

City of Frankfort Planning Commission
Draft Minutes
Regular Meeting
January 14, 2014

Call to Order: 7:02 pm
Roll Call : Barresi, Bissell, Fairchild, Ogilvie, Penne, Storrer
Absent: Campbell
Recognition of Visitors: Douglas Holmes, Sharron May, Superintendent Josh Mills
Quorum present

Motion to Approve Minutes of Regular Meeting: November 12, 2013 moved Storrer, supported Fairchild; all ayes; motion passed.

Motion to accept the 12/10/2013 agenda as the agenda for today's 1/14/2014 meeting and to record in the minutes of this 1/14/2014 meeting that the 12/10/2013 meeting was canceled and that none of the scheduled business was transacted; moved Storrer, supported Barresi; all ayes; motion passed.

Request to Appear: none

Public Comments & Correspondence Concerning Items not on Agenda:

J. Douglas Holmes, 718 Forest, gave input on the plight of youth (relegated to leaving the area or working for minimum wage, etc). He suggested an Industrial Development Board and tax credits. After stating his belief that the airport would be discontinued or shrunk, he suggested the airport as a good place for such an investment.

Chair Ogilvie, responded that the City does not own the airport and that the Planning Commission has a great interest in economic development. Their efforts include: creating an environment for year round employment and affordable housing and the DDA. He cited the need for more education beyond the High school level. The County and 5-County area board have been working on that. The City of Frankfort cannot give a reduction in taxes directly.

Mills added that entrepreneurship has been a focus and that the home occupation zoning ordinance was a first step. The Industrial park board was created to sell property. However, there is a 6.5-acre parcel that the owner won't sell and there is no reverter clause for the most prime piece of property in the Industrial Park.

Sharron May of Crystal Lake Township asked if there was any kind of effort similar to the Kalamazoo Promise.

Ogilvie responded that it has been discussed. There would be a need for very wealthy big investors. A small start is the Education fund at FHS and Benzie Central schools and Frankfort Rotary fund and CSA.

Mills added that the missed opportunity of inclusion in the area of reduced tuition at NMC would be coming around again.

Barresi indicated that many educational institutions encourage estate planning.

Reports to the Commission:

1. Report from the Chair: Bruce Ogilvie –

- a. Report to 12/10/2013 meeting: Written report was distributed to Commission members due to weather-related meeting cancellation and is attached to these minutes. (Appended to minutes as Report to the Planning Commission December 9, 2013)
- b. Report to this 1/14/2013 meeting – verbal report as follows: The Zoning Ordinance update includes all the updated required statutory language for the Residential Building reviews conducted last year. They have incorporated the Medical Marijuana Ordinance, Alternative Energy Ordinance and Planned Unit Development Overlay District. Then they can pass them all as a package. He distributed a sheet with diagrams of various roof pitches. Ogilvie has been representing the City at the Lakes To Land meetings and is part of a Scenic Corridor subcommittee. Uniformity of zoning and individual dynamics will give a Place-making focus to the M-22 Corridor. Beckett & Raeder will be involved as they just came out with a place-making study. There are state funds available for planning and implementation.

2. Committee Reports:

- a. **Kim Fairchild: Signage/Wayfinding Committee** – the permit with MDOT is being finalized as well as sign placement and streetscape components including the idea of planting dune grass in the grass right of ways. Mills handed out sheet with signage examples. Discussion of whether marina and beach should be plural.

- b. **Cory Bissell: DDA/TIFD/Capital Improvements** – Board officers, bylaws, and meeting schedule were established. Capital Improvement Plan discussed. Meetings will be held the 1st Monday 7PM except next month when it will be held on Tues. Feb. 4.
 - c. **Pat Storrer: Zoning Ordinance Review Committee-** Storrer learned in the Citizen Planner Course that the “finding of facts” should be included in the minutes any time the process is used to come up with a decision. Mills added that the reason it isn’t in the ordinance because approvals are an administrative function, although they don’t do it that way. There is a form that is general but Kurt Schindler at MSUE has one with an expanded format.
 - d. **Sam Barresi: Public Restroom Facilities Committee/Parking/MSU Practicum Intern Report/Recommendations** – On Dec. 19 Chad Hollenbeck replied that Benzie Bus had some good news: that they could give a 15 seat passenger bus to the city. Although a larger size was wanted, it would be a start to resolving the parking concerns. He also recommended eliminating RV and trailer parking west of 7th Street. The location of restrooms on the west end of town will be revisited.
3. **City Superintendent Report:**
- a. **Project Status: Complete Streets and Safe Routes to School Access** will be rebid in early March with a completion before school goes back into session.
 - b. **DDA** – the bus/parking issues were discussed
 - c. **Wi-Fi** – the home page is an information kiosk; free wiFi will be provided for 2 hours
 - d. **Grants** – Multiple grant applications include: Skate Park in Market Square Park with a possible Ice Skating Rink; M-22 Streetscape grant; Recreation Center grant; Rotary is interested in Market Square Park improvements. The Recreation Board and Planning Commission are in the process of updating the City of Frankfort Parks and Recreation Master Plan, whereas the next primary task will involve a survey and scheduling of visioning meetings. The April Deadline for the MDNR grant won’t be met.
 - e. **Dredging-** Mills reported that he signed a contract with Luedtke Engineering.
 - f. **Re-development-Ready Communities (MEDC Initiative)** – Frankfort meets the criteria to become certified as a Re-Development-Ready Community and Mills will be meeting with **Tino Breithaupt** with MEDC. The other grant is based on Coastal communities. Mills will be meeting with Tim Ervin about collective opportunities.
 - g. **Other** - none
4. **Zoning Board of Appeals:** Kim Fairchild and Josh Mills

Unfinished Business

- 1. **Serendipity House, 215 Main Street, Update** – Previously introduced at Preliminary Site Plan Review on 4/9/2013 for proposed development of 7-unit Carriage House. The project has been revised. They are downsizing the number of units. A discussion followed about the need for another preliminary site plan review and virtual model. The revised project will be re-presented sometime in 2014.
- 2. **Zoning Amendments Work Study Session**

Motion to open Work Study Session on Proposed Amendments to the 2/25/2011 Zoning Ordinance Moved Storrer, supported Bissell, all ayes, motion passed.

- a. **Renewable and Alternative Energy** – There is an allowance of up to 120 ft. on the Wind Energy Ordinance. It is more open-ended based on input of the Benzie Solar Initiative. The proposed ordinance has been referred back to Wade Trim for copy edits and subsequent return to the Commission for vote.
- b. **Planned Development Overlay District (PDOD)**– the City did not previously have an overlay district opportunity and that was instrumental in the Tobin crisis. The underlying district format controls what the PUD develops. It will need to be incorporated in the design guidebook. The Planning Commission and Mills were asked to review and provide input as soon as possible. Based on editing by Pat Storrer and Bruce Ogilvie, the proposed PDOD ordinance was referred back to Wade Trim for clarification and corrections in time for the February 2014 meeting.
- c. **Residential Review and Medical Marijuana items as summarized in Wade Trim Amendment Memo 2014 and detailed in Wade Trim proposed amended ordinance 1/8/2014.**
 - i. The Commission agreed that the Residential Review amendments, including those approved at 1/8/2013 public hearing and those approved in principle during 2013, be forwarded to Wade Trim for Zoning Ordinance update. All the items except one were approved at a previous public hearing (1/8/2013) with that previously unapproved item being agreed in principle by the Commission during 2013.

- ii. The MMO ordinance has already been approved by the city council. The Commission agreed that the Medical Marihuana ordinance, as approved by the City Council, be forwarded to Wade Trim for addition to the Zoning Ordinance.

Motion to close Work Study Session on Proposed Amendments to the 2/25/2011 Zoning Ordinance; moved Storrer, supported Barresi, all ayes; motion passed

3. Preliminary Site Development Plan Review Concept: still in (Zoning Ordinance Review) Committee – they are looking at combining the Preliminary Review concept with a Guidelines document that talks about materials and architectural criteria. Storrer will be comparing these with the PDOD plan.

New Business:

1. Main Motion to establish March 11, 2014 at 7 pm, as the date and time for a Public Hearing on the re-adoption of the 2/25/2011 Zoning Ordinance to incorporate amendments previously approved individually by the Planning Commission in meetings 11/13/2012, 12/11/2012 and 9/10/2013, 1/14/2014 . Moved Barresi, supported Fairchild. Motion passed
2. Motion to amend main motion to read: Motion to establish March 11, 2014 at 7 pm, as the date and time for a Public Hearing on the adoption of a new Zoning Ordinance. Moved Ogilvie, supported Fairchild. After discussion – with explanation that the Commission is implementing the adoption of a new Zoning Ordinance and not the re-adoption of the existing ordinance - the amendment to the motion was put, with all voting for the amendment. Motion passed. The main motion is now amended.
3. Amended Main Motion: Motion to establish March 11, 2014 at 7 pm, as the date and time for a Public Hearing on the adoption of a new Zoning Ordinance. Moved Barresi, supported Fairchild. Discussion: the amended main motion was discussed in detail, re-affirming the content and the date for a public hearing. Amended Main Motion passed.
4. Motion to continue with current subcommittee appointments until March 11, 2014; moved Ogilvie, supported Fairchild; all ayes; motion passed.

Public Input – Agenda Items Only

J. Douglas Holmes objected to 3 items in the Chair's report that "would make the blood boil of anyone who cares about freedom". 1) The Scenic Highway 2) Lakes to Land - Beckett & Raeder and NWMCOG are going the back-door way to change things. He attended some of their meetings and stated that the proper way to change things is to pass around a petition and have a vote on it; and that the fines attached violate the 4th amendment and other constitutional amendments 3) Form-based zoning: He has friends in harbor Springs/Petoskey where the front porch has to be within 10 ft of the sidewalk and has been redefined as a "semi-private" area, which also means it is a semi-public area. He claimed that all 3 of these ideas are 'takings' and part of Agenda 21. They mean more taxes, less freedom and less property rights. He recommended a book "Behind the Green Mask".

Storrer inquired about the Annual Report. Ogilvie will be sending out an email asking for reports.

Any Other Business/Ongoing Business: Comments, Assignments, Discussion Outside of New Business Motions and Outside of Unfinished Business Motions: None

Adjourn: Motion to adjourn moved Fairchild, supported Barresi, all ayes, motion passed. Meeting Adjourned at 8.30pm.

Next Meeting(s): *Regular Meeting: Tuesday, March 11, 2014, the Haugen Room, City Hall, 7pm.*

Commissioner Hand-outs: (1) Draft Minutes: Regular Meeting of 11/12/2013, with attached Chair Report 12/9/2013; (2) Draft Renewable and Alternative Energy Language Version 5 8/1/2014 (3) Amendment Memo 2014 ZO Changes, (4) Draft Planned Development Overlay District Language Version 2-1, Frankfort Zoning Revisions 01082014

Report to the Planning Commission

December 9, 2013

Lakes to Land Regional Planning Initiative

I completed the Regional Citizen Planner Classroom sessions at the end of October. Represented the City of Frankfort, along with Patricia Storrer. The classroom working environment with 32 other regional planning and zoning representatives, developed working relationships with many of those members from other townships, villages and cities.

I attended two meetings in the month passed.

The general meeting with other leadership team members discussed the public distribution of the draft Master Plans and the methodology of reviewing public comments received during the 63-day comment period.

A subcommittee formed to discuss the M-22 corridor planning for the region from City of Manistee through Lake Township in Benzie County. Create a unified approach to planning and zoning methodology for the corridor. Specific funding for the entire regional corridor sought with the objective of creating a "Pure Michigan" approach that will compliment the great initiative of the State of Michigan. The effort will compliment local efforts while making some basic sign type and location methods that unify the regional effort. More on this will follow.

Wade Trim - Charles "Chip" Smith - Zoning revisions and updates.

Initial draft of the revised Zoning Ordinance with all the Zoning Revision Subcommittee approved updates, corrections and revisions included is close to final form. We expect the initial draft to include the Medical Marihuana Ordinance (previously approved by City Council), the Alternative Energy Ordinance (to be discussed) and the new Planned Unit Development Overlay District and Site Condominium Overlay District Ordinances, plus a few strategic updates to existing sections of the Storm Water Management Ordinance and Steep Slope Sections that result from changes in the State of Michigan Zoning Enabling Statutes. Three documents for discussion prepared by Chip Smith will be available to the Planning Commission for review following this meeting and vote in January. A special work-study meeting may be called before the January 2014.

Report on Single Stream Recycling in Benzie County - see attached for current report and Calendar for December 2013 through August 2014.

Parks and Recreation Master Plan Development

Represented the Planning Commission at a meeting of the Parks & Recreation Board. Discussed the survey requirements and vision planning meetings needed. Sam Barresi will have more on this subject.

Work-Study Projects for 2014

1. Main Street and Forest Avenue (M-22) Corridor study for Overlay District planning in and for the Commercial Mixed Use District.

2. Complete Streets implementation in zoning ordinance for City, including sidewalk maintenance and Safe Routes to School and Pedestrian/Non-Motorized