



Planning Commission
May 22, 2023 Meeting Minutes

Call to Order

Chairman Putvin called the meeting to order at 6:00 PM.

Roll Call

Planning Commission: Bosscher, Bunce, Filkins, Putvin, Fent, Rice, Host
Staff: Wallace, Peccia, Coy

Approval of Agenda for May 22, 2023

- A. Motion to approve the agenda by Filkins. supported by Fent.
 - a. Motion approved unanimously.

Approval of February 27, 2023 Meeting Minutes

- A. Motion to approve the minutes by Fent, support by Putvin.
 - a. Motion approved unanimously.

Public Hearings

- A. Request for a Special Land Use (SLU) to allow for a tattoo parlor at the address of multiple office suites located at 1027-1039 N. Mitchell Street. There are multiple business suites in the building. This is in a B-3 General Business commercial district.

Putvin turned the meeting over to Coy who discussed the staff report he prepared. He also put on the screens an aerial GIS showing the location and surrounding businesses. Tattoo Parlor's are described under the City Ordinance as Adult Businesses and have additional conditions for approval. The only condition the site does not meet is the location rule regarding a 300-foot radius from any residence, dwell place, daycare facility, church, public park, or school. The Planning Commission may waive this requirement. Coy spoke about other tattoo parlor businesses that in the past were within 300 feet of residences. He added that the location on E. River where tattoo parlors were previously located he counted 25 residential homes within 300 feet. Coy also discussed the conditions for approval of a Special Land Use.

Putvin opened the meeting for any public comment on this application. Melissa Hanford the applicant spoke about improvements she has made to the building since she purchased the site five years ago and future improvements including signage she plans to make. She explained that the building has 15-16 available suites. A couple commission members commented that they are aware of tattoo parlors in the city at other locations within the B-3 district. Putvin asked what the hours of operation would be for the tattoo parlor. Hanford answered that depending on appointments the owner may operate on Saturdays and possibly an occasional Sunday.

Rice made a motion to approve a Special Land Use (SLU) for tattoo parlors at the commercial building located at 1027-1039 N. Mitchell Street. Support from Fent. On a roll call vote the motion passed unanimously.

New Business

- A. Property line adjustment, lot split for parcel with Tax ID #10-067-00-013-00 on E. Chapin Street. Putvin turned the meeting over to Coy who discussed the staff report he prepared. The applicant Ron and Kara Pifer who live at 817 E. Chapin Street own the parcel described above which abuts their home parcel. They wish to do a Property Line Adjustment or transfer of 25 feet from the vacant lot which has 252 feet of frontage on E. Chapin Street to the lot with Tax ID# 10-067-00-018-00 which their home sits on. Because these parcels are in a platted neighborhood this is the reason it is being brought before the Planning Commission. This transfer will widen their homestead lot from 75 feet to 100 feet. The applicants were not present. Coy added that he reviewed and approved a similar request two weeks ago and was able to administratively approve it because it was a parcel not in a platted neighborhood. Both parcels will be conforming with the size and width requirements for the R-2 One-family zoning district.

He opened the meeting for commission discussion. Rice commented that similar requests were brought before the commission in the past and that he was in favor. Coy added that at the time an approval is sent to the Wexford County Equalization Department included will the approval for a Combining of Properties application.

Fent made a motion to approve the property line adjustment as presented. Support from Rice. On a roll call vote the motion passed unanimously.

Old Business - Update

The Krist Oil gas station, convenience store located at N. Mitchell Street's display of products on the west side of the building's sidewalk where perpendicular parking is located. On the overhead screens he showed a picture of the violation. He described that when this Planning Commission approved the SLU for Krist Oil a condition was that no display of product in the parking area could be on the sidewalk. The reason was that Krist Oil only wanted to construct a five-foot wide sidewalk. He added that the new J & H Oil gas station and Dollar General convenience store have eight-foot wide sidewalks where the perpendicular parking is located for this reason.

Coy said that along with mailing a letter to Krist Oil regarding the violation of the SLU he has left two messages for their Northern Michigan Operations Manager to call him. The phone messages have not been returned. Fent said he remembers the specific discussion the Planning Commission had prior to approving the SLU and the display of product as a condition if they were to only build a five-foot sidewalk. Coy ended by saying there will be additional follow up with Krist Oil.

Communications

Putvin spoke and asked why the Planning Commission (PC) was not made aware of a letter sent to the owner of 128 E. Pine Street prior to the PC rezoning public meeting and that the owner continued to advertise the property for short-term rental? He only heard about it from the City Council meeting where City Council turned down the request for rezoning. Bunce added that it concerned him also.

Peccia spoke and answered the question. He also spoke about the updated Zoning Ordinance public meeting being held on June 13, 2023 at the new Water Department building on 44 Road. He encouraged the Planning Commission and public to attend. Short term rentals in residential zoned neighborhoods will be addressed.

Public Comments

Melissa Hanford spoke and let the Planning Commission know that she is hopeful to add a pool hall to one of the businesses in her complex. She asked if she would need to come back before this commission for approval. Coy spoke and said in the B-3 District a pool hall would be allowed as a use permitted by right.

*Section 46-458(4) in the TS Service District specifically addresses billiard parlors as a use permitted without the need for a SLU. Section 46-426(1) in the B-3 General Business District under **Uses Permitted** reads that any retail or service establishment principal uses permitted in the TS District is allowed in the B-3 District.*

Troy Baxter spoke and said he does not feel any short-term rental should be allowed in our one-family residential districts. He feels discussions have only talked about restrictions in the R-1 One-Family districts.

He also spoke about the upcoming Special Planning Commission meeting at 2:00pm on May 31st. He felt the timing does not allow person's in the surrounding area who work to attend and questioned why this meeting time was chosen? The answer given was that being a special meeting the timing needed to fit the schedule of the Planning Commission members who could attend. This type of scheduling is not uncommon for Special Meetings and the commission members were given multiple possible meeting dates and times.

Other Business – None

Adjourned at 6:52 PM