transit, pg. 93 The Greyhound bus service in the Upper Peninsula has been replaced by Indian Trails.
- 2.
- 3.
- 4.
- 5.

Sincerely,

Rosada Mann
Mackinaw City Planning Commission Chair