

**Village of Mackinaw City
Special Meeting
Planning Commission
November 30, 2009
Approved Minutes**

Members: Rob Most (Chairman), John Riemer, Bo Whipkey, Florence Tracy, Mary Clark,
Paul Allers, Rosada Mann, and Nancy Dean

Staff: Jeff Lawson (Village Manager)

Guests: Dave McFarland, Chris Brown, Michael Ayala

PUBLIC HEARING	
	Call to order and Welcome
	The Public Hearing was called to order at 7:02 p.m. by Chairman Most.
1	Special Use Permit, 2009-SU-003, Mackinac Bay Trading – Lieghio
	The Special Use Permit requests the addition of an open air business by permitting the construction of a zip line and climbing wall at Mackinac Bay Lodge / Trading Company / Animal Tracks located at 312 S. Huron Avenue, Mackinaw City. The property consists of the parcel identification numbers: 012-W10-003-001-00, 012-W10-003-002-00, 012-018-100-001-00, 012-018-100-002-00, and 012-018-100-003-00.
	There were no public comments presented.
	Motion Dean seconded Tracy to close the public hearing at 7:05 p.m.. Voice vote – all ayes. Absent – Clark. Motion carried
SPECIAL MEETING	
1	Call to Order and Welcome
2	Roll Call
	The meeting was called to order at 7:06 p.m. by Chairman Most. Roll call members present: R. Most, J. Riemer, B. Whipkey, F. Tracy, P. Allers, R. Mann, and N. Dean. Members Absent: M. Clark
3	Pledge to Flag
4	Approval of Minutes
	Motion Allers seconded Mann to accept the minutes of the meeting held on November 9, 2009, as presented. Voice vote – all ayes. Absent – Clark. Motion carried.
5	Public Comment
	There were no public comments presented.
6	NEW BUSINESS
6 a	Special Use Permit, 2009-SU-003, Mackinac Bay Trading - Lieghio
	Staff provided a review of the Special Use Provisions to construct an open air business/outdoor amusement as defined in Section 4-118, Section 23-109, Zoning Ordinance #138, specifically for the zip line and climbing wall. The following special use requirements were addressed:
	<ol style="list-style-type: none"> 1) Parcel exceeds the minimum lot area of 1 acre 2) Parcel width exceeds 200' 3) Development provides 500 sq. ft. floor area for office use

4) Six foot fence/landscape buffer requirement to prevent trash from blowing

The property owner may consider the following options to meet the special use provision which requires the placement of a 6' fence / landscaping buffer:

- a. Require developer to provide fencing or wall on side and rear property line
- b. Property owner can apply for a variance
- c. Planning Commission can recommend a language change to Council

Chris Brown indicated that the landing area will be located outside and they plan to place the 6' required fencing there. The loading area will be located inside a building. The length of the zip line is approximately 700-800 feet based on height. The platform will be approximately 36 feet.

There was a lengthy discussion concerning special use requirements for the placement of a 6' fence / barrier for the containment of trash and debris, options for fencing/wall, drainage as it relates to the possible placement of a berm, aesthetics, location of the office space, site plan specifications for landing, elevation, open air outdoor business requirements, etc.

Current Zoning requirements do not define the specific type of fence/wall as it relates to the zip line and the intended use for the fence/wall for the specific requested use of an open air outdoor amusement business. Also considered were the differences between applying for a variance; or in the alternative, the property owner requesting the Planning Commission to reconsider revising the zoning and special use standards for the open air business as it relates to the construction of a zip line, size of plat forms and landing areas, the containment of trash as it relates to a fence/wall, defining a perimeter for the fence/wall, definition of a fence/wall, elevation of the fence/wall, safety issues, etc.

Staff recommended that legal counsel be consulted to confirm the intent of the current zoning and special use requirements prior to making a decision.

Motion Mann seconded Dean to postpone Special Use Permit, 2009-SU-003, Mackinac Bay Trading until the December 10, 2009 Planning Commission meeting. Voice vote – all ayes. Absent – Clark. Motion Carried.

6 b Site Plan Review, 2009-SP-006, Mackinac Bay Trading– Lieghio

Staff provided an overview of the Site Plan Review provisions for the request to amend the original Site Plan approved in 2007 to construct office, retail space and platforms for a zip line and rock climbing wall. The requested revisions to the original site plan to be heard are as follows:

- 1) Eliminate 2,500 square feet of outdoor dining area
- 2) Convert 4,097 square feet of restaurant area to retail area
- 3) Convert 1,412 square feet of retail area to indoor restaurant area

The proposed development requires 448 parking and the plan provides 467 parking spaces. The plan does not modify surface drainage from the previous 2007 site plan. The proposed development conforms to the Village's greenspace requirements.

Motion Mann seconded Dean to recommend to the Village Council the approval of the Mackinac Bay Trading Site Plan, 2009-SP-006, to eliminate 2,500 square feet of outdoor dining area, convert 4,097 square feet of restaurant area to retail area, convert 1,412 square feet of retail area to indoor restaurant area, with the exception of (Special Use Permit provisions for) the construction of an open air business, based on the Plan submitted for revision and the findings of fact that identifies the proposed site plan meets the requirements of the Village's Zoning Ordinance, including required greenspace and parking requirements.

	<p>Most requested a roll call as follows: Ayes – Riemer, Whipkey, Dean, Allers, Mann, Most and Tracy Nays – None Absent – Clark Motion carried.</p>
7	OLD BUSINESS
7 a	<p>Update Wind Turbine Ordinance</p> <p>Whipkey, Tracy and Riemer will attend a WTG workshop on December 7, 2009.</p> <p>Riemer provided a handout Prioritizing the Points to Address in the Drafting of the Wind Ordinance to Commissioners. Commissioners were directed to continue reviewing the WTG Ordinance and bring their comments back for future discussion.</p>
7 b	<p>Discussion of Boat Line Summer Parking</p> <p>This matter will be discussed at a future meeting.</p>
7 c	<p>Update Master Plan</p> <p>This matter will be discussed at a future meeting.</p>
8	<p>Commissioner Comments</p> <p>There were no public comments presented.</p>
9	<p>Commissioner Calendar</p> <p>December 10, 2009 – Special Meeting January 14, 2009 – Special Meeting January 28, 2009 – Regular Meeting</p>
10	<p>Motion Dean seconded Mann to adjourn at 9:05 p.m. Voice vote – all ayes. Absent – Clark. Motion carried.</p>

Planning Commission Minutes respectfully submitted:

Rob Most, Chairman

Mary Clark, Secretary