

**City of Frankfort
Planning Commission
Draft Minutes
January 8, 2013
Regular Meeting**

Call to Order: 7pm
Roll Call: Bissell, Campbell, Fairchild, Ogilvie, Penne, Storrer
Absent: Barresi
Recognition of Visitors: Andrew Campbell, Steve Campbell, pim Dodge, Bob Dittrich, Alma House, Sandy Jackson, Sharron May, City Superintendent Josh Mills, Colin Merry

Quorum present

Motion to Approve Minutes of Regular Meetings December 11, 2012 with corrections moved Fairchild, seconded Bissell, all ayes motion carried.

Discussion: Ogilvie recommended highlighting that there are additional answers to the questions raised during Public Input by Suz McLaughlin later on in the minutes. 1) The DDA is not a land use process but a financing mechanism and 2) that the Master Plan does in fact talk about the DDA in a number of places.

Motion to Approve Agenda moved Storrer, seconded Fairchild, all ayes, motion carried.

Public Comments & Correspondence Concerning Items not on Agenda

Steve Campbell, 15 2nd Street – From a future developer’s standpoint, he encouraged the Planning Commission to not be too restrictive in limiting materials, colors, etc. “I don’t think it’s anyone’s intention to be cookie-cutter type of community”. He was concerned over setbacks in waterfront district; his project was previously approved with a setback of 18 feet and it would be his expectation to continue as planned. He encouraged balance and making it inviting to developers and pointed to Traverse City, which doesn’t limit very many things downtown and somehow it seems to be working.

Kim Fairchild – how long ago did you get approval?

Campbell - 2007

Josh Mills – the extensions have lapsed so he will have to reapply.

Ogilvie- When you bring to us a proposal, the “fine toothcomb will then be scraped through” your proposal and we’ll make sure we cover all the areas.

Reports to the Commission:

1. **Report from the Chair: Bruce Ogilvie** has been working diligently on many projects that are not concluded.
2. **Committee Reports:**
 - a. **Kim Fairchild: Signage/Wayfinding Committee** – Various styles and colors are being considered that will be presented to the public, including use of the two logos (lighthouse and arch) and banners.
 - b. **Cory Bissell: DDA/TIFD/Capital Improvements** – A meeting is proposed for the week of the January 21st, 2013. Mills added that it perfect timing with the Capital Improvement. A lot of the leg work is done: the Recreation Board is redoing their Master plan, implementing W-fi and other things that require attention like the lighthouse, it’s going to be an all-inclusive list.
 - c. **Pat Storrer: Zoning Ordinance Review Committee** (see Meeting Notes 12/13/2012 and New Business #1) – a public hearing will occur later on in this meeting on several Residential Building Configuration items. Based on its acknowledgement that the community as a whole really cares about the character of Main Street the Committee is working on the Site Plan Preview as a viable concept for collaborative community involvement in the site development approval process.
 - d. **Sam Barresi: Public Restroom Facilities Committee** – Mills (reporting for Barresi) had a meeting that dovetails with the MSU Practicum Intern. He learned that there is no cost share match required. Mills is

leaving to attend their class at the MSU campus and welcomes the opportunity for a fresh set of eyes look at safety, pedestrian accessibility, etc.

3. **City Superintendent Report:**

- a. **MSU Practicum Intern** – See prior report
 - b. **Complete Streets and Safe Routes to School Access Project for 2012, project status** – everything is moving ahead, they are surveying the corridor and finalizing the special services agreement. MDOT wants a sidewalk on both sides of James Street but Mills feels it makes more sense to have one on Leelanau and one on 11th instead of 2 on 11th.
 - c. **“Recreation” Center, status** – waiting to get feedback from LWCS
 - d. **Compliance on 629 Forest and 1335 Hall properties** – Mills reported that there has been some work on 629 Forest and 1335 Hall is for sale, but neither is finalized. There is another address that needs to be demolished near Harbor Place Alley and Ninth Street.
 - e. **Wi-Fi Grant** – this is going to require a community discussion as well. The goal is to provide community Wi-fi available throughout the Main St. corridor. There will be a lot of opportunities.
 - f. **Other** – all of the storefronts but three are occupied.
4. **Zoning Board of Appeals, Kim Fairchild and Josh Mills** – No report

Unfinished Business

Preliminary Site Development Plan Review Concept: still in (Zoning Ordinance Review) Committee – No report.

New Business: Public Hearing

Motion to open Public Hearing to consider and approve proposed amendments to the 2/25/2011 Zoning Ordinance moved Storrer, supported by Fairchild; all ayes; motion passed.

Ogilvie advised:

1. No written submissions, either for or against these recommendations.
2. These recommendations came from the citizen-based Zoning Ordinance Review Committee and have been approved in principle by the Planning Commission. They are now subject, by State law, to the Public Hearing process before being passed to the City Council for first and second readings. These recommendations all relate to Residential Building Configuration issues. In this Public Hearing process, each recommendation needs its own separate discussion with speakers, in order of: “for”, “against”, “neutral”, with each then being followed by its own separate “motion to approve”. The substance of the recommendations is here, on the agenda. Some of the recommendations involve multiple Ordinance sections. A full list of the ordinance sections was available for anyone wishing it.

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1. **Motion to approve recommendation that the maximum Roof Pitch for Principal Building in Rural and in North City, West City and East City Residential Districts be increased from maximum present roof pitch of 10:12 to a new maximum of 14:12. Moved Storrer, seconded Campbell, 5 ayes, 1 abstained (Fairchild), motion passed.**

Speakers For: Steve Campbell; Against: None; Neutral: None.

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2. **Motion to approve recommendation that:**

a. **the minimum Building Height for the Principal Building in North City Residential District be reduced from 30’ to 18’;**

b. **the minimum Building Height for the Principal Building in the Rural District be defined as 18’**

Moved Fairchild, supported Campbell, all ayes, motion passed.

Speakers For: Fairchild; Against: None; Neutral: None

3. Motion to approve recommendation that the Maximum Height of any Detached Garage, currently defined as 24', be re-defined as follows: new wording:
- The Maximum Height of any Accessory Structure (including a Detached Garage) in Rural, North City, East City and West City Residential may not exceed Primary Dwelling Height minus 2 feet and may not exceed 2 stories under any circumstances.
 - The Maximum Height of only one of the permissible Accessory Building in Rural District shall be re-defined as 40 feet irrespective of Primary Dwelling Height but that any such Accessory Building of 40 feet, or less, that is greater than the limitations imposed by (a) may be used only and exclusively for Agricultural Purposes, and specifically may not be used for Ancillary Living Spaces and must have a Gambrel roof.

Moved Fairchild, supported Bissell, all ayes, motion passed.

Speakers For, Against, Neutral: None

Discussion: rationale for limiting residential quarters and the purpose, advantages, disadvantage of gambrel roofs.

4. Motion to approve recommendation that the Minimum Floor Area for One-Story Single Family Dwellings in Rural and in North City Residential be reduced from 1,000 sq.ft to 680 sq.ft. exclusive of Porches, Decks, Steps. There is no change to the 1,000 sq.ft Minimum Floor Area for One-Story Single Family Dwellings in East City and West City Residential Districts moved Fairchild, seconded Bissell, all ayes, motion carried.
- Speakers For: Bissell spoke in support of the recommendation. He is considering building and he's interested in a sustainable, small footprint and would like to see this in Frankfort as a progressive city. Against: None; Neutral: None.
- Discussion over the need to be flexible to have smaller units for the benefit of seniors, singles or young families who plan to add on as needed. Mills clarified that there is still a minimum height requirement.
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5. Motion to approve the recommendation That the Maximum Habitable Area of an Ancillary Living Space in Rural and in North City, East City and West City Residential, currently defined as 440sq.ft excluding the parking area, be re-defined as follows:

- If above a detached garage, 60% of the ground floor area of the Primary Dwelling
- If above or within an accessory structure, 50% of the ground floor area of the Primary Dwelling.

Moved Fairchild, supported Storrer, all ayes, motion passed

Speakers: For, Against, Neutral: None

- 6a. Motion to approve recommendation that the Maximum Number of Accessory Buildings on any one improved lot in North City, East City and West City Residential be defined as 2, of which a Detached Garage counts as 1 and only 1 of which may contain Ancillary Living Space moved Fairchild, supported Storrer, all ayes, motion passed.

Speakers: For, Against, Neutral: None

- 6b. Motion to rescind motion: Fairchild; Storrer rescinded support; all ayes. Motion is rescinded and returned to Committee.
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7. Motion to approve recommendation that the Maximum Number of Accessory Buildings on any one improved lot in the Rural District be defined as 3, of which a Detached Garage counts as 1, and only 1 of which may contain Ancillary Living Space. The 40ft height limit applies to only 1 of these 3 Accessory Buildings, and that building may be used only for Agricultural purposes and may not be used as Ancillary Living Space moved Fairchild, supported Campbell; all ayes; motion passed.

Speakers: For, Against, Neutral: None

8. Motion to approve recommendation that the lack of Setback Standards for Sheds and Non-Permanent Structures be addressed by inserting "or non-permanent" in the Definition of Structure. The Definition of Structure would now read: "Anything constructed or erected, which requires permanent or non-permanent location on the ground or attachment to something having such location. The term building shall mean the

same and structures shall include, but not be limited to, parking areas, swimming pools and signs or signboards.” Moved Fairchild supported Bissell all ayes, motion passed.

Speakers: For, Against, Neutral: None

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9. Motion to approve recommendation that the Definition of “Structure” on Section 8201: Definitions page 46 be clarified by deletion of “The term building shall mean the same and”.

Moved Fairchild, supported Storrer, all ayes, motion passed

Speakers: For, Against, Neutral: None

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10. Motion to approve recommendation that the Location of Accessory Buildings be clarified to include Non-Permanent Structures by amending the first sentence of Ordinance 8203.02#1 to read as follows: “Detached accessory buildings, whether the foundation is permanent or non-permanent, shall be located as indicated in district regulations.” The Italic portion is an insertion and “shall be” replaces “may”.

Moved Fairchild, supported Bissell, all ayes, motion passed.

Speakers: For, Against, Neutral: None

Motion to close Public Hearing; moved Fairchild supported Storrer, all ayes, motion passed.

Motion to forward to the Frankfort City Council for their approval, the following 1/8/2013 Public Hearing motions numbered 1, 2, 3, 4, 5, 7, 8, 9, 10, (above) from the City of Frankfort Planning Commission for Residential Building Configuration amendments to the 2/25/2011 Zoning Ordinance Moved Storrer, supported Fairchild, all ayes, motion passed.

Other actions in the form of a motion- None

Public Input – Agenda Items Only- None

Any Other Business/Ongoing Business: Comments, Assignments, Discussion Outside of New Business Motions and Outside of Unfinished Business Motions:

Motion to Adjourn moved Fairchild seconded Bissell, all ayes, motion passed.

Meeting Adjourned 8.33pm.

Next Meeting(s):

1. Regular Meeting: Tuesday, February 12, 2013, the Haugen Room, City Hall, 7pm.

Commissioner Hand-outs: (1) Draft Minutes: Regular Meeting of 12/11/2012; Zoning Committee Meeting Notes 12/11/2012

Appendix

Zoning Ordinance Review Committee of City of Frankfort Planning Commission

Date: 12/11/2012 9.30am to 11.am

Held at: City Hall Haugen Room

Committee: Josh Mills, City Superintendent/Zoning Administrator; Bob Dittrich, Norma Elias, Janet Hessler, Tom Kunitzer, Bruce Ogilvie, Pat Storrer **Also Present:** Mayor Bob Johnson

Meeting Notes:

Purpose: Consider Recommendations to PC on: Preliminary Site Plan Review Concept; Review of Permitted Uses

Admin: 11/13/2012 meeting notes: not hearing of needed corrections, meeting approved as ok.

- ✓ Next meeting: Scheduled for **Tuesday 1/8/2013, 9.30am** assuming Haugen Room availability
- ✓ Planning for future meetings: not addressed at this meeting.
- ✓ Review of Permitted Uses, on today’s agenda, was deferred and not yet scheduled for a later meeting.

1. Residential Building Configuration Amendments: Public Hearing set for 1/8/2013 7pm Haugen Room
2. Main Street Character:
 - Decided, on 11/13/2012, to address Main Street character by Preliminary Site Development Plan
 - Fact: Though most Site Development Plan Review approvals are within authority of Super Mills without PC discussion or approval, Mills has taken Site Development Plan approvals to PC for discussion.
 - For Preliminary Site Development Plan Review (or Preview, or whatever it gets called) to become part of Ordinance, needs a Draft Ordinance to be presented at a Public Hearing. Guidance from this Committee will be starting point for Josh to draft ordinance(s)/ amendment(s)
3. 12/11/2012 Discussion on Site Development Plan Preview ("Preview" in these notes, for convenience):
 - Precedes Site Development Plan Review ("Review" in these notes). In practice, already being done
 - Refers to Main Street East&West, Waterfront (W), and Industrial-Entrepreneurial (IE), Districts.
 - Opportunity for informal community input, guidance to developer earlier in developer's process.
 - In this town, parking is almost always an issue needing a ZBA variance.
 - Ferndale and Sandusky mentioned as having very specific appearance-related ordinances
 - Aesthetics can be made enforceable by listing acceptable materials and acceptable façade trims.
 - PC Chair Ogilvie suggested other items: lighting standards, window materials, window shape/proportions. Raised practicality of considering building proportions vs neighboring buildings.

Distributed Materials (printed for 7 members; 3 members print their own):

1. 1/8/2013 Zoning Committee Agenda, with 12/11/2012 Zoning Committee Meeting Notes

Time Adjourned: 11am