

**Village of Mackinaw City
Regular Meeting
Planning Commission
May 22, 2008
Approved Minutes**

Present: Rob Most (Chairman), Jeff Hingston, Doc Taylor, Florence Tracy, Mary Clark, Paul Allers, and Nancy Dean
Absent: Rosada Mann
Staff: Jeff Lawson (Village Manager) and Leigh Ann Moscato (Staff Secretary)
Guests: Steve Lindsey, Paul Gingrass, Joe Kwiatkowski, Chris Shepler, William Shepler, Joann Leal, Bill Marvin, Michael Stack, Lee Sova, and Sandy Sova

PUBLIC HEARING		Call to order
	Call to order and welcome	
	Public hearing called to order at 7:02 p.m. by Chairman Most. Planning Commission members present: J. Hingston, D. Taylor, F. Tracy, M. Clark, R. Most, P. Allers, and N. Dean. Members absent: R. Mann	
1	Rezoning of 556 E. Central Avenue and 107 S. Huron Avenue from not zoned to MC Marina Commercial District. M. Stack introduced himself as a representative for Sheplers, Inc. Mr. Stack explained that Mr. Shepler owned the property for the last 56 years and has been zoned commercial since that time. Stack requested that the zoning revert back to its original zoning in 1977, which was B-3. Stack indicated that the current uses in the MC District do not allow the property owner full use of their economic potential and will only provide for one economic use of the property. J. Kwiatkowski introduced himself as general counsel for Sheplers, Inc. Kwiatkowski expressed that the proposed zoning diminishes the use of the property to a park and that planning only provides for one use, which is a ferry boat. Kwiatkowski explained that the MC District provides for an unreasonable restriction of property use. The MC District encompasses its current use and expected use only and does not provide for future use. B. Marvin told the board he counted 15 areas that are parks, which allow views to the Lake with 9 of these parks that provide direct access to the water.	MC Marina Commercial District Rezoning
2	Request for Sign Variance, #2008-SV-002, I & JSU, LLC, to revise original variance granted by the ZBA in 2006 by incorporating a bear picture into a pole sign. Steven Lindsay introduced himself as a representative of I & JSU in the absence of Atty. Hamilton. Lindsay requested an interpretation of the original variance given January, 2006 whether it prohibited any advertisement of the business directly on the bear and mural.	Sign Variance
4	Amendment to Ordinance 138, Article XXII, B2 Waterfront Business District, Section 12-102, Item H. There were no public comments presented.	Amendment to Ordinance 138
5	Amendment to Ordinance 138, Article XXII, B2 Waterfront Business District, Section 12-101, Area, Height, Bulk and Placement Requirements, second bulleted paragraph: There were no public comments presented.	Amendment to Ordinance 138
6	Amendment to Ordinance 138, Article IV, General Regulations, Section 40-114 as follows: There were no public comments presented.	Amendment to Ordinance 138
	Motion Dean supported Allers to close the public hearing. Voice vote – all ayes. Absent – R. Mann. Motion carried unanimously. Chairman Most closed the public hearing at 7:34 p.m.	Close Public Hearing

REGULAR MEETING		
1	Call to order and welcome	Call to order
2	Regular meeting called to order at 7:36 p.m. by Chairman Most. Roll call - members present: J. Hingston, D. Taylor, F. Tracy, M. Clark, R. Most, P. Allers, and N. Dean. Members absent: R. Mann	Roll Call
3	Pledge to Flag was recited.	Pledge to Flag
4	Motion Tracy supported Taylor to approve the minutes of the Special Meeting held on May 8, 2008, as revised. Voice vote – all ayes. Absent – R. Mann. Motion carried unanimously.	Review and approval of minutes
5	Public Comment: There were no public comments presented.	Public Comment
6	New Business	New Business
6A	<p>Stack identified that the property owner would like to have the MC district uses completed prior to determining the current zoning of the properties and felt that the current MC district uses hamper the future use of the property when obtaining loans to further develop the property.</p> <p>Motion Dean and supported Clark to recommend to the Village Council the rezoning of the 4 stated properties to the MC District with the understanding that uses of the MC District will be discussed in the very near future,</p> <p>Dean would like to address the property zoning as soon as possible since it has not been addressed in 20 years and also felt it is important to develop the uses.</p> <p>Kwaitkowski indicated that motion was speculative and does not identify any benefit and is misleading in the sense that there may be some expectations of the uses currently in existence, which may not receive any relief.</p> <p>Original motion amended by Dean supported Clark to recommend to the Village Council that the subject parcels be zoned to the MC District due to the fact that current uses conform to the current allowable uses permitted in the MC District.</p> <p>Request by Kwaitkowski to either table or postpone the motion for further review.</p> <p>Motion Hingston supported Taylor to postpone this matter until either the next special meeting or regularly scheduled meeting in June as determined by the meeting agenda.</p> <p>Request will allow more time to review the matter and provide an opportunity for attendance by the Village’s legal counsel.</p> <p>Ayes – Hingston, Taylor, Tracy, Allers, and Dean. Nays – Clark and Most. Absent – Mann.</p> <p>Motion passed to postpone this matter until either the next special meeting or regularly scheduled meeting in June as determined by the meeting agenda.</p>	Rezoning of 556 E. Central Avenue and 107 S. Huron Avenue from not zoned to MC Marina Commercial District
	Most called recess at 8:55 p.m. Meeting resumed at 9:02 p.m. by Most	Recess
6B	<p>The Zoning Board of Appeals recognized the bear as an architectural feature or facade of the building during the original site plan review and variance application. Staff presented the rendering of the sign as it was hung.</p> <p>The original variance considered the bear statue as part of the architectural feature or facade of the building so long as it did not refer to the product or business name. The Zoning Board of Appeals granted the original variance based on this premise. Direct advertisement cannot</p>	Sign Variance #2008-SV-002 I & JSU, LLC

	<p>come from the architectural structure. Reference to a bear within the sign is interpreted as additional advertising and is not allowed pursuant to the original variance.</p> <p>Motion Hingston supported Clark to recommend to the Village’s Zoning Board of Appeals to deny the sign variance 2008-SV-002 to revise the original variance.</p> <p>Ayes – Taylor, Tracy, Clark, Most, Allers, Dean, and Hingston. Nays – None. Absent – Mann.</p> <p>Motion carried.</p>	
7	Old Business	Old Business
7A	<p>Staff explained that the Comprehensive Plan provides a list of capital improvements and a schedule. This project was brought to the Planning Commission for review and recommendation. A review of Phase I North Huron Boulevard was given as it relates to the preliminary layout of the project. Further review was given on the architectural and land use features of the monument and cost estimates for improvements to the corridor. Engineering standards were developed based on MDOT standards.</p> <p>Motion Allers supported Taylor to recommend to the Village Council to proceed with Phase I North Huron Boulevard as presented to the Planning Commission.</p> <p>Ayes – Tracy, Clark, Most, Allers, Dean, Hingston, and Taylor. Absent – Mann.</p> <p>Motion carried.</p> <p>Most expressed his thanks to the Village Council by keeping the Planning Commission involved with this project.</p>	Phase I North Huron Boulevard (Walk of Fame)
7B	<p>There were no comments received by the Planning Commission or public with regard to the amendment presented.</p> <p>Motion Clark supported Allers to recommend to the Village council to approve the amendments to Ordinance 138, Articles XII, XXII and IV, B-2 Waterfront, as presented.</p> <p>Ayes – Clark, Most, Allers, Dean, Hingston, Taylor, and Tracy. Absent – Mann.</p> <p>Motion carried.</p>	Amendments to Ordinance 138, Articles, XII, XXII and IV, Waterfront Business District
7C	<p>It was the general consensus of the board to postpone this matter to the next meeting.</p> <p>Motion Tracy supported Taylor to move this item to a future meeting. Voice vote – all ayes. Absent – R. Mann. Motion carried unanimously.</p>	Review of Mackinaw City Parks, Recreation and Greenways Plan
8	There were no public comments presented.	Commissioner Comments
9	The next Special Meeting is scheduled for June 12, 2008 at 7:00 p.m. and the next Regular Meeting is scheduled for June 26, 2008 at 7:00 p.m.	Commissioner Calendar
10	Motion Taylor supported Allers to adjourn at 9:42 p.m. Voice vote – all ayes. Motion carried unanimously.	Adjournment

Planning Commission Minutes respectfully submitted:

Rob Most, Chairman

Mary Clark, Secretary