

**Planning Commission
City of Frankfort
Draft Minutes
September 14, 2010
Regular Meeting 7:00 pm
Frankfort, MI**

Call to Order: 7:01 pm

Roll Call and Introduction of Visitors: Fairchild, Larson, Martin, Ogilvie, Penne, Storrer, and Larry Miller (new appointee to fill unexpired term to 4/2011);

Visitor: Charles Smith, Wade Trim & Assoc.

Excused: Campbell, service with USCG Auxiliary

Absent: Bartley

Public: Gaylord Jowett (newly appointed city council member), Suz McLaughlin, Norma Elias, Sharron May, pim Dodge, Alma House, Bob Dittrich, Jon and Peggy Hawley

Quorum present

Approval of Minutes Regular Meeting of August 10, 2010 moved Miller, seconded Fairchild; all ayes; motion carried.

Approval of Agenda: Motion to Approve with amendment to add excused absence for Campbell by Ogilvie, Supported by Storrer. All ayes; motion passed

Announcement: Gateway Village Open House 2-4pm Betsie Bay Inn

Public Comments & Correspondence Concerning items not on the Agenda:

Suz McLaughlin inquired about the status of the final version of the Master Plan.

Bruce Ogilvie responded that it arrived a week ago and should be on the website

Pat Storrer- congratulated Andrew Martin for his appointment to the Central Michigan University Banking School Board of Directors

Request to Appear: Charles “Chip” Smith, AICP, Wade Trim, to present draft Zoning Ordinance

Charles Smith advised that the first draft of the Zoning Ordinance was sent in electronic form on 9/7/10. The Ordinance will be the end result of a process that included public listening, visioning and design workshops. The overwhelming consensus of these was the importance of water access, city character, environmental quality and protection, and sustainable growth.

Smith summarized the draft Zoning Ordinance designed to accomplish the prominent theme of the city’s Master Plan: economic, environmental and cultural sustainability. Environmental sustainability components include: storm water management ordinance; steep slopes regulations; concentrating density within walking distance to minimize footprint and sprawl. Economic sustainability components:

Specific comments on storm water ordinance reduces costs to city; complete street types and standards of maintaining walk-ability express physical character and values of the community; more flexible building types; opportunities to increase density (per guidance of the residents); more permissible uses on Main Street East; use of best urban practices; creates more opportunity with diversity of incomes, housing, building, ownership, and price points.

Components of cultural sustainability include: defining the values and physical elements that people associate with their experience of Frankfort; i.e. narrow streets, wide sidewalks, alleys, access, trees, etc.

The 140-page zoning ordinance will be posted on the website for review for approximately a month preceding the public hearing. **Ogilvie** adds that three workshops were held to assist Smith to draft the ordinance.

The public was invited to ask questions.

Alma House, 221 Michigan, requested and received clarification of the process and restrictions of building vs. buying a house in Frankfort, especially with regards to steep slope restrictions and mitigations.

Norma Elias, 107 Park Avenue, noted slope and park areas on the map and asked about type of apartment units (up to 4 units) permissible on west residential part of Forest Avenue.

Bob Dittrich, 445 Park Avenue, asked how form based code affects the plan, what an apartment looks like. **Smith** clarified how form based code affects various districts, street types, setbacks and determines what can happen in the public realm. He explained how form-based code affects the Main Street districts and residential areas and how architectural elements were prescribed to fit the look of the historic anchor buildings.

Dittrich asks how form-based code might be appealed. **Smith** indicates that there have been no challenges because and asserts that it is very clear and straightforward.

Suz McLaughlin raised concerns about the 2006 Enabling Act indication that all zoning commissions and boards are to be dissolved by July 2011 and how that impacts the public appeal process. **Smith** and **Ogilvie** give assurances that it doesn't get rid of Planning Commissions or the appeal process.

Peggy Hawley, 403 Forest, asks how zoning ordinance addresses clear cutting. **Smith** responds that there are fairly stringent requirements for removing vegetation from slopes over 15% but not on flat areas that do not have endangered species or threatened habitat.

Trees are viewed based on slope or storm water. He wasn't given direction to be more restrictive, especially in the rural zones where there are very aggressive Right To Farm Acts. **Hawley** asks about which streets would be considered farm and about provisions for buffer zones. **Smith** replied there are required landscape buffers in medical and industrial district but not in residential districts. **Larry Miller** interjected that under the existing zoning laws it was very difficult to prevent clear-cutting in the Hanrath sub-division. **Smith** added that the ordinance encourages using the topography and giving incentives to save trees.

Ogilvie interjects we can't tell people that they can't build on their land, but have to try to mitigate their building practices with reasonable buffers based on evidence, such as water down slope. **Smith** assures that the site plan review procedure identifies important trees.

Elias asked if there is concern about the type of water run off that is carrying the land with it. **Smith** replies that the velocity carrying sediment out to the bay, requires dredging, etc and that separating systems is the best practice as long as you don't overwhelm the system. It is expensive to expand.

Sharon May, 904 Adams Rd. appreciates the values applied to the steep slopes areas and suggests that these same values should be encouraged and applied towards every property, especially in the most dense areas where there is potential for run-off into the bay, and to agricultural land. **Josh Mills** points to Gateway Village's rain garden and retention basins as an example. **Smith** indicated that there can be an economic disincentive or incentive through connection fees.

Mills initiated a discussion about East City Residential: what if Graceland, Frankfort Mfg and Glen's have a need to expand. Ideally they would look at the Industrial Entrepreneurial district.

Ogilvie stresses that the zoning ordinance is meant to be dynamic, primarily as an online document where you can click on a hyperlink to access specific areas. **Smith** adds that it is designed to be accessed electronically. There is one page with a table with all the setback requirements, parking requirements, etc with a picture and graphic depiction. **Storrer** expresses that Smith knows the city as well or better than any of us and that he has encapsulated the wishes

of the city. **Smith** emphasizes that this applies to new things. Not much will change for an existing building but if you significantly alter that building or build new, that's when you need to meet the new zoning ordinance requirements.

Reports to the Commission:

Chair Report, Bruce Ogilvie – brief report on three Zoning Workshop with notes on file at the city. The method was used to reduce expense and number of meetings.

Zoning Board of Appeals: None

City Superintendent's Report Josh Mills- did not receive the grant submitted to NMCOG but there will be future opportunities; finalizing CZM phase I grant and quarterly report for Phase II grant; final pavement on Corning, Baldwin and Bellows will be done; gave update on Bayview Grill's compliance with conditions of special use.

Subcommittee Reports: Patricia Storrer – "Comments" Subcommittee Final report: a thank you letter was sent to individuals and published in two local papers. Email response is being coordinated through Suz McLaughlin. Committee members were Suz McLaughlin, Bill Higman, Jim Campbell, Bob Dittrich, Pat Storrer

Capital Improvements Subcommittee Report, Andrew Martin. Martin has an existing inventory and will review and assess need and capacity and make determinations; still needs to work on a formalized plan.

Unfinished Business – None

New Business:

- 1. Motion to amend the City of Frankfort Planning Commission By Laws of the Planning Commission and rules of procedure effective September 14, 2010. Moved Storrer. Seconded Fairchild; all ayes. Motion carried.**

Discussion: **Storrer** recommends clarifying punctuation and wording in first paragraph to make it easier to read as "Annually the planning commission shall establish a committee for a capital improvement program (CIP) for the public structures and general improvements. This committee shall include the city superintendent.

- 2. Motion to formally excuse Jim Campbell due to deployment with US Coast Guard Reserve. Moved Martin; seconded: Fairchild all ayes; motion carried.**
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- 3. Motion to send a letter of appreciation to Suz McLaughlin for her years of service on the Planning Commission. Moved Storrer; seconded Martin. All ayes; motion passes.**
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Public Input: Agenda items only

Elias: Very impressed with Wade Trim and Planning Commission and anxious for end result and approval by the public. Cautions that it is only good as what the Zoning Board of Appeals does with it. There are so many variances granted in the past that she is hesitant to be too overjoyed. She also inquired about which grant was not received. **Mills** responds that it was a grant from the NWMCOG as part of Grand Vision project that was instead awarded to HARP. (Honor Area Revitalization Project)

Before Motion to Adjourn, **Ogilvie** thanked the Planning Commission and especially the Zoning Workshop Committee members for their efforts. He advised that the Zoning Ordinance would be put on the city website as soon as minor changes are made.

Motion to adjourn moved by Storrer; seconded Fairchild; all ayes; motion carried. Meeting adjourned at 8.50pm

Next Meetings: Regular Meeting on October 12, 2010 at 7:00 pm.

Commissioner handouts: Minutes of the August 10, 2010 meeting, Amended Planning Commission By-Laws