



PLANNING COMMISSION

July 21, 2022

A regular Planning Commission meeting was held in the City Council Chambers, Petoskey, Michigan, on Thursday, July 21, 2022. Roll was called at 6:00 P.M. and the following were:

Present: Cynthia Linn Robson, Chairperson  
Betony Braddock  
Carolyn Dettmer  
Rose Fitzgerald  
Richard Mooradian (arrived at 6:03)  
Rick Neumann  
Ted Pall

Absent: Charles Willmott

Others: Bruce Dietz, Dietz Construction  
Mitch Hintz, Bay Street Orthopedics & Spine  
Diana Guiney, Young & Meathe, LLC  
Jeff Friske, Pro Image Design  
Ross Hamilton, Pro Image Design  
Sarah Hartman, Pro Image Design  
Alan Hubbard, Pro Image Design  
Shane Horn, City Manager

Staff: Zach Sompels, City Planner  
Shane Horn, City Manager

Upon motion and support, the minutes of the June 16, 2022 regular meeting were approved. Motion carried 7-0.

**Case #1-22 – 212 W Mitchell Street Parking Plan**

Motion to approve the parking plan as presented was made by Commissioner Pall and seconded by Commissioner Fitzgerald. Motion carried 7-0.

**Case #54-22 – First Baptist Church Amendment**

Commissioner Braddock made a motion, seconded by Commissioner Neumann to approve the amendment to add a 33'x29' play structure 88 feet south of the church owned residence as presented. Motion carried 7-0.

**Case 241-22 – 624 Charlevoix Avenue Amendment**

Commissioner Neumann made a motion, noting that he would like to slap the wrist of the developer for not being up front with the changes, seconded by Commissioner Pall, to approve the site plan alterations as presented. Motion carried 7-0.

### **Case #242-22 – 1706 Standish Avenue Site Plan Review**

Motion to approve the site plan as presented with the recommendations of the site plan review committee was made by Commissioner Pall and seconded by Commissioner Dettmer. Motion carried 7-0.

The recommendations were as follows:

1. Right-of-way permit issued by the Department of Public Works for drive approach and utility connections;
2. Department of Public Works Staff has requested that the approach apron be saw cut to match the proposed drive width;
3. Department of Public Works Staff will work with developer for final transformer location;
4. Public Safety staff will work with developer on Knox box and FDC locations; and
5. Submittal and review of any proposed site signage to ensure ordinance compliance.

### **Case #243-22 – 408 East Mitchell Street Site Plan Review**

Motion to approve the site plan as presented with the recommendations of the site plan review committee was made by Commissioner Neumann and seconded by Commissioner Mooradian. Motion carried 7-0.

The recommendations were as follows:

1. Work with Department of Public Works staff on all final utility locations and requirements;
2. Fire suppression calculation and requirements as well as standpipe ventilation in the parking garage to be submitted to Department of Public Safety staff for final review and approval;
3. Work with staff on any conditional temporary street closures for material movement;
4. Submittal of any proposed site lighting to ensure ordinance compliance; and
5. Submittal and review of any proposed site signage to ensure ordinance compliance.

Commissioner Neumann wanted to note that the building is on the Historic Register of places and does have notable history to it, pertinent to Section 1716(3)(E).

Commissioner Robson wanted to express concern about the chimney swifts that frequent the building.

### **Sign Appeal – Pro Image/ Quiet Moose**

The Commission discussed that the sign committee should work on an ordinance change to allow this.

Commissioner Robson stated that this was not the present intent of the ordinance to allow for halo lit signs, but that this type should be considered.

Pro Image demonstrated a physical sign that they argued met the ordinance.

Robson & Sompels felt that despite commissioners thinking the halo sign type met the intent of the ordinance, it does not allow for it, and that approval of it should proceed through the legally mandated ordinance revision process.

Commissioner Pall stated that he thinks the sign meets the ordinance definition.

Commissioner Pall motioned to agree with the applicant in their interpretation of the sign ordinance that halo lit signs are allowed per the definition of internally lit signs, seconded by Commissioner Mooradian. Motion failed to pass with the necessary six (6) votes to overturn Zoning Administrator determination, 5-2 with Commissioner Robson and Commissioner Neumann voting no.

### **Bylaw Amendment for Site Plan Review**

The Commission expressed concern over leaving site plan review to administrative review because of the good they have done in the City previously when they examined them.

Staff expressed concern that both Planning Commission meetings and staff time were being spent on retroactive zoning issues and not long term items in the Master Plan.

The Commission would like to see a more streamlined process but thinks that having the boots on the ground approach of approve site plans is advantageous to the City.

Commissioner Robson motioned, seconded by Commissioner Neumann to have staff come back with suggestions on improving the Site Plan Review process. Motion carried 7-0.

### **Public Comments**

No public comments were received.

### **Commissioner Comments**

No commissioners had updates.

### **Updates**

Staff informed the Commission that a training, in conjunction with Michigan State Extension and other planning commissions in Emmet County, will take place August 11, 2022 from 7:00 P.M. to 9:00 P.M.

Staff gave an update on the Frenz Zoning Board of Appeals case that was most recently appealed to the Michigan Court of Appeals whom issued their opinion affirming the City's decision.

The meeting was then adjourned at 8:45 P.M.

Minutes reviewed by Ted Pall, Vice, Chairperson