EMMET COUNTY PLANNING COMMISSION
REGULAR MEETING
THURSDAY SEPTEMBER 4, 2008
7:30 P.M.
COMMISSIONER’S ROOM
EMMET COUNTY BUILDING
200 DIVISION STREET
PETOSKEY, MI 49770
MINUTES

MEMBERS PRESENT: James Scott, Kelly Alexander, Sue Anderson, Leroy Gregory, Katie Derrohn, John Eby, Steve Neal

MEMBERS ABSENT: Jack Jones, David Laughbaum

STAFF: B. Michalek, T. Doernenburg

VISITORS: Charles Crump

I Call to Order and Attendance
The meeting was called to order at 7:32 p.m. by Chairman Eby. All members were present except Jones and Laughbaum.

II Minutes of August 7, 2008 meeting
Anderson made a motion, supported by Derrohn, to approve the minutes of the August 7, 2008 meeting as presented. The motion passed by a unanimous voice vote.

III Cases
1. Case #PS-22-08 Midway Signs-Buffalo Wild Wings, SPECIAL USE PERMIT-SIGN EXCEPTION, 2180 Anderson Road, Section 18, Bear Creek Township

Legal Notice: A request by Midway Signs, Inc for Buffalo Wild Wings for a Special Use Permit for an Exception to Section 2207 of the Emmet County Zoning Ordinance to allow a greater number of signs than is permitted for the property located at 2180 Anderson Road, Section 18, Bear Creek Township. The property is zoned R-1B One Family Residential and FF-1 Farm and Forest with a Consent Judgment dictating the land uses permitted. The tax parcel number is 24-01-19-18-100-050. The sign plan includes three (3) wall-mounted signs, where two (2) are permitted.

Packet Items: Request & location map, tax parcel map, application, owner’s authorization letter, 8/7/08 applicant letter, elevation photos, elevation & sign plans, zoning evaluation, 8/14/08 Sign & Lighting Committee minutes

Michalek explained the request for an exception to allow three wall mounted signs. Two are permitted. In addition to two wall mounted signs, one small directional sign was approved less than four square feet. There is no Township recommendation in this case; however, the sign and lighting committee recommended denial citing that two wall mounted signs were adequate. Their draft minutes were included in the packet provided to the Planning Commission. Three signs: one facing south, one on the west facing wall and the third sign facing Anderson Road are proposed. Photos of the signs were shown. The two restaurants in the PUD to the north have two wall mounted signs and one directional sign on the building. Freestanding signs also exist for the RG Properties development. A freestanding sign has been authorized through the consent judgment for this development.

Chuck Crump from Midway Signs represented Buffalo Wild Wings. He apologized for three signs being installed. They applied for three signs, got the permit back but did not notice that the permit
stated two signs were permitted. The building was originally designed for up to four businesses, they would be allowed eight signs. There will only be two businesses in the building. When Buffalo Wild Wings went to the developer, they got a letter stating it was fine to place three signs on the building. The sign manufacturer assumed that it had been pre-approved. They originally wanted two signs which is why the tower was used. They feel that it’s important to keep all three signs. The maximum number of signs on the building, if allowed, will be five. They do not plan to have a sign on a pylon sign or a directional sign like Applebees and Pizza Hut.

The site plan was distributed to the Planning Commission members.

Eby stated that a freestanding sign could be installed on the property.

Anderson stated that recently a third sign was denied on a building architectural feature. She felt that the Commission should follow the Sign & Lighting Committee recommendation.

Eby added that the freestanding sign could then add a fourth sign for the business.

Anderson stated that a freestanding sign would benefit the business.

Scott stated that the elevation facing Anderson Road doesn’t show the architectural element on the building plans. Neal stated that the south facing sign seems worthless. Anderson Road is not highly traveled from the south.

Crump asked if they could have either a wall mounted sign or a freestanding sign. Michalek responded that the consent judgment rules should be followed.

Derrohn made a motion, supported by Anderson, to deny Case #PS-22-08, Midway Signs for Buffalo Wild Wings, Special Use Permit for a Sign Exception at 2180 Anderson Road, Section 18, Bear Creek Township for two (2) 70 sq. ft. wall mounted signs, a 3rd 56 sq. ft. wall mounted signs and a 4th 4 sq. ft. wall mounted (carry-out) sign for the following reasons: there is no deep use setback, the business does not front two primary roads, it is inconsistent with the consent judgment and the RG Properties PUD to the north and other sign options exist per the Zoning Ordinance and the Consent Judgment. (Two wall mounted signs are permitted along with the 3rd “carry out” sign at 4 sq. ft.) The motion passed on the following roll call vote: Yes: Eby, Neal, Scott, Gregory, Anderson, Derrohn, Alexander. No: None. Absent: Jones, Laughbaum.

2. Case #18-08 Zoning Coordinating Committee, City of Petoskey, 2008 DRAFT MASTER PLAN REVIEW

Packet Items: Memo, CD of draft master plan, example handout from Emmet County plan

Staff had distributed a report regarding the draft Master Plan.

Scott made a motion, supported by Alexander, to authorize the Chair to sign the memo prepared by staff regarding the City of Petoskey’s Draft Master Plan. The motion passed by unanimous voice vote.
IV Public comments: none.

V Other business:

• 2009 Recreation Plan
Michalek stated that the Planning Office would like to begin work to update the Recreation Plan. A motion to authorize staff to send Notices of Intent was distributed. The update will be minor with a complete update expected in two to five years.

Alexander made a motion, supported by Anderson, to request the Emmet County Board of Commissioners authorize the Emmet County Office of Planning, Zoning, and Construction Resources to draft a 2009 Emmet County Comprehensive Recreation Plan, per the Guidelines for the Development of Community Park, Recreation, Open Space, and Greenway Plans issued by the Michigan Department of Natural Resources IC 1924 (rev. 1/27/2006), and per Michigan Planning Enabling Act (Act 33 of 2008) and to send the Notice of Intent to plan to those entities identified in Sec. 39 of Act 33. The motion passed by unanimous voice vote.

• 2007 Annual Report
The report had been sent prior to the meeting. An update including Mackinaw City’s zoning permits was distributed. The number of zoning permits issued in 2007 was the lowest number since zoning began in 1972. The Zoning Board of Appeals denied more cases than they approved. They are following the Ordinance. Anderson stated that during this time, it’s a good time to work on updating the Zoning Ordinance. Staff will confirm the appointment dates located on the last page of the report.

Neal made a motion, supported by Scott, to forward the Annual Report to the Board of Commissioners. The motion passed by a unanimous voice vote.

• Master Plan
Michalek gave an update regarding the status of the Master Plan. The CPAC will meet September 10, 2008 to review suggestions made during open houses held at four locations throughout the County.

• Enforcement Report
Anderson commented that Brewbakers signs are quite bright. The signs are as approved. Possible lighting/sign regulations regarding intensity should be considered.

• By-laws
Staff was directed to review the by-laws relative to meeting schedules. With such light agendas, perhaps a change to the meeting schedule is necessary. Proposed changes will need to be sent to members 15 days prior to the next meeting.

VI Adjournment
Chairman Eby called the meeting adjourned at 8:11p.m.