



PLANNING COMMISSION

June 17, 2021

A regular Planning Commission meeting was conducted virtually from remote locations, with staff at City Hall Council Chambers, Petoskey, Michigan, on Thursday, June 17, 2021. Roll was called at 7:00 P.M. and the following were:

Present: Cynthia Linn Robson, Chairperson, Petoskey, MI, Emmet County
Betony Braddock, Petoskey, MI, Emmet County
Rose Fitzgerald, Petoskey, MI, Emmet County
Richard Mooradian, Petoskey, MI, Emmet County
Rick Neumann, Petoskey, MI, Emmet County
Ted Pall, Petoskey, MI, Emmet County
Kent Warner, Petoskey, MI, Emmet County
Charles Willmott, Petoskey, MI, Emmet County

Absent: Carolyn Dettmer

Others: Cindy Hicks, U.S. Properties Group
Jason Jordan, U.S. Properties Group
Paul LeBlanc, PLB Planning Group, LLC, Grand Rapids
Dr. David Finley, North Central Michigan College
Tom Nemitz, Cornerstone Architects
Dr. Thomas Zeidel, North Central Michigan College

Staff: Amy Tweeten, City Planner
Lisa Denoyer, Administrative Assistant

Upon motion and support, the minutes of the May 6, 2021 special meeting and May 20, 2021 regular meeting were approved 8-0.

Public Hearing and Action on a New Zoning District for North Central Michigan College

Staff informed the Commission that the intent of the new district was to accommodate the unique development requirements of a large educational institution comprised of multiple buildings and a variety of related and complementary uses within an integrated campus setting. The proposed uses are consistent with what currently exists at North Central Michigan College and the requirement of a Master Site Facilities Plan provides some predictability over how the campus may change over the next 15+ years.

Staff reviewed the permitted uses as stated in Section 3301, permitted uses with additional standards as stated in Section 3303, district standards in Section 3302, and the district process as stated in Sections 3304, 3305, 3306 and 3307.

Staff then informed the Commission that the following request had been received from North Central Michigan College (NCMC) proposing a change to the decibel level for the outdoor performance facility/amphitheater.

“Amplified sound shall be permitted; provided, sound levels at the district boundaries shall not exceed 60 dB(A) or ambient levels, whichever is greater.”

Staff recommended adding the following detail to the required sign plan as Section 3302 or Section 3303(6): Number, size, location, and illumination method of all signs. She then informed the Commission that after hearing public comment, the Commission may take action to recommend the new zoning district to City Council.

Dr. David Finley, NCMC President, thanked the Commission for considering this request and informed them that the college invited every neighbor within a quarter mile to an open house last week to inform them of the proposed plan, to hear input and ideas, and to listen keenly so that they could determine how to be a best neighbor and operate a college respectfully within an area that is bordered by residential housing.

Paul LeBlanc, PLB Planning Group, LLC, commented that he has appreciated working with staff and the Planning Commission on getting the ordinance refined and addressing the needs of the school and the City. One of the biggest factors is not only having a district that is tailored to the needs of the college but also to provide predictability for the college, as well as the City and the neighborhood. This is something that has been lacking under the much broader R-1 zoning district. The new district would also give balance between the needs of the school and protecting the character of the surrounding neighborhoods. All of these factors support the adoption of the college district. He stated that staff had gone through the ordinance very well and that the college would like to request that the Planning Commission reconsider the provision in the outdoor performance use section regarding noise levels. The decibel chart provided shows that at 50 decibels the college would be held to a standard lower than typical of the surrounding neighborhood. The average home volume is 50 decibels and that is the standard that is currently set for the college at the district boundary, which essentially is at the center of adjoining streets. Normal conversation is rated at 60 to 70 decibels and that is why the college is requesting the limit to be increased to 60 decibels. The college is asking for the Planning Commission’s consideration of changing the standard from 50 decibels to 60 decibels based on research that has been conducted by a number of agencies and organizations and they relate to the ambient levels of the neighborhood. Even at 60 decibels, the adjoining traffic is louder than that and the request is to not be held at a standard less than what already exists.

At this time, the meeting was opened for the public hearing. No public comments were received and the public hearing was closed.

Commissioner Pall commented that he does not disagree with the request to increase the standard to 60 decibels as it seems reasonable, however, he is not excited about the inclusion of “ambient levels, whichever is greater”. Ambient levels just means that something in the area is of a certain volume and there isn’t a number on that level. A truck might go by and the noise would last about 20 seconds, whereas a concert might go on for hours. He would like to see a reasonable number stated.

Mr. LeBlanc responded that he understands his concerns and they would not consider ambient a one-time event like an ambulance or delivery truck. His understanding of the definition of ambient is the typical or average sound levels for a surrounding area. Determining the ambient level might require doing some sampling. The college wants to be reasonable and understands the need to be a good neighbor, but if in fact the real ambient level is in the neighborhood of 65 to 70 decibels

consistently, they would like the ability to stay within that scale, hence the reason for the wording of the amendment.

Commissioner Pall responded that another practical consideration would be where the ambient level is measured from. That would create a discussion of where the ambient level was determined.

Mr. LeBlanc responded that per the ordinance it would be measured at the district boundary. For the college district and the residential district this would be at the center of the street.

Commissioner Pall asked if a boundary was the length of two properties adjoining, not a point.

Staff responded that Mr. LeBlanc was correct and that typically zoning districts go to the center of the street.

After significant discussion, the Commission agreed to the proposed language.

Chairperson Robson stated that she felt that the Commission should require a Master Facilities Sign Plan as they did with the H – Hospital District and recommended that the following language be added as Section 3303(6):

Master Facilities Sign Plan Content

A Master Sign Plan shall include an inventory of all existing exterior signs with photos or illustrations of each sign type and also include information on the number, size, location, and illumination method of all exterior signs in the C-College District. This includes entrance, directional/wayfinding, kiosks, parking lot, and exterior building signs. In addition proposed new exterior signs shall be illustrated and include the number, size, location, illumination method, materials and landscaping if it's freestanding.

Commissioner Neumann asked if the proposed language was the same as what is in the H – Hospital District.

Chairperson Robson stated that she did not look up the H – Hospital District, however this proposed language summarizes what the Commission wanted and what they got from the hospital.

Staff responded that the H – Hospital District does not actually talk about the sign plan. Providing a sign plan was a condition of approval.

Commissioner Neumann stated that he was comfortable with the proposed language.

Commissioner Pall asked where the language was proposed to be placed. Chairperson Robson stated that she was flexible on the location, however, she felt it was logical to enter it as Section 3303(6).

After discussion, Commissioners agreed to the proposed language regarding sign plan requirements.

Chairperson Robson asked the Commission if they had any other changes, additions, or questions. Commissioners responded that they did not.

At this time, Commissioner Pall made a motion, seconded by Commissioner Warner, to approve the new C – College District, Article 33 and recommend this change due to the unique needs of the college not met by the current R-1 Single Family Residential District and to balance the needs of the college and surrounding neighborhoods. The following changes were made to the proposed C – College District language:

1. Section 3303(3)(c) shall read:
Amplified sound shall be permitted; provided, sound levels at the district boundaries shall not exceed 60 dB(A) or ambient levels, whichever is greater.

2. A new section titled Section 3303(6) will be added and shall read:
A Master Sign Plan shall include an inventory of all existing exterior signs with photos or illustrations of each sign type and also include information on the number, size, location, and illumination method of all exterior signs in the C-College District. This includes entrance, directional/wayfinding, kiosks, parking lot, and exterior building signs. In addition proposed new exterior signs shall be illustrated and include the number, size, location, illumination method, materials and landscaping if it's freestanding.

Upon roll call vote, motion carried 8-0.

Public Hearing and Action on the Livable Petoskey Master Plan

Chairperson Robson informed the Commission that the first discussion on the master plan occurred in January 2019 and since that time the Commission has discussed it at 19 meetings in total. There were 10 regular meetings, two special joint meetings with City Council and seven special meetings. Staff held multiple public quorums, including reaching out to middle school students for their input. And staff has worked long and hard between all of those meetings to create this document.

Staff informed the Commission that the master plan update process began in January of 2019 and included the development of a Sustainability Framework. The plan incorporated public input through outreach meetings and the Livable Petoskey website. The first draft document was reviewed by the Planning Commission in September 2020 and a final draft was approved and forwarded to City Council in December, 2020. After a joint meeting with City Council on May 11 to finalize goals and strategies, the Planning Commission, at its May 20th meeting, scheduled today's public hearing.

Staff then reviewed the chapter goals of the master plan and noted the land use change along the river, south of Washington Street, to neighborhood mixed use as the land use category on the Future Land Use Map.

At this time, the meeting was opened for the public hearing. No public comments were received and the public hearing was closed.

Commissioner Warner commented that the Planning Commission had done a phenomenal job on the master plan and that even as a new member of the Commission he was excited to be a part of it.

Commissioner Willmott stated that he was very impressed with what the City Planner and the Planning Commission had done to create an excellent document for guiding the City's future. He then noted that there was a small typo on page 39 that should read 70 feet, rather than 70 square feet.

At this time, Commissioner Pall made a motion, seconded by Commissioner Neumann, to adopt the master plan with the recommended change.

WHEREAS, the Michigan Planning Enabling Act P.A. 33 of 2008 requires a master plan to be reviewed for possible updates every five years; and

WHEREAS, The City of Petoskey Planning Commission provided notice of intent to update the 2015 Blueprint Petoskey Master Plan to required jurisdictions and utilities on January 11, 2019; and

WHEREAS, The Commission began the Master Plan update with the development of a sustainability framework that was then incorporated into the Livable Petoskey Master Plan; and

WHEREAS, agendas and minutes of all meetings, as well as drafts of the Master Plan have been posted to the City of Petoskey website throughout the planning process; and

WHEREAS, the City of Petoskey City Council authorized distribution of the updated plan at its February 1, 2021 meeting; and

WHEREAS, the Planning Commission and City Council held a joint meeting on May 11, 2021 after the required 63 day review period to finalize the document; and

WHEREAS, the Planning Commission held a public hearing on the updated plan at its June 17, 2021 meeting; and

WHEREAS, the Livable Petoskey Master Plan 2021 meets all the requirements of Public Act 33 of 2008, as amended.

NOW THEREFORE BE IT RESOLVED: That the City of Petoskey Planning Commission hereby adopts the Livable Petoskey Master Plan to specifically include the text, charts, maps and graphics addressing community resilience and sustainability that includes background information on demographic changes, and goals and strategies in the areas of community identity and engagement, public health and safety, recreation, arts and culture opportunities, resource use reduction, climate resilience and natural resource management, infrastructure optimization, transportation and mobility options, neighborhoods for all, local economy assets and opportunities including redevelopment and infill development locations, and future land uses contained in the Master Plan report as presented.

Upon roll call vote, motion carried 8-0.

Commissioner Neumann commented that he believes the City Planner deserves a lot of credit for this. She did a super job drafting a lot of this up, thinking it through and shepherding the Commission through it.

Staff commented that it was well worth the time spent and commended the Commission on their hard work.

**Discussion and Direction on Rezoning Request
from R-1 Single Family to C – College District
for North Central Michigan College, 1515 Howard Street**

Staff informed the Commission that based on the discussion of language to create a new C – College zoning district, North Central Michigan College has submitted an application to rezone all of its property south of Atkins Street to the new zoning district. As required for the C – College District, a Master Site Facilities Plan (MSFP) was submitted that included sections of the North Central Michigan College 2019 Master Plan. A full review of the MSFP to the ordinance standards will be provided at the public hearing.

Staff then gave an overview of the college's 1-5 year plan, 5-10 year plan, 10-15 year plan and a map of the new zoning district that were included in the packet.

Commissioner Fitzgerald asked how the Commission could rezone the property prior to City Council approving the new district.

Staff responded that at this point the Commission would be scheduling a public hearing to hear the request and should they decide to take action it would be on the condition that City Council adopts the new district.

Commissioner Pall asked for verification that City Council could approve the new zoning district or they could approve it with modifications.

Staff responded that they could and that typically City Council would have met to consider adoption of the new zoning district before the Commission held the public hearing, however, they will not see the recommendation until after the public hearing as they will only be meeting once on July 19th due to their July 5th meeting being canceled.

Commissioners discussed whether or not they would be ready to schedule a public hearing as there were many new elements of the plan that the Commission had not yet seen.

Dr. David Finley, NCMC President, congratulated the Commission on the adoption of the Livable Petoskey Master Plan and commented that they are seeing what they endeavor to do with the rezoning, site plan, engagement and participation with faculty and students in making this an even better community. Three months ago discussions began about the future and what the college needed to do to be competitive in a more challenging industry and what they need to do to better serve the community and compete. He was excited to have worked with Cornerstone Architects to develop a Campus Master Plan. This plan is required to be submitted to the State of Michigan every five years.

Tom Nemitz, Cornerstone Architects, commented that a typical Campus Master Plan is a one to five year plan and the plan presented is a conceptual plan that covers 15 years in order to set a roadmap for future development, future interests, etc. The college held a series of user group meetings with stakeholders in the city, staff, students and a number of politicians, we well as developed conceptual plans that have evolved over the past six to eight months.

Dr. Finley reviewed the revised plan that had been submitted, highlighting proposed changes such as the desire to connect three buildings on the east end of campus, the addition of a new nursing wing, the addition of a high bay lab to the tech buildings, a manufacturing program, a potential new entrance to the Student and Community Resource Center, residential housing, culinary kitchens for training, and a new bookstore. He informed the Commission that over time they would like to add more trees on campus and that the Iron Belle Bridge that connects the college natural area to the River Road Sports Complex is nearly complete. There is a ribbon cutting scheduled for Friday, July 2, 2021.

Commissioners asked why the natural area was not included in the new college district, and discussed the proposal for a new entrance to campus, neighbor concerns with the proposed dormitory being constructed too close to the residential area and the need for the plan to show exactly where buildings are proposed to be constructed in order to reduce confusion in the future.

Dr. Finley responded that the natural area is contiguous and there is not a plan to develop it in the future and that is why they have decided to exclude it from the college district.

Mr. Nemitz responded that there were a couple of reasons for the addition of an entrance along Atkins Street. One being the congestion at pick up and drop off times at the elementary school and the other was feedback from the user groups requesting multiple entrances and exits.

Commissioners discussed whether or not it would be best to wait and schedule a public hearing for August in order to allow the applicant time to prepare as the deadline for submittal of materials for the July 15th meeting would be July 1st.

Mr. Nemitz responded that he felt they could meet the July 1st deadline as there were no large changes that needed to be addressed.

Commissioners decided to have further discussion at their July meeting and consider scheduling a public hearing at that time for the August 19th meeting.

**Case #235-20 – A Site Plan Amendment Request for
Crestview Commons PUD, 1305 Spring Street**

Staff reminded the Commission that they approved an amendment to the Crestview Commons PUD (Petoskey Town Center) in October of 2020 to allow for a larger free-standing sign and changes to the former K-Mart storefront façade. The Crestview Commons PUD (Kmart Plaza) and corresponding sign plan were approved by the Planning Commission in 1989.

The property owner, U.S. Properties, Inc., is now requesting a second free-standing sign for the plaza, similar in size to the sign approved by the Commission in October. The Commission approved a new free-standing sign of 8 feet in height and increased the area from 36 square feet to 51 square feet in area, which has been installed. There was also discussion about changes to the landscape plan that would need review and approval by the Planning Commission, but nothing has been provided.

Jason Jordan, U.S. Properties Group, informed the Commission that the space for Big Lots is scheduled to be completed by the end of August and that since taking ownership of the property, U.S. Properties has spent \$600,000 on improvements. The new monument sign that was approved last October only has small signage space available which makes it difficult for future tenants. They also feel that more signage space is needed due to the building being set back 500 feet from the highway and situated in a valley, which makes it difficult to see wall mounted signage.

Commissioners commented that the new landscaping around the freestanding sign blocks some of the sign area and voiced concerns with the proposed location of the second sign as it would be past the entrance for northbound vehicles and suggested a sister sign closer to the entrance.

Commissioners discussed the possibility of signage along the Sheridan Street entrance and on the street facing side of the building and asked if the name of the shopping center was Petoskey Town Center or Crestview Commons and if the name was stated anywhere on their signage.

Mr. Jordan responded that the name has been Petoskey Town Center since the purchase of the property and that there was no listing of the shopping center name on any signage.

Staff responded that the PUD does not allow for signage facing the residential district on Sheridan Street and that the request was denied for Hobby Lobby. Staff also commented that the Commission could consider changing the PUD to allow it.

Cindy Hicks, U.S. Properties, Inc., informed the Commission that national tenants have the right to go on any sign in any order they choose. Big Lots required that they were the largest sign area and that they were located near the top of the sign. This is typically spelled out in their lease agreement and they are required to honor that lease. A second freestanding sign is needed to give the new tenant of the remaining space of the old Kmart building a larger space and the smaller spaces would go to the smaller shops.

Commissioners requested that the applicant come back with a revised sign and landscape plan.

Public Comment

The meeting was opened for public comment. No public comment was received.

Updates

Staff informed the Commission that the Emmet County Emergency Order ends on June 30th and the Commission will resume in-person meetings in July. Commission members can still attend via Zoom if they have a medical reason for not attending in person or if they are currently in the military.

A third request for a provisioning center at 403 West Mitchell Street will be coming to the Commission for a special condition use request at the July meeting. It appears that they will be reusing the existing space as it currently is. No zoning permits have been issued for the first two provisioning centers that were approved.

The Downtown Management Board is favorable to allowing the back of buildings on alleys to be used for housing, however, they would like to see the proposed language.

There have been numerous development inquiries for 624 Charlevoix Avenue. It is unclear at this time if any will move forward. One proposal was requesting a drive-thru at this location and staff is unsure that the site could accommodate the proposed use.

Staff informed the Commission that she has spoken with the architect for Mitchell Street Market and they are looking at a possible mixed use for this location and there has been a lot of interest in the site.

Commissioner Neumann commented that he saw a sold sign the Baptist Church. Staff responded that the property has been purchased by Payette Properties, however, the intention for the building is unknown.

The owner of the former Petoskey News Review building has submitted a request to the Zoning Board of Appeals for a side yard setback variance in order to create office space for Chemical Bank and to sell the warehouse building. The owner also purchased the Print Shop building, which is planned to be removed.

The meeting was then adjourned at 9:53 P.M.

Minutes reviewed by Ted Pall, Vice Chairperson/Secretary