



**PLANNING COMMISSION**

**Special Meeting**

Thursday, January 9, 2014

1. Roll Call – 7:00 P.M. – City Hall Community Room
2. Approval of Minutes – December 12, 2013 Special Joint Meeting
3. Presentation – Harry Burkholder, LIAA, on Trail Towns
4. Old Business
  - (a) Continued Discussion on the Proposed Transitional Business and Mixed Use Corridor Districts
5. New Business
6. Updates
7. Adjournment



**CITY COUNCIL  
PLANNING COMMISSION**

December 12, 2013

A joint meeting of the Petoskey City Council and Planning Commission was held in the City Hall City Council Chambers, Petoskey, Michigan, on Thursday, December 12, 2013. This meeting was called to order at 7:00 P.M.;

Present: William Fraser, Mayor  
Kate Marshall, City Councilmember  
John Murphy, City Councilmember  
Grant Dittmar, City Councilmember  
Jeremy Wills, City Councilmember  
Dana Andrews, Planning Commission  
Dean Burns, Planning Commission  
Gary Greenwell, Planning Commission  
Jim Holmes, Planning Commission  
Elizabeth Looze, Planning Commission  
Emily Meyerson, Planning Commission  
Rick Neumann, Planning Commission  
Cynthia Linn Robson, Planning Commission  
Eric Yetter, Planning Commission

Absent: None

Also in attendance were City Manager Dan Ralley and City Planner Amy Tweeten.

Discuss CBD Zoning Pertaining to  
200 Block of E. Lake Street

Mayor Fraser opened the meeting and indicated that as a work session, the purpose of the meeting was to discuss between City Council and Planning Commission Members the Central Business District Zoning as it pertains to the 200 block of East Lake Street (Petoskey Pointe PUD). Mayor Fraser reviewed that public input would be limited to comments at the end.

The City Manager gave a presentation that summarized the process to amend the Central Business District Standards; noted that height was one of the major discussion points; and provided a series of questions to spur discussion between the members.

Councilmembers discussed that there are several issues including parking, zoning, TIF questions, if traffic studies have been completed; that communication needs to increase and be open between the developer, City staff and the community; that the developer should be held accountable; that the community is concerned with size of development; that there are concerns about losing overall character of downtown and that the development should be in scale with rest of community; that City goals have always been to develop that block which has been underutilized for 30 years; that with a PUD, development standards are controlled; and that the current CBD Zoning is a response to the Petoskey Pointe PUD, which is still in place. .

Planning Commission Members then discussed the process and purpose of a PUD , which allows departure from zoning ordinance standards but should provide a clear community benefit in return; that it would be useful to discuss PUD process; inquiries if existing PUD could be removed as it is likely not going to be built as approved; that the comparison for new development should be to the current CBD Zoning rather than the Petoskey Pointe PUD with small variances allowed if a public benefit exists; clarification on the zoning of the 200 block of E. Lake Street as a PUD was made; that parking, financing and height needs to be addressed in a new PUD; and that it is difficult to determine benefit without knowing details of parking.

City Councilmembers commented that the community views proposed development differently than 10 years ago; citizens concerned with mass scale; and Mayor Fraser read email from a visitor from Grand Blanc about the struggles on balance between beauty and development.

Planning Commission Members inquired what value is needed to afford parking structure; that the Commission's job is to evaluate what is best for the community, and the developer's job is to evaluate profit motive, not the City's role; that if any development is going to be viable and acceptable, that a PUD is necessary; that City staff needs to be clearer with developer on expectations, especially height; that there was a consensus from Commissioners that height is a concern; that an accurate development model is necessary to review benefit; and that parking approval would come before final PUD approval.

Mayor Fraser asked for public comment and heard a letter from the Chamber of Commerce supporting the mixed-use development; that parking is an integral component for onsite structure; that hotel component encourages economic impact; and on-site residential and conference center would be an asset to the community.

Other public comments that were heard included that this development would be an economic benefit and that the property is valuable; that height is about perspective and not about protecting waterfront, but that the project is much lower at street level; that developer needs a viable project; heard from those in favor of height trade-off to get underground parking; and that affordable, residential housing is needed.

There being no further business to come before the joint City Council and Planning Commission, this December 12, 2013, meeting adjourned at 8:55 P.M.

W.J. Fraser, Mayor

Alan Terry, City Clerk-Treasurer



**BOARD:** Planning Commission

**MEETING DATE:** January 9, 2014

**DATE PREPARED:** January 2, 2014

**AGENDA SUBJECT:** Zoning Ordinance Amendment Review

**RECOMMENDATION:** Review and Discussion

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The Commission will continue its review and discussion of the proposed Transitional Business District and Mixed Use Corridor District. The second drafts of these two districts and the map indicating district boundaries are enclosed. Modifications from the November meeting include:

- Changes to the intent statement of the B2-B Mixed Use Corridor District to distinguish it from the B2-A District;
- A graphic showing parking area screening in the B2-B District; and
- Re-ordering of the uses in the table to have them alphabetized as much as possible

The City Attorney has preliminarily reviewed the drafts and had no substantive concerns at this time, but pointed out that the changes must be consistent with the master plan and follow the rezoning process established in the Zoning Enabling Act.

If the Commission is satisfied with the language, it may choose to schedule a public hearing. Staff would recommend the hearing be scheduled for no earlier than the February regular meeting.

**ARTICLE XXX      B-2B MIXED USE CORRIDOR**

**Sec. 3000 INTENT**

The intent of the Mixed Use Corridor is to provide a transition between the historic urban core of the Central Business District and the historic commercial district along the Emmet Street corridor. The district allows a wide mix of uses to maintain and promote a neighborhood that can meet the daily needs of its residents in walking proximity.

**Sec. 3001 PRINCIPAL USES PERMITTED**

In the B-2B Mixed Use Corridor District, no building or land shall be used except in compliance with the uses identified in **Table 3001.1**. Sexually-oriented businesses as defined in Section 2800 of the Zoning Ordinance are specifically prohibited in the Mixed Use Corridor District.

**TABLE 3001.1 Mixed Use Corridor Permitted and Special Condition Uses**

<b>COMMERCIAL</b>	
BAKERY, CONFECTIONARY PRODUCTION	P
BANKS	P
BREW PUB, MICRO BREWERY, WINERY	P
DAYCARE CENTER	P
DRIVE-THROUGH FACILITIES	SCU
FOOD SERVICE WITH OR WITHOUT ALCOHOL SERVICE	P
GENERAL RETAIL	P
HEALTH/FITNESS FACILITY	P
OPEN-AIR BUSINESS	P
PERSONAL SERVICE	P
PROFESSIONAL OR MEDICAL OFFICE	P
PUBLIC ASSEMBLY	P
STUDIO- ART, DANCE, MUSIC, PHOTOGRAPHY, ETC.	P
WAREHOUSE AND WHOLESALE ESTABLISHMENTS	SCU
<b>CIVIC</b>	
EDUCATION – PRIMARY, SECONDARY, COLLEGE	SCU
MUSEUM	P
LIBRARY, PUBLIC PARK	P
POST OFFICE OR OTHER GOVERNMENT OFFICES	P
<b>RESIDENTIAL</b>	
SINGLE FAMILY RESIDENCE	P
TWO FAMILY RESIDENCE	P
MULTIFAMILY HOUSING	P
BOARDING HOUSE	P
DORMITORY	P
NURSING HOMES, ASSISTED LIVING	P
<b>LODGING</b>	
BED AND BREAKFAST	P
HOTEL	P

**ARTICLE XXIX      TRANSITIONAL BUSINESS DISTRICT (B2-A)**

**Sec. 2900 INTENT**

The intent of the Transitional Business District is to complement the historic urban core of the Central Business District, while providing a transition area to adjacent neighborhoods. The district has a less intensive development pattern than the Central Business District, but with a similar mix of uses to maintain and promote a pedestrian-friendly environment.

**Sec. 2901 PRINCIPAL USES PERMITTED**

In the B2-A Transitional Business District, no building or land shall be used except in compliance with the uses identified in **Table 2901.1**. Sexually-oriented businesses as defined in Section 2800 of the Zoning Ordinance are specifically prohibited in the Transitional Business District.

**TABLE 2901.1 Transitional Business District Permitted and Special Condition Uses**

<b>COMMERCIAL</b>	
BAKERY, CONFECTIONARY PRODUCTION	P
BANKS	P
BREW PUB, MICROBREWERY, WINERY	P
DAYCARE CENTER	P
FOOD SERVICE WITH OR WITHOUT ALCOHOL SERVICE	P
GENERAL RETAIL	P
HEALTH/FITNESS FACILITY	P
OPEN-AIR BUSINESS	SCU
PERSONAL SERVICE	P
PROFESSIONAL OR MEDICAL OFFICE	P
PUBLIC ASSEMBLY	P
STUDIO- ART, DANCE, MUSIC, PHOTOGRAPHY, ETC.	P
<b>CIVIC</b>	
EDUCATION – PRIMARY, SECONDARY, COLLEGE	SCU
GOVERNMENT OFFICES	SCU
LIBRARY, PUBLIC PARK	P
MUSEUM	P
<b>RESIDENTIAL</b>	
SINGLE FAMILY RESIDENCE	P
TWO FAMILY RESIDENCE	P
MULTIFAMILY HOUSING	P
BOARDING HOUSE	P
DORMITORY	P
NURSING HOMES, ASSISTED LIVING	P
<b>LODGING</b>	
BED AND BREAKFAST	P
HOTEL	P

**TABLE 2901.2**

<b>Building Placement</b>		
<b>Setback (Distance from Property Line)</b>	<b>Minimum</b>	<b>Maximum</b>
Front	0'	Average of buildings on adjacent lots or 15 feet, whichever is less
Side	0'	NR
Rear	0'	NR
Building Height		3 stories, 33 Feet

**SECTION 2902 PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL CONDITIONS**

The uses noted as SCU in Table 2901.1 shall be permitted, subject to the conditions hereinafter imposed, for each use and subject further to the review and approval of the Planning Commission pursuant to Sections 1717 and 1718 of the Zoning Ordinance.

1. Open air business accessory to a permitted use. Open air operations shall be screened from adjacent residential uses and parkland as approved by the Commission.

**SECTION 2903 SITE DEVELOPMENT PERFORMANCE STANDARDS FOR ALL USES**

Any use or change of use located in this district shall be subject to the following standards:

1. General:
  - (a) All site plans submitted for review of a proposed use in this district shall include an elevation drawing that shows proposed building facades as seen from the street. The site plan and elevation drawings shall label proposed exterior materials on walls and roofs of principal and accessory buildings and on other fences or walls on the site.
  - (b) Site development should consider building placement in relation to public streets as well as the Downtown Greenway Corridor.
  - (c) All business, service, or processing activities permitted in this district shall be conducted completely within enclosed buildings except customer, employee and freight vehicle parking, loading zones, and those open air uses specifically identified in this district as permitted subject to particular performance standards.

2. Buildings:

(a) In review of building facades and features, the Planning Commission shall consider:

1. Exterior materials shall be of a finished appearance and textural quality, with building wall articulation and fenestration evaluated for their compatibility with the site size and shape and with surrounding buildings and structures. A statement and illustrations of how the surrounding structures have been considered shall be provided with the submittal.

2. To reduce the mass of a building, any street or park fronting wall longer than 25 feet shall be articulated through changes in material, windows, wall plane, or wall height.

(b) Accessory structures shall be designed to blend with the principal building(s) on the site as to exterior materials, size and shape.

(c) Garages and accessory structures shall be placed to the rear or side of principal structures and shall not be placed in a principal building front or corner front yard.

3. Site Requirements:

(a) Parking lot development is only allowed in the rear or side yards and screened with a hedge or finished wall of at least 3 feet and no more than 4 feet in height from view of any public street, alley, parkland or adjacent residential property.

(b) Parking spaces must be set back a minimum of five feet from the property line.



-  B-2A TRANSITIONAL BUSINESS DISTRICT
-  B-2B MIXED USE CORRIDOR DISTRICT
-  RM-2 FROM OS OFFICE SERVICE OR B-3 GENERAL BUSINESS DISTRICT
-  NEW B2 CENTRAL BUSINESS DISTRICT BOUNDARY

