

APPROVED
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 Dwyer, Jeff Hingston, Joann Leal, and Pan 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 noted potential concerns between rezoning vs. PUD. 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.

The discussion ended with some members of the Planning Commission giving the suggestion 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

A handwritten signature in cursive script that reads "G. S. Gustafson".

Secretary

Rosada Mann

Chairperson