

**Planning Commission
City of Frankfort
Minutes
September 13, 2011
Regular Meeting**

Call to Order: 7:00 PM

Roll Call and Recognition of Visitors: Fairchild, Ogilvie, Storrer, [vacancy (2)]

Absent: Campbell, Penne

Public present: Josh Mills, Sharron May, Norma Elias, Alma Penfold House, Sam Barresi, Steve Campbell, pim Dodge.

No Quorum present

Minutes Regular Meeting of August 9, 2011 not approved due to no quorum present.

Agenda not approved due to no quorum. Planning Commissioners give Assent to Agenda.

No Public Comments & Correspondence due to no quorum present.

Update by Sam Barresi on a proposed Frankfort Beach Restroom Pavilion to get further direction from Planning Commission on how to proceed. Drawings were provided, noting that elevations were not accurate due to a change of location. It will be tucked into a dune and not visible from the east. The roof could allow for solar panels. The footprint is 42' by 12'. Funding would come from private donations and grants, the city will own and maintain it. The Building Trades program is interested in constructing. Initial estimate is approximately \$72,000 w/o cost of moving or deconstructing existing building (approx. \$10,000). The Planning Commission will require a complete site plan analysis. Mills recommended a public forum. Concerns raised included sewage and water; odors; additional costs to city and scheduling of public forum that encourages input from seasonal residents. The final determinant will be the Public Hearing and then City Council. A three-dimensional drawing was recommended.

Public Comment:

Alma House 221 Michigan Ave-the one (beach toilets) right now is suitable and paid for. Someone wants to move because it's in somebody's view. Whose view will it be in now?

Ogilvie responding- the existing location presents an odor and visibility problem. The new location will minimize those two issues.

Alma House- is the public forum the same as the Public Hearing?

Storrer responding- a forum is less formal than a hearing; is hard to have a discussion in a public hearing, a forum is designed for a discussion.

Norma Elias- 109 Park St.: \$75,000 will not be enough; funding for Cannon Park didn't work out and Josh was asked to write a grant. Josh works for the city, not for non-profits. It seems you are more concerned about the \$3000 than the cost to the city. The city should spend the money to build a sewer line to the existing building. Rushing this through does not pay. Permitting something that doesn't have its ducks all in a row doesn't work. She objects to sending email for important decisions.

Fairchild- we have to make decisions whether people are here or not; we can't just function 5 or 6 months of the year.

Ogilvie- my intention is to make sure that everyone is as fully informed as possible

Steve Campbell- we have been working on this a long time. It is not in the best interest of the city to have a facility with odors. That is the intent. I have offered to work side by side with Josh with grant endeavors.

Reports to the Commission:

1) Chair Report

a) **Status of Ordinance development for Medical Marihuana and Alternative Energy.** Nothing to report other than the Court of Appeals and Circuit Courts are trying to manipulate the current law. We hope to have an ordinance before the end of October. We will probably follow the Municipal League of Michigan advice on the subject. With regards to Alternative Energy, we are breaking this subject into smaller pieces, starting with conservation of energy by buildings.

b) **Development of City Recreation Facilities** - a proposal is before the city to rebuild the existing center into a multiple-use facility, spearheaded by one civic group. The Planning Commission's only input will be about appearance and how it is sited.

c) **Discussion of Complete Streets Projects for 2012-** There has been local and soon statewide publicity on the project. (See recent article in the Grand Traverse Insider). The project will have long-term ramifications regarding safe access to schools and general infrastructure improvements with state and federal funding. A Survey of school children, parents and traffic patterns is being conducted. State Savings Bank has already committed to implement the policy. Discussion of **Seventh Street from Bay to Market Square Park and Main Street from Ninth Street to Michigan Avenue:** We need to define parking, curb issues for Post Office, EZ Mart, other. **Tax Incremental Financing District or Downtown Development Authority (DDA)** – this will support the Complete Streets Project. A meeting will be scheduled next month. The most significant thing happening in the city is redevelopment and in-fill development that will encourage economic activity.

2) Subcommittee Report: Public Forums – Patricia Storrer.

A meeting was held on June 16, 2011. Regarding the 59 questions recorded, replies have been received and they are still waiting for some responses from Keith Schneider, Bruce Harwood, Glenn Puit. Additional questions from Jim MacInnes were submitted to Circle Plein Energy. Next Forum: Energy Conservation on Tues, Oct. 4, 2011 @ 6:30 pm at City Hall. Part 1 of 3 Forums on Energy. The next is on Solar and Wind. Tomorrow (September 14, 2011) the **sub**-committee will meet at City Hall at 3pm to discuss details. The Public is invited.

3) City Superintendent Report – Josh Mills

a) **Main Street Redevelopment Project(s) and Specific Site Plan Approval** – the **Heniser** project has commenced on a vacant lot between Scoops and Betsie Bay Furniture; the **Beach Restroom Pavilion** is on our agenda as well as the redevelopment of the **Recreation Center** and the **park equipment**; we have received a **number** ~~lot~~ of land use (applications?) and have to review how our new ordinance is going to work with regards to some specific projects.

b) **Status report on Temporary Special Use Permit for BayView Grill:** see under New Business

d) **Other:** Mills submitted a grant for community Wi-Fi with the Grand Vision. A multi-county entrepreneurial task force will be holding a meet session to bring together new and existing entrepreneurs to reach out and ease the transition for those wanting to start new businesses. This fits in with one of the emphasis on entrepreneurship in the new Zoning Ordinance. The **Art Center** project is at a standstill to secure approval from the Coast Guard on an electrical easement. A congratulations letter was received from the Dept. of the Interior regarding the Frankfort Lighthouse. **Storrer** asked about **ABCD**. **Mills** says that technical assistance is available. The DDA will allow the City to capture tax value on any improvements made. Fund helps to maintain the business district.

Unfinished Business – None

New Business

- 1) **Motion to Allow Renewal of Temporary Special Use Permit for Bayview Grill from September 15 to October 15, 2011 moved Storrer, seconded Fairchild. Motion tabled until there is a quorum.**

Discussion: **Mills** reviewed history up to the two consecutive temporary permits that were issued to get through the summer. A document was presented and signed with conditions to be met. The paving of the rear parking lot needs to be remedied. The sign permit application was never submitted. The owner was told he could submit another special use request and site plan by August 17th or come back with plans for compliance and request for more time, which would require a bond. Neither has occurred. There is no compliance with the *current ordinance* standards. *Based on attorney Doren's opinion:* One option is to allow a 3rd 30-day extension as a last step. *Another choice:* Holding a hearing to rescind the special use approval that was granted, that would eliminate the opportunity for outdoor seating. *The final option is for the Planning Commission to vote on a resolution to issue a civil infraction for \$50, which gets the ball rolling with Circuit Court. A second citation would be \$250, with the third citation at \$500/day until the court date. Our ordinance has the teeth in place to initiate that process.*

Questions: **Storrer:** does that mean there would be no fine until Oct. 15, giving him one more month? We need to be consistent with all the businesses. **Mills:** In my eleven years, everyone else has complied. Remax is a perfect example. The process of initiating a hearing was discussed as well as the decision to make a formal motion that would be tabled until a special meeting could be called. **Fairchild:** Who covers court costs? **Mills:** The judge would determine that. **Storrer** feels that allowing an additional month would be in our best interest. The Chair called a Special Meeting for 9:30am on Thursday, September 15th, 2011.

Public Input – Agenda Items only

Elias: because you are not issuing the Bayview Grill citation until September, if you go to court, the judge can't rule in your favor because he can't put a curb in October.

Mills: we are already going to court over another matter regarding signs in the middle of the road.

Sharron May, 904 Adams Rd. remarked about the Lighthouse odor.

Storrer- asked about status of Bayview Grille liquor license.

Mills has not received notification. LLC has not completed the transfer of that license. Right now we are “tapped out.” Meaning unable to issue any additional full service liquor licenses.

Meeting adjourned at 9:42 pm

Next Meeting: Special Meeting September 15, 2011; Regular Meeting on October 11, 2011, both meetings at the Haugen Room at City Hall at 7:00 pm.

Commissioner Handouts: Draft Minutes for Regular Meeting of Regular Meeting of August 9, 2011