

# CHARTER TOWNSHIP OF CHOCOLAY PLANNING COMMISSION MINUTES

Monday, December 19, 2016

**I. MEETING CALLED TO ORDER BY:** Andy Sikkema at 7:00 p.m.

**ROLL CALL**

*Members Present:* Andy Sikkema (Chair), Andy Smith (Vice Chair), Eric Meister (Secretary), Judy White (Board), Bruce Ventura, Tom Mahaney, Kendell Milton

*Members Absent:* None

*Staff Present:* Dale Throenle (Planning Director/Zoning Administrator), Suzanne Sundell (Administrative Assistant)

**II. ADDITIONAL AGENDA ITEMS / APPROVAL OF AGENDA**

*Motion by Ventura and seconded by Milton to approve the agenda as written.*

*Vote: Ayes: 7 Nays: 0 MOTION CARRIED*

**III. MINUTES**

**November 21, 2016**

*Motion by Meister, and seconded by Mahaney, to approve the minutes as written.*

*Vote: Ayes: 7 Nays: 0 MOTION CARRIED*

**IV. PUBLIC COMMENT**

Richard Bohjanen, Township Supervisor, 140 Edgewood Drive – introduced the new members of the Planning Commission that were seated in the audience – Donna Mullen-Campbell and Jon Kangas. They have been appointed by the Township Board to replace the departing members (Andy Sikkema and Bruce Ventura). Sikkema also introduced Judy White as the new Board representative.

**V. PUBLIC HEARINGS**

None

**VI. PRESENTATIONS**

None

**VII. NEW BUSINESS**

**A. Business Survey**

Throenle indicated that there are two reasons for completing the Business Survey. One is to gather information to complete the Business directory on the Chocolate Township website, and the second reason is to gather direction from those businesses as to where they are headed and what they are planning to do, so that as the Planning Commission proceeds with the overlay district they have a better feel for what the Township needs are.

Throenle intends to visit the businesses to deliver the survey so that he is able to speak with a representative of the business to explain the intent of the survey. Going forward with plans for the corridor, Throenle feels that this is the ideal time to be doing this. Throenle would like the commissioners to look at the survey and give him input. One error that has been brought to his attention is on Page 7, Question 28 on the No answer should read “*No (please go to question 29)*”.

Throenle pointed out that the first section is primarily for the website directory. The idea for this section came from the kiosk that is located at the Welcome Center. Information obtained from Chocolay businesses could be added not only to our website, but also to the kiosk. The second portion, which starts on page 3, is the business portion of the survey to determine what the business needs are and how the Township can help, especially looking at #6 – Business Challenges and #11 – Business Service Needs.

### **Commission Discussion**

White stated that the survey is quite in-depth, and was wondering what the timeline for starting the surveys was, if approved. Throenle indicated that he would like to be able to start in January, and hopes to finish by the end of the first quarter.

Ventura asked if Throenle was going to visit all businesses and explain the survey. Throenle indicated that this is his plan. Throenle also hopes to be able to get the businesses involved and possibly be able to spark interest in getting the CABA (Chocolay Area Business Association) group going again. Ventura asked if Throenle also plans on surveying people with Home Occupations. Throenle indicated this would be a little harder, but he would like that to be part of the process – it may involve posting on our website and having them come to us.

Meister wondered if there should be information on the survey about the overlay district that is in the planning stage. Sikkema asked if this would be specific questions. Meister indicated it would not have to be specific questions, but something open ended to see what their feelings were. Sikkema stated it may need to be more specific so that business owners would know what was being asked. Ventura suggested that it could possibly just be an informational paragraph, and not a question that would need a response, but more to provide the rationale for the survey.

Smith wondered if the businesses affected by the overlay district should be made aware of what is being considered. Throenle indicated that by making the businesses aware, it may generate some interest at the south end of US 41 also.

Sikkema is concerned that with a survey that is 8 pages long, many businesses may not want to take the time to do it. Mahaney stated that this is a good reason for Throenle to hand deliver. Throenle indicated that the survey may look a little intimidating, but really should not take more than 10 – 15 minutes to do it. Throenle would like to increase the rate of return that is typical on surveys. Ventura stated

that it is also good public relations to hand deliver and talk with the businesses.

White indicated that it would be nice to get more of the businesses at the Planning Commission meetings to get their suggestions and ideas for the Township.

Mahaney wondered about the length of the survey – maybe something should be stressed to the business owner about the two different sections. Throenle indicated that it could be separated into two separate surveys – Part 1 if they would like to be included in the Business Directory on the website and Part 2 for more detailed information on the type of business and business needs for the corridor overlay discussion.

Mahaney questioned Part 1, #7 on Business owners – he wondered if this should be an optional question, as some business owners may not want that information on the webpage. Throenle indicated that Part 1 of the survey is basically all optional.

Ventura stated on the first page, he had looked at #6 – Description of business attributes and #11 – Description of business purpose, and was questioning why #6 would be more important than #11. Throenle will switch the order. Ventura also stated there should be more examples of attributes – White suggested “handicapped accessible”.

**VIII. UNFINISHED BUSINESS**

**A. US 41 and M-28 Business Corridor Overlay District Matrix**

Throenle indicated that he has updated the matrix on #243 and #244, to include the full description of Home Occupation Tier 1 and Home Occupation Tier 2.

<b>240 Mixed-Use Development</b>				
Two (2) or more different land uses integrated in a single structure or on the same lot.				
ID	Accessory uses	Mixed Use Corridor		
		P	C	N
243	Accessory residential home occupation - Tier 1 -- (mixed in the same building) can consist of the following uses: 131, 132, 181, 185, 211, 214, 216, 221, 222, 223, 231, 243, 422, 913, 926, 927, 934, 943, 944	x		
244	Accessory residential home occupation – Tier 2 -- (mixed on the same lot) can consist of the following uses: 131, 132, 141, 142, 151, 161, 171, 181, 182, 183, 184, 185, 211, 214, 215, 216, 217, 221, 222, 223, 224, 231, 232, 321, 331, 422, 423, 435, 437, 512, 521, 611, 621, 631, 632, 913, 921, 926, 927, 943, 944, 951	x		

**Commission Discussion**

Meister questioned that #116 and #117 are showing they are prohibited – shouldn't they be allowed? Single family dwellings are not allowed in the mixed use, but if they already exist it seems they should not be prohibited from doing Home Occupations. Sikkema indicated that they would still be governed by residential zoning, until such time that they change their use.

Sikkema stated that if a business is already in the commercial district it would follow commercial zoning. If it was a residential property, and no changes are made to it, it would be considered a residential property and would follow residential zoning

conditions. Throenle indicated that this would be with the condition that they could use the property as a mixed-use property according to the overlay district.

Throenle indicated that if the property exists today as a residential property, it can take on the attributes of the overlay district. If something would happen to that property, then it would revert to the original zoning of the parcel prior to the overlay. Ventura felt that if something burned to the ground, you would need to follow the overlay, not the original zoning – if a residence burned down, in order to rebuild they would need to establish a commercial business first, then have an accessory residence. Ventura indicated that the reason for the overlay district is to encourage business. White discussed the fact that it didn't seem fair to the property owner that if they chose not to establish any type of business, because of the fact they were in the overlay district, they would not be able to rebuild as a residence. Meister stated he thought the discussion had been that if you were residential, and you chose to stay residential, you would not need to go commercial, and you would be able to build a house if something happened. He questioned if you would be able to put an addition on your house if you are in the mixed use district. Throenle indicated that it is up to the Planning Commission to determine what the rules will be for the overlay district.

Sikkema indicated that as the Planning Commission goes forward on this, they need to be careful on the conditions that will be put into place, as you may still have residential. The Planning Commission is not trying to destroy neighborhoods – the whole thought process on the mixed use district was to revitalize existing commercial businesses in the area. They will also need to be careful to not create a lot of sprawl.

Ventura indicated that the overall concept is good, but the Planning Commission will need to revisit the maps. The boundary lines were arbitrarily set at 300 feet from US 41 on both sides – this is what needs to be tweaked at this point. Throenle indicated that this is the next point on the agenda.

Smith asked what the rules are – zoning primary, overlay secondary? The Planning Commission has not created the rules for the overlay yet.

Sikkema asked for any more changes on the matrix.

Meister questioned #961 – this could possibly be interpreted that you would not be able to plant a tree or cut a tree. Ventura indicated that he thought this had been discussed when the previous Planner was here, and this was considered to be more of a commercial timber harvest, versus maintenance and landscape planting.

Discussion went back to #116 and #117 – Ventura questioned if there should be another column in the matrix labeled “NA – Not Applicable”. Meister stated if it's not applicable, it could be deleted. Sikkema stated that it should probably be left in, otherwise it may be looked at as an omission.

*White moved, and Ventura seconded, that the land use matrix as modified will be used as the document for establishing uses for the proposed US 41 / M-28 Business Corridor Overlay district.*

Vote: Ayes: 7                      Nays: 0                      MOTION CARRIED

**B. US 41 and M 28 Business Corridor Overlay District**

Throenle presented maps of the overlay district, with the intent that the Planning Commission will be able to walk through it by section and delete any parcels they feel should not be included in the overlay.

**Commission Discussion**

The Commissioners then proceeded to walk through the sections parcel by parcel, looking at current zoning and determining if it made sense for the parcel to be included in the overlay district.

**IX. PUBLIC COMMENT**

None

**X. COMMISSIONER'S COMMENTS**

White – none

Milton – none

Ventura – has enjoyed working with the Board, Staff and public. Thanked everyone for the opportunity.

Smith – will miss both Ventura and Sikkema

Meister – has appreciated all the work Ventura and Sikkema have done on the Commission

Mahaney – has been nice working with Ventura and Sikkema.

Sikkema – was great working with the Commission – have worked through a lot of things and still a lot to be accomplished. Good luck to the Commission in the future and welcome aboard to the new members.

**DIRECTOR'S COMMENTS**

Throenle thanked both Sikkema and Ventura for their work in the Planning Commission, and is looking forward to working with the new commission.

Throenle indicated there will be some new zoning coming before the Planning Commission with the casino property. There may be some rezoning questions that will come up with multi-family housing units due to expansion replacing some of the residential currently out there.

Marquette Little League will be doing a presentation at the January Planning Commission meeting on plans for the Silver Creek Recreation Area.

**INFORMATIONAL ITEMS AND CORRESPONDENCE**

- A. Minutes – 11/01/16 Marquette City Planning Commission
- B. Minutes – 12/07/16 Township Board minutes draft
- C. Correspondence – City of Marquette Master Plan Update

**XI. ADJOURNMENT**

Sikkema adjourned the meeting at 9:13 pm.

Submitted by:

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Planning Commission Secretary  
Eric Meister