

# FRANKFORT PLANNING COMMISSION

## Meeting Minutes

### June 10, 2008

#### **Call to Order at 7:00 PM**

**Roll Call** – Present: Ogilvie, McLaughlin, Duncan, Storrer, Condon, Johnson, Larson, Hommel.  
Superintendent Mills.

**Ogilvie:** Quorum is present

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#### **Approval of Minutes**

1. Draft minutes of 2/26/08 handed out for review on 4/29/08 (deferred from 5/13/08 meeting)  
Moved Storrer to approve 2/26/08 minutes with corrections, seconded McLaughlin. Ayes: All.  
Nays: None.
  2. Draft minutes of 4/8/08 handed out for review on 4/29/08 (deferred from 5/13/08)  
Moved Storrer to approve 4/8/08 minutes with corrections, seconded Duncan. Ayes: All. Nays:  
None.
  3. Draft minutes of 4/29/08, in 6/10/08 packet  
Moved Storrer to approve 4/29/08 minutes with corrections, seconded McLaughlin. Ayes: All.  
Nays: None.
  4. Draft minutes of 5/13/08, in 6/10/08 packet. Since there was no quorum, there were no action items.  
Motion to approve minutes from 5/13/08 (no corrections) McLaughlin, seconded Hommel. Ayes:  
All. Nays: None.
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#### **Approval of Agenda**

Motion by McLaughlin to move Item 2 under New Business to Item 1. Johnson, seconded. Discussion.  
All voted in favor of change. Agenda updated.

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#### **Correspondence**

**Letter from Dick Elsey, 311 Michigan Avenue, Frankfort:** Submitted letter regarding: not making the whole city historical due to the many restrictions this would place on homeowners, not spreading internet throughout the entire city because of the large amount of vacant homes in the winter, and regulating rental properties with second egress requirement should be looked at carefully.

**Letter from Dolores Bigelow, 205 6<sup>th</sup> Street, Frankfort, addressed to Planning Commission and City Water and Sewer Department:** Requesting her water bill to be reexamined due to her rental property increasing the bill.

**Duncan.** The Bigelow letter may not be a Planning Commission matter.

**Ogilvie:** It may be because rental properties are being discussed as part of the residential districts of the city.

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#### **Public Input – General Items**

**Johnson:** thanked McLaughlin for distributing Section 5 information for the Master Plan.

**McLaughlin:** thanked Bonnie Warren and Julie and Larry Clingman for their assistance with this.

**Joanne Frary, 929 Main Street, Frankfort:** Would like garbage containers for recycling. Will the parking be repainted the same or changed to standard sized parking?

**Ogilvie:** Saving comments on parking for his report. Thanked Joanne Frary for pictures of public recycling containers, included with meeting file.

**McLaughlin:** Thanked the Council members who have participated and taken information back to the Council. Thanked the public for their involvement and encouraged their continued involvement. Suggested the commissioners introduce themselves since we don't have name plates.

Each Commissioner introduced him/herself, along with zone where resident.

**Ogilvie:** Introduced Katie Condon as the new member of the Commission.

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## Study and Work Group

### Comprehensive Master Plan Revision

**Sections 4 & 5: Defined as Central Frankfort Residential areas, containing Residential -2 lots, with Major Medical, religious, school and public recreational areas.** West boundary is the City-owned Beachfront on Lake Michigan; south boundary is Main Street, Anchor Place, and North to Park Avenue. Irregular boundary east of M-22 extending North to Beech Street, east to Corning Avenue, south to Elm Street then east to Day, then South to Harbor Place, West to 9<sup>th</sup> Street, then south again to Anchor Place.

**See Appendix for transcript of Public Input concerning Sections 4 & 5 of the City of Frankfort.**

## Report by the Chair:

### 1. Tree and Animal Ordinances

The **Tree Ordinance** has not been returned to the Planning Commission for review. The **Animal on the Beach Ordinance** has been reviewed and passed by the City Council.

### 2. 5/27/08 workshop: new Michigan Planning Enabling & updated Michigan Zoning Enabling Acts

Attended, with Josh Mills, the **Michigan Land Use Policy Planning Institute on May 27, 2008** at Ramsdale Aud., Manistee, MI. Four hour meeting focused on the affective and corrective statutory changes in Michigan Planning and Zoning Acts. More will be reported as needed. A Complete Binder with all materials is available for review; please check with Josh Mills, City Superintendent.

### 3. 5/28/08 meeting: Benzie Grand Vision Land Use & Transportation

Attended with many other residents of Benzie County, the **Grand Vision Land Use & Transportation** meeting on May 28, 2008 at Crystal Mountain Resort. Two members of the Planning Commission attended by riding the Benzie Bus to and from Crystal Mountain, along with ten other passengers. A report by Grand Vision available in September 2008, and initial public comment might begin as early as August, if the Website Based report is posted, as promised.

**4. Requests to appear and make presentations to the Planning Commission will be included on the Agenda, IF received 10 days before the next scheduled, regular meeting.** All inquiry may be directed to Josh Mills, City Superintendent, or Patricia Storrer, Commission Secretary. Materials for distribution shall be ten copies, minimum, and small enough to be mailed to each commission member prior to the meeting. Extra ordinary mail costs will be assessed, in advance by the City, for bulky or heavy materials.

Ogilvie clarified that this also applies to Planning Commission members.

**5. Appointment of Subcommittees:**

**Grant Writing and Fund Raising Subcommittee**

To apply for grants and other funding. The Commission has already applied for a grant through the Coastal Zone Management Fund.

**Community Fact Book Subcommittee**

History, Demographics, Land Forms and Uses, Commercial, Industrial, Environmental, Transportation, Streets, Infrastructure, Current Real Estate Data, Transactions and Changes in Land Use.

**Public Forum Report Committee**

Translate transcriptions of public meetings into consolidated 'view' book for permanent record. From the public record, develop categorical listing of Issues, opportunities, suggestions and reflections in Report Form for July 2008 Meeting of the Planning Commission.

**Ordinance Drafting subcommittee:**

Accessory Dwelling and Living Units.

Rental Property Regulations for private properties in the City: relating to public health, safety and welfare issues.

Parking on public streets, parking lots, alleyways, crosswalks. Surveys are being conducted on current downtown parking.

**Planning Commissioners, as subcommittee chairs:**

**Bob Johnson**, Vice Chair, heading Ordinances Drafting

**Joe Hommel**, heading Community Fact Book.

**Suz McLaughlin**, heading Grant Writing and Fund Raising.

**Pat Storrer**, heading Public Forum Report.

**Members of Public who expressed interest in Planning Commission activities:** (with suggested subcommittee)

Julie Clingman - Public Forum

Steve Christian – Fact Book

Susan Kirkpatrick - Ordinances

Kurt Luedtke - Ordinances

Jason Kolenmainen - Fact Book

Chris Porter - Ordinances

Bob Korten – Fact Book

Andrew Martin - Grants

Ogilvie encouraged members of the public to join these subcommittees. He asked the public to submit their names for consideration for appointment to the Commission as special members or in some other capacity to be determined.

**5. General Comment from Chair concerning Parking spaces, sizes, locations, and related issues:**

For the past two weeks I have measured many of the parking spaces along Main Street, in the City Parking Lots, the Handicapped Parking Areas and the Restricted and no parking zones. At the current time, the City Superintendent is complying with the Parking Ordinances of the City which require 25' long by 8 foot wide parking spaces for general parking on Main Street.

Other Parking Regulations are on Page 8-81 of the **Zoning Code 8113: Parking and Loading**.

The Subcommittee on Zoning will be considering any changes to this section of the City Zoning.

The subcontractor to provide "striping of parking, handicapped, restricted, no parking zones" will be working this coming week to repaint the current measurements.

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**Old Business**

1. Wording of Public Input Document that was handed out on 4/29/08 for review on 5/13/08 and then deferred from 5/13/08 due to lack of quorum)

**Discussion:** Surrounding the wording and placement of the public input document. The purpose and impact of this document were also discussed.

This wording, which was tabled from the 4/29/08 meeting, has been revised several times.

**Moved** by Johnson, seconded McLaughlin, to remove from the table, adopt the modified version, and place the agreed modified version on the back of each meeting's agenda. Ayes: five. Nays: 2

Following is the wording of the agreed statement:

**Public Input Procedure Statement**

*The City of Frankfort Planning Commission appreciates your attendance and welcomes your participation in the meeting.*

*We want to encourage your participation in the meeting. In order to achieve that end, the **following will apply to public input:***

- 1. Please state clearly your name, residence address and the subject you are addressing. Please speak clearly for transcription.*
- 2. Each speaker is allowed up to 5. Time may be limited to fewer than 5 minutes by a decision of the Chair.*
- 3. All questions or statements made are addressed to the Chair of the meeting. No private conversations, or group discussions, allowed during the meeting.*
- 4. Please present any written materials before the meeting in sufficient numbers to provide one to each commissioner.*
- 5. Engaging individual members of the Commission, the City Superintendent, or any guests or presenters, is not allowed.*

**Commission Response:**

*Generally, as this is the time for "public input" the Commission will listen carefully to your statements and answer questions or refer them to the next meeting for discussion. Silence, or no response, should NOT be interpreted as disinterest or disagreement by the Commission or its members.*

**Thanks for helping us through your comments and information. You may address letters to the Planning Commission at P.O. Box 351, Frankfort, MI 49635-0351.**

**End of Public Input Statement**

2. Proposed Budget for Submission to City Council

This item relates to the Budget worksheet that was handed out on 4/29/08 for review on 5/13/08 and then deferred from 5/13/08 due to lack of quorum. Minutes of 4/18/08 Budget were supplied in the 6/10/08 packet.

Ogilvie suggested removing original motion to submit proposed budget to City Council.

**Moved** by McLaughlin to cancel the budget that was originally proposed for submission to City Council, due to it now being out of date, seconded by Condon. Discussion of City Council's lack of adequate budget for Planning Commission activities and attorney and professional planner fees. Ayes: Ogilvie, McLaughlin, Storrer, Condon, Johnson, Larson, Hommel. Nays; Duncan. Passed.

**Moved** by Duncan, to request City Council to reconsider their budget and allocate Planning Commission \$100,000 for fiscal year 2008-09.

Moved Duncan, seconded Johnson, to remove Duncan's original motion to request City Council to reconsider their budget and allocate Planning Commission \$100,000 for fiscal year 2008-09 and instead for the Planning Commission Budget Sub-committee to develop a Specific Needs Budget, seconded by Johnson. Ayes: All. Nays: None.

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### **New Business**

#### **1. Grant Application.**

McLaughlin accepted Chairmanship of Grants Subcommittee, but not the Budget component of Grants and Budget Subcommittee as outlined by Chair. Duncan was appointed Chair of Budget Subcommittee, with Johnson Vice-Chair. Discussion: Budget Subcommittee will determine amounts for which Grants Subcommittee should apply.

#### **2. Report to City Council on "Interim Zoning" and Zoning Moratoria (read at 4/29/08 meeting. Hard copy delivered in 5/13/08 packet)**

**Tabled until the next meeting.**

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### **Public Input - Agenda Items only**

**Mills:** Suggested the Grant Subcommittee work with the Council Grants Committee (Mills, Glynn).

**Susanne Glynn:** Commented on the extreme cuts made to the City budget. Asked for input and ideas surrounding alternative funding sources. Endorsed the work of the Planning Commission and the idea of listing their needs regarding the Master Plan before requesting funding from the City.

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### **Adjourn**

**Motion to adjourn by Duncan, seconded by Johnson. Ayes: All. Nays: None.**

**Meeting Adjourned at 9.22pm.**

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**Next Meeting: July 8, 2008: Next Steps in Master Plan**

### **Appendix for Public Comment Section on Section 4 & 5 of the City of Frankfort**

#### **Public Comment on Sections 4 & 5**

**Mills introduced the primary residential section of the city:** These are the most established residential areas in the City. The corridor along M-22 is partially zoned general commercial, generally reserved for plaza development. The zoning could change to accommodate entrepreneurial businesses. The zoning could change to low impact industrial use for small offices with consideration given to setbacks. The idea would be to take the average front yard setbacks and implement that as the standard, with possible exceptions. This area would follow M-22 west of 7<sup>th</sup> Street, include properties south of Harbor Place, north of Anchor Place, including the parcels along M-22 up to the corner of Corning Avenue.

Existing ordinance allows townhouses and duplexes R-2 if they have access off of M-22.

#### **Public Input:**

**Alma House, 221 Michigan Avenue:** questioned term “transitional area”.

**Mike Campbell, 1009 Forest:** Questioned meaning of “live/work”. There are many precedents regarding buildings and sizes and their design.

**George Kerridge, 301 Michigan Avenue:** Likes the zoning change idea. The businesses should be self contained as stated in the current ordinance.

**Mills:** Current guidelines would be followed with some strict permitted uses. The ultimate goal would be form-based code which identifies design components.

**Susanne Glynn, 105 Forest Avenue:** Likes the idea, but would like comment on the demand for businesses given the high amount of businesses which are currently vacant.

**Mills:** Would like to see an inventory done on current business types as well as an inventory on the knowledge base in our community. Sees Frankfort as attracting more businesses in accordance with the direction the economy is moving. Jobs are moving towards places with high quality of life versus in the past where jobs went where the labor was located. This would make Frankfort an ideal place for increased economic activity.

**Brant Downing, 1410 Carlson Road, Frankfort:** Agrees with Mills, this is a great idea. This type of planning and zoning will hopefully attract not only families in their 30's and 40's, but also in their 20's. This is necessary for the future growth of Frankfort.

**Dennis Haugen, 322 Forest Avenue, Frankfort:** Using the averages of all setbacks (per block) is a great idea instead of using a fixed setback, which can become conspicuous and out of character.

**Mills:** Looking at low impact operations (for home-work environments).

**Thelma Ryder-Novak, 1019 River Road:** How does the “low-impact” idea affect parking and traffic?

**Mills:** Low-impact would require certain amount of parking, but not high traffic. Businesses would have to file with the permitted uses of the zoning commission regarding parking and other issues. Amount of parking would be included in the zoning.

**Mike Campbell, 1009 Forest:** Regarding signage, it may be useful to have a signage zoning. Where is legal parking on M-22?

**Mills:** The signage will be tasteful and unobtrusive. There are no signs prohibiting parking on many areas of M-22, however overnight parking is not allowed.

**Mills:** Discussed allowing living quarters above detached garages. This would require additional two spaces of parking. Early discussions include allowing a two story home with a two story garage, but not allowing a one story home with a two story garage. This has been a big issue in surrounding areas, such as Traverse City and Suttons Bay. The height and area would be a direct relation to the primary home and parking would need to be maintained.

**Dennis Haugen, 322 Forest Avenue, Frankfort:** Frankfort has many ‘Carriage Homes’ which creates character in the City. This should not create a hostel-like environment. It is important that any additions be appropriate to the house.

**Susanne Glynn, 105 Forest Avenue:** Regarding the ancillary living quarters in residential districts where the permission would be granted for a two story house [having] two story garage is a good idea. Present requirement is 2 parking places for house, and 2 for garage, could be difficult to achieve (because of the small city lots)

**George Kerridge, 301 Michigan Avenue:** Carriage houses should be subject to mixed-use approval.

**Sharon Pugh, 114 Forest Avenue, Frankfort:** How will attached garages be addressed?

**Mills:** Currently, attached garages are allowed to have living spaces.

**Mills:** Discussed short term rentals. Should this be allowed? What guidelines should be imposed, on terms of occupancy, noise, parking, refuse? These are different from bed and breakfasts where owners are on the premises. Short term rentals are not a permitted use under current R-1 zoning, although bed and breakfast are. Special permits could be given for these rentals, requiring inspections by the Fire Chief or Building Inspector.

**Lynn Pratt, 105 Michigan:** Currently rents her home on a weekly basis. She was told by the City at the time she purchased her home that a bed and breakfast was not permitted if they did not live there full time, however there were no restrictions on weekly renting. Would like clarification.

**Mills:** Zoning ordinance was redone in 1999. When this issue was raised in Traverse City, this question was raised and it was discovered that weekly rentals are illegal. It has not been a high priority. However, the issue does need to be addressed.

**McLaughlin:** Are weekly rentals 'illegal' or was it never discussed when the prior Master Plan was discussed. Is it actually 'illegal?' It may have been voted down in the past due to the difficulty of enforcement.

**Mills:** Let's not call it 'illegal', it is not designated as permitted use.

**Susanne Glynn, 105 Forest Avenue, Frankfort:** Asked for clarification, daily rental, weekly rental, monthly rental, summer, winter.

**Mills:** All of the above.

**Pat Haugen, 322 Forest Avenue, Frankfort:** This issue needs to be addressed. The County dealt with this issue in the past in Crystal Lake Township. Inspections, parking, occupancy, and enforcement need to be addressed. To the best of her knowledge, the County designated occupancy as two persons for each bedroom.

**Sharon Pugh, 114 Forest Avenue, Frankfort:** Would like to see (some) parameters. Their neighbor currently has multiple occupants, 4 cars and a boat and a trailer parked in their side yard. This has been going on for 3 years and is getting worse. Enforcement is necessary and it is negatively affecting the neighborhoods.

**Ed Duncan, James Street:** This is an issue in his neighborhood as well.

**Bill Beck, 111 Michigan Avenue, Frankfort:** Crystal Mountain probably has good resources, such as rule books for handling weekly rentals.

**Connie Bennehoff, 219 Forest Avenue:** Frankfort has a parking problem throughout, both for businesses and homes. Planning is needed for this.

**Jackie Richmond, 310 Leelanau Street:** What is the rule for RV parking? How long can they be parked on street?

**Mills:** 7 days on property, he will look up the rule for street parking.

**Dolores Bigelow, 205 6<sup>th</sup> Street, Frankfort:** She is a short term renter. In order to get home insurance, the inspector had to approve her home. She had great luck with renters. The rules should be clear and fair to allow people to continue renting. Unlike most renters, she resides on and supervises her property and renters on-going. Requested clarification.

**Mills:** We will get more information.

**McLaughlin:** Suggested having a meeting on 6/24/08 to discuss solutions to short term rentals.

**Ogilvie:** Suggested having the Ordinance Zoning subcommittee meet regarding short term rentals.

**Mills:** The City is looking at some historic area district not to limit, but to encourage maintaining of the history of the area. This is an ongoing discussion beyond the Master Plan. Resources are not currently available to do the necessary research.

**Dolores Bigelow, 205 6<sup>th</sup> Street:** Questioned why nothing is being done about abandoned houses.

**Mills:** Explained process of condemning abandoned houses. Requested specifics, so they can be investigated. City does have a “dangerous building” ordinance and a process for inspection.

**Jackie McLaughlin, 730 Leelanau:** The City needs to enforce current housing and junk ordinances, not add more rules. Who is responsible for enforcement?

**Mills:** asked the public to be specific regarding these issues. The City does address visible issues. Fines are given if compliance is not made.

**Pat Haugen, 322 Forest Avenue:** Explained the criteria surrounding enforcement of making homeowners comply with junk and other visible issues.

**Susanne Glynn, 105 Forest Avenue:** Questioned whether the City can help people clean up?

**Mills:** The City tries to take advantage of Spring Clean-up.

**Dennis Haugen, 322 Forest Avenue:** Commented on his neighbor’s home. They appealed through the County. The home ended up for sale.

**Jackie Richmond, 310 Leelanau:** Does a home have to be falling down before action is taken? Requested clarification of “dangerous building”.

**Mills:** Explained the dangerous building ordinance, as well as the City’s priorities. City does not have enough people to enforce correction orders. It would be very helpful if the public sees a problem to write a specific letter to the City.

**Bonnie Warren, 590 Corning, Frankfort:** Raised the issue of cars, trailers, mobile homes, work materials remaining in yards for weeks, months, years.

**Mills:** Explained the rules regarding storage of these vehicles and mobile homes.

**Susanne Glynn, 105 Forest Avenue, Frankfort:** Where is the vacant property in Sections 4 & 5?

**Ed Duncan, James Street:** He bought on James Street in the 1960’s. The City of Frankfort has improved dramatically over the past 15-20 years. How do young people afford to live in the City?

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**End of Public Comments on Section 4 & 5 of the City of Frankfort**