



PLANNING COMMISSION

June 13, 2019

A regular Planning Commission meeting was held in the City Hall Council Chambers, Petoskey, Michigan, on Thursday, June 13, 2019. Roll was called at 7:00 P.M. and the following were:

Present: Emily Meyerson, Chairperson
Betony Braddock
Dean Burns
Bob Kronberg
Chad McDonald
Rick Neumann
Ted Pall
Cynthia Robson
Eric Yetter

Staff: Amy Tweeten, City Planner
Rob Straebel, City Manager
James Murray, City Attorney
Lisa Denoyer, Administrative Assistant

Upon motion made by Commissioner Pall and supported by Commissioner Robson, the minutes of the May 16, 2019 meeting were approved, 8-0 with Commissioner Kronberg abstaining.

**Public Hearing on a Special Condition Use Request
for a Carwash at 829 Charlevoix Avenue**

Staff explained that a drive-thru in the B-3B District is a Special Condition Use subject to Section 2603.

Don Johnson, owner, presented drone footage to help show how vehicles would circulate through the proposed carwash and parking area as well as where potential vacuum stations could be placed. He explained that with nine cars stacked in two lanes the wait was approximately 30 minutes and showed how an SUV was capable of making a left hand turn out of the carwash from the inside lane and a truck could make the same turn from the outside lane. He also showed where the proposed vacuum station would be located as well as an alternate location and where signage would be posted by the Greenwood Road entrance and on the building near Pleasant Street.

Staff then reviewed Section 17.16(3) Site Plan Performance Standards, Section 1717 Special Condition Use Standards of Approval, Section 2603(5) Additional Special Condition Use Standards for a carwash in the B-3B Zoning District, Section 2602 Site Development Performance Standards and recommended conditions of approval to ensure the standards were met provided in the agenda memo.

Commissioner Pall voiced concerns about traffic circulation and stated that it did not appear as though there was enough room for vehicles to turn around and head back towards Pleasant Street.

Mr. Johnson responded that there is a large drive by the Greenwood Road entrance and that is large enough for school busses and semis to turn around in.

Commissioner Robson commented that she did a drive through of the site and that she could not make the turn from the inside lane with her Subaru and voiced concerns about tight space for cars turning around in the allotted area and potential conflict with vehicles entering the site from Greenwood Road.

Mr. Johnson stated that a large vehicle like a Yukon and Tahoe could make the turn from the outside lane and as far as a conflict with vehicles entering from Greenwood, patrons would need to obey the stop sign and if they do there shouldn't be any conflict.

Commissioner Kronberg asked about two existing light posts, if the carwash would be open all year, voiced concern with the location of the vacuum stations in correspondence to the existing lighting and suggested better lighting.

Mr. Johnson responded that the carwash will run for 12 hours each day and will be open all year, with the exception of days when they will have to close due to cold temperatures, and stated that they could add more lighting if needed.

Commissioner Braddock commented that she believed the alternate location for the vacuums seemed like a better location than the primary location and asked what their considerations were for choosing the primary location.

Mr. Johnson responded that they chose the primary location primarily due to snowplowing as they move snow to the south side of the property but they also chose that location to avoid losing parking spaces.

Chairperson Meyerson asked if the Pleasant Street entrance was needed and stated that she believes it creates circulation issues and that one entry and exit may be better.

Mr. Johnson replied that they will try to pull majority of the traffic from Greenwood Road and approximately 30-40 of the dealership's cars and their customer's cars will be run through the carwash each day.

Commissioner Pall suggested removing the sign on the building near Pleasant Street to not look so much like an entrance.

At this time, the meeting was opened for public comment.

Charlie Wilmott, 1128 Valley View Road, asked if the City had reviewed the wastewater requirements to which staff responded that the Department of Public Works had done a wastewater review as well as a product review.

There being no further comments the public hearing was closed.

Commissioner Robson asked if both vacuum locations would be used; commented that there is no stacking capability at the primary vacuum location and believes the alternate location would work best; suggested finding a way to define the vacuum area for safety reasons; and asked if there would be any signage on Pleasant or McDowell Streets.

Mr. Johnson replied that they would only choose the alternate location if their primary choice would not work, that the vacuums sit on an island and usually have an umbrella over them, but there are several options. Mr. Johnson also stated that there would only be signage on the building near Pleasant Street.

Commissioner Robson recommended removing the building sign as the car wash can be seen from Pleasant Street.

Commissioner McDonald commented that he was happy to see the proposal and that he believes the standards have been met.

Commissioner Pall commented that he agreed that the alternate vacuum location was better than the primary and that the building signage should be removed.

Commissioner Neumann commented that he agreed with the removal of the building sign.

Commissioner Kronberg commented that he agreed with the concerns on lighting and with the removal of the building sign.

Commissioner Braddock stated that she believes the carwash will be a great addition to this side of town.

Commissioner Yetter commented that he felt it was a good plan.

Chairperson Meyerson stated that she does not agree with moving the vacuum location to the alternate location as it would block turning. She recommended starting with one vacuum location and go from there.

At this time, Commissioner Neumann made a motion, with support from Commissioner Burns, to approve a special condition use for a carwash at 829 Charlevoix Avenue based on the review of the site plan standards of approval, Sections 17.16(3), 1717, 2603, 2602 with the following conditions:

- 1) Submittal of a traffic circulation pavement marking plan to be reviewed and approved by City staff;
- 2) Submittal of a utility plan to be reviewed and approved by the Department of Public Works; and
- 3) Removal of wall mounted sign near Pleasant Street.

Motion carried 9-0.

**Case #230-19 Site Plan Review for
114 Rush Street, Harbor Hall Foundation**

Chairperson Meyerson stated for the minutes that at the last meeting, Commissioners received 26 letters regarding the Harbor Hall Foundation proposed plans, 25 letters were in support and one was in opposition.

Staff explained that the site plan included two parcels, Parcel A would consist of a medical office and a dwelling per the approval of the Zoning Board of Appeals and Parcel B would consist of multiple family housing. Staff then read aloud the Site Plan Performance Standards (200, 17.16(3), 1704, 3003 and recommended conditions of approval to ensure that the standards are met that were provided in the agenda memo.

City Manager thanked staff for her summary and informed the Commission that they could consider another attorney's opinion on this matter. He also stated that while City Council has not taken a position they do support the Planning Commission on seeking another opinion.

Rock Wood, Harbor Hall Attorney, stated that this was the applicant's third time coming before the Planning Commission and that staff and the City Attorney have both stated that all standards have been met and asked for approval based on those findings and all of the requested changes they have made.

Commissioner Kronberg asked if bike racks had been added; inquired about parking spaces in front of the gate for fire access; asked whether or not there would be eight or nine units and stated that he believed the gate for fire access is a good idea. He also noted that all of the bedrooms appeared to have twin beds; that there were no doors on the bedrooms; lack of bathrooms and only showers and commented that these accommodations would be tight for married couples and families and the lack of tubs could be difficult for anyone with children.

Mr. Wood commented that there would be a total of nine units, eight for occupants and one for a supervisor in the one dwelling.

Tim Janzen, MetEnergy, commented that the basement will have two bathrooms and would be roughed in if needed in the future.

Commissioner Pall also commented on the lack of bedroom doors to which Mr. Janzen responded that these were conceptual plans and will have more detail when detailed plans are drawn.

Commissioner Robson stated that she was curious about asking for another legal opinion. She also stated that the bedrooms are set up as if it were a treatment center rather than as apartments and that, the spirit of what the Zoning Board of Appeals intended is not being followed. For that reason, she is uncomfortable approving the plan, as they do not appear to be real apartments.

Mr. Wood commented that the applicant has met the exact letter of the law of the ordinance and made many changes per the request of staff and the Planning Commission.

At this time, the meeting was opened for public comment.

Ben Slocum, 112 Howard Street, commented that he is a licensed EMT and has been a neighbor of Harbor Hall for 35 years and there is a need in our community for their services and he is in support of this project.

Jeff Grantham, 801 Baxter Street, stated that his house is immediately west of the medical office and treatment center. He asked if Parcel A, a medical office and treatment housing, was any different from the residential treatment facility across the street because you cannot have it both ways and he asked the Commission to solicit a legal opinion. Harbor Hall markets to the public for criminal justice clients of which, by his calculation, 15% are recruited and treated here. They have 40 beds turning over every 90 days; there is no room for criminal justice clients. Parcel A creates a detention center in downtown Petoskey and he hopes Planning Commission seeks an additional opinion on this project.

James Ehrnst, 702 Elizabeth Street, commented that Rush Street does not look like any other street in Petoskey. It is a narrow street and this project is encroaching on it. He also stated that he believes parking is inadequate as cars currently park all over adjacent streets when Harbor Hall holds meetings and does not believe it fits in a residential neighborhood. He is not thrilled about the plan and believes parking should be provided for all employees.

Reg Smith, 600 Arlington Avenue, stated that there is a need for housing of any kind within walking distance of downtown. Stafford's owns several boarding houses and this housing looks like a place that people working downtown could walk from to work. He believes it is a great fit for the neighborhood as it is a perfect use for a transitional area in town.

Lori Pall, 603 East Lake Street, Zoning Board of Appeals member, asked the Planning Commission to take time to look at what the ZBA approved as it was not approved for what is proposed to be housed on Parcel A, which is like existing Harbor Hall.

Judy Hills, 115 Grove Street, stated that she is firmly opposed to any expansion of Harbor Hall. It does not have a place in downtown Petoskey and they should be looking at 40 acres out of town.

Mark Bielaczyc, 816 Grove Street, stated that he believes Harbor Hall is great for the community. If the requirements are met, the plan should be approved. It is in a transitional area and would be a great addition to the community.

Sheela Welch, 111 Grove Street, stated that she is torn about this decision. Harbor Hall provides wonderful services and have been a great neighbor but bigger is not always better. While multiple family housing meets a need for housing, Ms. Welch voiced concerns about who would monitor the rentals. She also voiced concerns about the size of the buildings and what the impact may be on property values in the area.

Chairperson Meyerson commented that it is up to the owner to monitor occupants, not the Planning Commission.

Michael Fitzgerald, 514 Elizabeth Street, stated that he has no issue with Harbor Hall as it is today. He is happy about the housing but not comfortable with how it has all played out. He would feel better if the developer had dialogued with the Planning Commission and asked why Harbor Hall is getting into real estate development.

James Dittmar, 914 East Lake Street, stated that Harbor Hall has grown a lot over the years and has become institutionalized. The housing is appealing for Harbor Hall clients but not for others. If Harbor Hall wanted to be a better neighbor, they would accommodate the community rather than bring in others. He also stated that he was surprised by the City Manager's comment regarding City Council support of another opinion. His brother is on City Council and he would support bringing in a specialist because Harbor Hall has its expert and the Planning Commission should have theirs.

At this time, the meeting was closed for public comment.

Chairperson Meyerson asked the Commission if they believed the site plan meets the intent of the Zoning Ordinance and the ZBA decision; City staff and the City Attorney believe it does. She stated that if there was question regarding if the request meets the law the City could seek an outside opinion from land use lawyer.

James Murray, City Attorney, commented that staff made a determination that the uses are permitted per the Zoning Ordinance. He has read her determination and agrees with the Charter and applicable law and he supports staff position.

Commissioner Braddock agreed that the standards have been met but felt there was some confusion on multiple family.

Commissioner Kronberg stated that he is very familiar with Harbor Hall and has commended them for a long time. He believes they do provide a valuable service for the community but he is concerned with the multiple family use and believes the building should be set up as an apartment building and not as a dormitory. As for another opinion, he would like to get more clarity on the whole process and project.

Commissioner Neumann stated that he believes it meets the letter of the law and asked what the term of the lease would be. With a 90-day treatment program, the participants are going to need a place to

stay for a while and it is assumed they will be living in the multiple family units but may end up going back into the program so their stay would be extended.

Mr. Wood responded that it has not been determined yet but imagined there would be a mixture of terms.

Mr. Murray stated that the minimum stay is one month, per the ordinance.

Staff responded that a minimum of one-month stay is required to be considered a residential use of property and not a short-term rental.

Commissioner Neumann stated that the area is already a transitional area and believes the proposed buildings will fit in making it a good transition and that he supports the project.

Commissioner Burns stated that he believes the Commission has heard enough, that it is clear that the plan complies with the ordinance and is surprised that the City Manager suggested getting a second opinion.

Commissioner Pall stated that when the Zoning Board of Appeals was asked for a much larger recovery home it was denied and that nine unrelated persons in one unit was approved. He believes that Parcel A will house a residential treatment center which was not approved by the ZBA and is not allowed per the ordinance. He believes their model meets the standards for an Oxford Model of a medical clinic, which is not set up for privacy but for a specific purpose. He stated that he would like more clarification.

Chairperson Meyerson stated that both uses are allowed as they are on separate parcels. Commissioner Pall reiterated that the use on Parcel A is not allowed as it is a treatment center not a mixed use facility as listed

Commissioner McDonald applauded Harbor Hall for all of the good work they have done and their hard work on the project. He stated that he would not mind if someone with no emotional connection reviewed the project and gave their opinion and that he agreed that the rooms looked more like dormitory rooms than apartments.

Commissioner Robson stated that she supports getting another expert opinion and asked how the use would be monitored to insure they are apartments. She agreed that the rooms appeared more like dormitories than apartments and asked if support group meetings or counseling sessions would be a violation if they were held in the lounge area.

Mr. Murray responded that there is no way to monitor for a specific use as staff does not monitor such a thing and that most often it is a neighbor that complains or through advertising that it is discovered that the use is different. He also stated that it is hard to say it would be in violation because even in a multiple family unit people could sit around and talk in a common area.

Chairperson Meyerson stated that the Commission may not like the layout of the multiple family units but that is not within their purview. She stated that she had questions about the medical office treatment facility as they have gotten different interpretations.

Commissioner Pall felt that the planner used for the ZBA case might be appropriate to provide an opinion.

Staff commented that the question before the ZBA was a different question and asked what specifically the Commission needed clarification on and if they were looking for a legal interpretation whether the plan met the approval of the ZBA or something else.

Chairperson Meyerson stated that staff has interpreted what has been submitted but there is hesitancy that it is not what it states on the plans and may not meet the ZBA approval. She would hate to postpone action but if there is still a lot of hesitancy the commission could request a legal opinion.

Commissioner Pall stated that he would like to get another professional opinion, as he believes the housing units are set up as a recovery home and that use is not permitted.

Chairperson Meyerson reminded the Commission that there are two different parcels as part of this one project and they are not conflicting.

Staff explained that Parcel A is showing nine unrelated individuals in a single dwelling and an office making it mixed use and Parcel B shows eight dwellings that allow up to four unrelated occupants per dwelling. There is nothing in the ordinance regarding a recovery home and therefore does not require special approval. A multiple family building meets the ordinance even if it is believed that the units are set up as a recovery residence.

Mr. Murray asked if the planning question is whether the building is a residential treatment facility. In addition, he reminded the Commission that with zoning questions the answer is based on the facts. The interpretation changes if different facts come into play.

Commissioner Pall asked the City Manager if he had any input on who they could hire for a second opinion. The City Manager responded that Miller Canfield could get them a response in two to three weeks and suggested that the City Planner may know of someone or they could possibly hire the same ZBA consultant.

Chairperson Meyerson recommended trying to find someone who is neutral to get an unbiased opinion.

At this time, Commissioner Burns made a motion to approve the proposed site plan. With no support for the motion, the motion failed.

At this time, Commissioner Pall made a motion, with support from Commissioner Kronberg, to postpone action until the July meeting and for the City Manager to seek an outside professional to review the plan and provide an opinion on whether or not the uses are allowed in the zoning district per the ordinance and ZBA action. Motion carried 8-1, Commissioner Burns voting against the motion.

Public Hearing on a Request for Review of a Preliminary PUD Rezoning Plan at 200 East Lake Street

Staff reviewed the request to rezone the property at 200 East Lake Street from B-2 Central Business District to a Planned Unit Development (PUD) to enable the Petoskey Grand mixed-use development.

Mike Pattullo, Shoreline Architecture and Design, stated that this project is a long overdue solution for this site that will enhance downtown business performance, parking, etc. At a community input session in January, it was expressed that there was a strong need for a pharmacy and movie theater in the downtown area as well as underground parking. He presented a PowerPoint presentation showing numerous elevations and height impacts. The buildings range in height from 35-feet on Petoskey Street to 96-feet on Lake Street and the buildings are stepped back to keep the height back from the sidewalk and in an effort to keep the height with what currently exists. Mr. Pattullo also explained that there are three amendments they are requesting with the PUD that include the overall height of the conference center, abandonment of the Emmet Street right-of-way and to allow for first floor residential units.

The presentation included perspectives through drone photography and ground elevations. Locations included Elizabeth Street at US 31, Grove Street at Lockwood (stated Michigan Street), Grove Street

between Howard Street and Waukazoo Avenue, from the Break wall, corner of E. Mitchell and Petoskey Streets, Lake and Petoskey, Michigan Street at Downtown Greenway Corridor and birds-eye views from the Southwest, Northwest, Northeast.

Commissioner Yetter asked if the buildings were stepped back on Lake Street as well. Mr. Pattullo responded that they were and they are more so now than they were previously.

Commissioner Pall asked how much the buildings were stepped back and what the grade was to the parking deck.

Mr. Pattullo responded that they are stepped back 12-feet to create a visual effect of less impact. They compared elevations to buildings on adjacent blocks and the center element is the only portion that extends to the highest point. The entrance to the parking deck will be flat and the only slope will be the ramped alley. They may consider a spiral parking deck but will know more after meeting with a parking consultant.

Steve Werner, Shoreline Architecture and Design, commented that the height is the biggest issue and that this is a very unique situation. Bob Berg and his daughter are doing this project solely and they are the property investors. This is a long-term investment for them as there are only 11 for sale products on site, which are the brownstones.

Commissioner Yetter stated that this was obviously a very thoughtful plan and that he agrees with their vision and goals. He believes the goals that had been talked about for this property have been met. The drone shots showing the perspectives from around town were great. He stated the bell tower was very prominent and asked why and voiced concerns about snow removal. He also stated that it appeared they did the best they could with the traffic movement and that he likes the onsite parking and the ability to stay on site. He also stated that it was pedestrian and locally friendly and that he is not afraid of the height anymore and is excited about the project.

Mr. Pattullo responded that they had looked at other historical hotels in the area and the size is based on the scale of the development and it is an element they wanted, the site would have Snow Melt so there would be no issue with snow removal and they moved traffic from US-31 to allow for on-site traffic.

Chairperson Meyerson commented that this is a preliminary PUD and there will be more answers to come. The point is to get an idea if the Planning Commission is okay with pieces that do not meet the standards of approval.

Commissioner Braddock stated that she appreciated the drone photos and that it was great to see less of the buildings from afar and how much of the height of the building was hidden. She commented that she likes that the plan does not include much retail space and is comfortable with the first floor residential brownstones. She asked why 343 parking spaces were proposed if only 200+ are needed and who would decide if the Emmet Street right-of-way would be abandoned.

Mr. Pattullo responded that one of many issues is parking and part of the process is determining how many parking spaces the City will want.

Chairperson Meyerson responded that it is City Council's decision to abandon the Emmet Street right-of-way.

Commissioner Kronberg stated that the plan comes closest to his vision but voiced concerns about the height and recommended dropping the parking deck down 12-feet to lower the overall height of the buildings. He commented that the parking is better but has concerns about enforcement of a right turn only and the viability of a downtown pharmacy as previous pharmacies have gone out of business. He feels the chimney is too massive for the entrance to downtown, asked that they try to minimize it from

the outside, and voiced concerns about a wall along the sidewalk and the use of a water feature outside of the summer season.

Mr. Pattullo responded that they have backed down on the chimney a bit but will consider more and then there was discussion that on the drone images they changed the color of the chimney and it blended in much more than the static images provided in the packets.

Mr. Werner responded that their thought is to have the wall area landscaped with tall trees or vines and they are working with Drost Landscaping to have a water feature that will function all year.

Commissioner Neumann stated that he likes the multiple use, less retail space, the height setback and internal vehicular circle but has concerns about single-family brownstones in the CBD with retail space across the street. He said that while he loves the type of housing he is not convinced that this is the right location as it feels like the public would be encroaching on a private area and believes the second and third floors could be made into beautiful condominiums. He asked how the idea of brownstones came about and stated that he had concerns about the height but understands the need and the models shown were very helpful.

Commissioner Robson inquired about the previously proposed helipad and stated that she agreed with Commissioner Neumann about the brownstones and stated that they did not appear to be handicap accessible. She voiced concerns about the height and how looking at photos of views is very different from actually standing there. She then stated that she had researched zoning in nearby towns such as Harbor Springs, Mackinaw City and Bay Harbor and found that their maximum heights ranged from 39-feet to 60-feet.

Commissioner McDonald asked about how parking spaces were calculated and if they took employee parking into account.

Mr. Pattullo responded that the helipad had been removed, there would be elevator access for the brownstones and there is an assumption on employee parking but it will be a long discussion to determine exact numbers.

Commissioner Pall voiced concerns about sufficient parking for the conference center and the impact it could have on downtown if it is insufficient.

Mr. Werner stated that not everyone attending a conference on the property will necessarily stay there and they could always offer a shuttle service for people staying elsewhere to pick them up and drop them off for the conference.

Mr. Pattullo stated that the City would not want maximum parking numbers if they would not be used. A lot of effort will go into the parking plans once they reach that stage.

Commissioner Burns stated that he still dislikes the fireplace and suggested they speak with Harbor Springs about their 503(c) movie theater, if that is something they should consider doing here as he is under the understanding that it is not self-sustaining.

Chairperson Meyerson commented that the models provided helped with the perspective on how the building will fit into town. She had concerns about the height but now feels more comfortable with it. She stated that she agrees with Commissioner Neumann about the brownstones on the corner but that she could work with it.

Chairperson Meyerson then opened the public hearing on Preliminary PUD for 200 E. Lake Street:

Deanne Wilmott, 1128 Valley View Road, commented that she is glad to see how this plan has evolved from the original proposal in 2004. She does not believe retail is necessary as there are already vacant storefronts on Mitchell and Lake Streets and she likes the idea of walking down the street and seeing stairs to a home. It is very warm and inviting.

Reg Smith, 600 Arlington Avenue, commented that most conference centers do not generally hold their maximum capacity due to space that is needed for meals, breakout sessions, etc. The Perry Hotel has 75 guest rooms but only has 70 onsite parking spaces and hosts banquets for 300 people. The biggest fear is too much parking. Tall buildings and density are needed to prevent sprawl into neighboring townships that affect farms and land. These apartments and residences are needed downtown and will improve the tax base, which will allow for green initiatives, etc. Downtown is where tall buildings belong and they will attract people. This is well worth the 14-year wait, make this happen.

Lisa Lemans, Petoskey Chamber Board, stated that at the Chamber's May 16, 2019 regular meeting they signed a resolution to endorse Petoskey Grand. They agreed that the latest proposal is the best one and has so many benefits to offer the community and will be profound for economic vitality.

Charlie Wilmott, 1128 Valley View Road, said that he believes the plan is terrific and they did a great job. He asked if the intent for the brownstones was to rent or sell and stated that parking is a concern and we need more not less.

Mr. Pattullo responded that the 11 brownstones are the only properties for sale, everything else will be rented.

Ben Slocum, 112 Howard Street, commented that he has dealt with many developers on other projects and while he has some hesitation about the project, it is in scope with what is needed. There is plenty of underutilized retail space downtown now, housing is needed, and this project meets this need. He supports this project.

Michael Kazanowski, 441 State Street, High Five Spirits, stated that he loves this town and is proud to be from here. Bob Berg is a passionate landlord and loves to talk about Petoskey and the people who live and work here. He wants to develop this site because he cares about this town and wants to preserve and advance it.

Trevon Michael, Little Traverse Bay Bands of Odawa Indians, stated that this site has had its issues and he assumes the contamination has been removed and asked if there are any aspects for a Brownfield development. He said that sometimes you have to build up to avoid sprawl and this project is impressive. He suggested increasing space for public use, possibly including a viewing platform, gathering space or greenspace for viewing since there is a concern about the loss of the view.

Mr. Pattullo commented that Mr. Berg has had a meeting with the Brownfield director.

Staff commented that the site still qualifies as a Brownfield and believes that once it is a Brownfield, it will always be a Brownfield.

Karla Buckmaster, 3750 Pickerel Lake Road, voiced concerns about the PUD request and stated that parking is not a new issue in Petoskey and approximately \$400,000 - \$700,000 are generated annually by parking meters but there are no funds allocated for a parking structure. She asked Commissioners to become familiar with what a Brownfield transformation is and how it will not just be the residents of the City that pay for this project but also the residents of Emmet County.

Becky Goodman, Downtown Director, responded that projected parking meter revenues for 2019 is \$375,000.

Mary Olmsted, 308 Sunset Road, stated that she believes the project is beautiful but it does not belong in Petoskey, it belongs in Bay Harbor. This project would impose a little city right in the middle of a little town. People like it here because it is a small town. Once you give in to this, it will be a lost cause. Think about the community – do not sell us out.

James Dittmar, 914 East Lake Street, stated that he believes the plan is attractive but traffic is a bigger problem and a big component of this design. He would prefer that the elevation of the buildings went down and they go down from Petoskey Street, rather than up; and that a traffic simulation be done sooner rather than later.

Jeff Grantham, 801 Baxter Street, stated that he believes it is a wonderful plan and has been well thought out. His only concern is that the cornerstone to this project is the hotel and the entrance sits one car length way from the entrance to downtown and could create many traffic issues.

Brian Wagner, 200 West Lake Street, stated that he believes that the project is incredible and there are so many positives. He loves the brownstones and believes the bell tower will allow some residents to view what they could not before.

Tim Harbaugh, 815 State Street, commented that he likes the images that were presented but has an issue with the height.

Mike Bartlett, 1145 Grand Ridge, asked everyone to look at the traffic over the past month with the road construction in the City.

William Meengs, Jr., 724 Grove Street, stated that he believes it is a great design with a lot of thought put into it and once it is complete, it will be the best thing on the block.

Richard Hitz, 317 East Lake Street, stated that he has mixed emotions about the project. The height is an issue in part because of the effect it will have on other buildings. It would be nice if there would be more of a community center that would be open to City residents.

There being no further comments the public hearing was closed.

Chairperson Meyerson informed the Commission that no action was required and they could postpone discussion and more public input over the next month or take action on the request tonight. There was general consensus to delay discussion until the next meeting due to the time.

Commissioner Kronberg stated that he would like to see a crane on the site with a flag or something showing the actual height so they can see the impact.

Mr. Werner responded that his fear is that people would see it as the overall height and not just the height of the bell tower and could be misleading to the public.

At this time, Commissioner Kronberg made a motion, with support from Commissioner Pall, to postpone action until the July 18 meeting. Motion carried 8-1, Commissioner Burns voting against the motion.

Discussion and Direction on Zoning Ordinance Language for Medical Marijuana Provisioning Centers

Staff reviewed updated maps showing 1000 foot buffers from schools and 250 foot buffers from identified park entrances plus additional entrances to the Bear River Valley to show it is a large park with many entrances and wasn't sure what was unique about the entrances identified.

Commissioners discussed concerns about the park buffers and whether they would be upheld in court, as some of the locations and the distance of 250 feet seemed random. They also voiced concerns that the Bear River Valley is being treated differently than other park areas.

James Murray, City Attorney, commented that the ordinance language has to advance legislative intent and be based on rational basis.

At this time, Commissioner Robson made a motion, with support from Commissioner Braddock, to schedule a public hearing for the July 18 meeting on the ordinance language with the park buffers removed. Motion carried 8-1, Commissioner Pall voting against the motion.

Chairperson Meyerson apologized for taking action before asking for public comment and explained that an official public hearing would be held at the next meeting as this action was only to schedule the meeting. She then asked for public comment on the request and that the commission could reconsider their motion..

James Ehrnst, 702 Elizabeth Street, expressed his disagreement with no public comment prior to action by the Commission and went on to say that this ordinance is not about kids and youth but rather about health. The people of Michigan passed legislation, marijuana is low on the scale of addiction, and this is ludicrous from a business standpoint.

Marshall Dines, RE/MAX Agent, stated that these facilities cause an issue with commercial real estate and choosing specific locations will cause the values to increase and there are many businesses going out of business as it is.

Mr. Dittmar stated that the Commission had discussion and made a motion before the public could give comment and that negates public comment. He shared names of businesses that won the lottery drawing in Traverse City and asked if when looking at where to allow these dispensaries if they really wanted them at the entrance of the City. He personally believes that the Planning Commission should start over and engage with the public on what and where they would like them.

Eric Piedmont, supported additional locations and thinks it will provide opportunity to increase property values. He commented on the Traverse City lottery and felt that Petoskey should have a competitive process rather than a lottery.

Commissioner Kronberg stated that the Commission would seek more public input at the July 18 public hearing.

Upon a revote of the motion previously made by Commissioners Robson and Braddock, the motion passed 9-0.

Updates

Commissioners discussed the need for a special meeting for Petoskey Grand discussion, to avoid overloading the agenda, and agreed to hold a special meeting on July 25, pending availability of the applicant.

Due to the late hour, staff informed the Commission that she would email the updates to them.

The meeting then adjourned at 11:09 P.M.

Minutes reviewed and approved by Emily Meyerson, Chairperson