



**PLANNING COMMISSION**

Thursday, January 15, 2015

1. Roll Call – 7:00 P.M. – City Hall Community Room
2. Approval of Minutes – September 11, 2014 Special Meeting; December 18, 2014 Regular Meeting
3. New Business
  - (a) Courtesy Review of Petoskey Area Sports Complex and recommendation on Northmen Drive
  - (b) Requested Site Plan Amendment for 630 W. Mitchell Street, Rite Aid
  - (c) Review and comment on draft amendment to be considered for inclusion into the 2012-2017 Parks and Recreation Master Plan
  - (d) Review and comment on the Emmet County Master Plan 2014 update
4. Old Business
  - (a) Review and discussion of Single Family District amendments
5. Updates
6. Adjournment





# City of Petoskey

## PLANNING COMMISSION

September 11, 2014

A special meeting of the City of Petoskey Planning Commission was held in the City Hall Community Room, Petoskey, Michigan, on Thursday, September 11, 2014. Roll was called at 7:00 P.M. and the following were:

Present: Gary Greenwell, Chairperson  
Dana Andrews  
Dean D. Burns  
James Holmes  
Elizabeth Looze  
Emily Meyerson  
Rick Neumann  
Cynthia Linn Robson  
Eric Yetter

Staff: Amy Tweeten, City Planner  
Lisa Denoyer, Administrative Assistant

Others Present: Brenda and George Korthauer, 817 State Street  
Frank Wangeman, 710 Jennings Avenue

The Commission honored Commission Burns for his 40 years of service on the Planning Commission with a proclamation read by the mayor, comments from those in the audience and cake.

### Planners Moments

The Commission then watched the training DVDs on "Infill Development" and "Great Lakes Water Levels"

### Discussion of Single Family District Code Issues

Discussion began with regulations for home based businesses, with changes including allowance for a "business identification sign" of a yet to be determined size for the sign ordinance, but one square foot seemed reasonable to most; only allowing inhabitants to operate; removal of allowance for on-site sale of merchandise (#8 in agenda memo); elimination of #11 and #12 in agenda memo. Resulting language would allow home based businesses in all residential districts subject to the following:

1. Are incidental to the primary residential use.
2. Are conducted entirely within the principal residential building and not evident in any way from the street or from any neighboring premises.

3. One business identification sign, not exceeding one square foot, to be wall-mounted next to entrance (this will actually be incorporated into the sign ordinance)
4. Business is carried on only by the inhabitants of the building.
5. Do not involve any outdoor activities, and have no visible display or storage of goods from outside the dwelling unit.
6. Do not change the character of the building in which it is conducted.
7. Do not constitute, create or increase a nuisance.
8. Employ only mechanical equipment which is similar in power usage and type used for household purposes, home offices, or hobby workshops.
9. Devote no more than twenty-five (25) percent of the principal building to the home business.
10. Client traffic is restricted to between the hours of 8:00 a.m. and 6:00 p.m.
11. Must not require client parking spaces in excess two (2) spaces, located in the driveway or on the street directly adjacent to the property.
12. Must not generate vehicle trips in excess of ten (10) trips per day.

The meeting then adjourned at 8:55 p.m.

Reviewed by Emily Meyerson, Vice Chair



# City of Petoskey

## PLANNING COMMISSION

December 18, 2014

A regular meeting of the City of Petoskey Planning Commission was held in the City Hall Community Room, Petoskey, Michigan, on Thursday, December 18, 2014. Roll was called at 7:00 P.M. and the following were:

Present: Gary Greenwell, Chairperson  
Dana Andrews  
Dean D. Burns  
James Holmes  
Elizabeth Looze  
Rick Neumann  
Cynthia Linn Robson  
Eric Yetter

Absent: Emily Meyerson

Staff: Amy Tweeten, City Planner  
Lisa Denoyer, Administrative Assistant

Also Present: Logun Carlson, 3050 Maple Ridge Road  
Raylyn Logan, 7365 Cheboygan, Alanson  
Mike Pattullo, 101 Lewis Street  
Larry Rellinger, 430 East Lake Street  
Joyce Schubur, 7365 Cheboygan, Alanson

Upon motion and support, the minutes of the October 16, 2014 and November 20, 2014 regular meetings were approved. Minutes from the November 13, 2014 special meeting were approved with corrections.

### **Public Hearing on a Zoning Amendment Request for 725 Harbor Watch Drive**

Staff gave a brief history on the development of the Villas at Harbor Watch and reviewed the request to amend the final plan to add four additional first floor units for an independent living facility, make minor changes to the exterior of the building and change the curb line to allow for patio areas outside of the four new units.

Mike Patullo, Shoreline Architecture Design, 101 Lewis Street, commented that the most critical part of the proposed changes is the reduction of density of the site. Parking will provide for one parking space per unit with additional parking available in the garages at the west end of the property, which were not included in the overall parking count, and an additional 15% more parking for visitors.

At this time the hearing was opened for public comment. There being no public comments, the public hearing was closed.

Commissioner Neumann asked if the garage buildings went with the development to which Mr. Patullo responded that they did. Mr. Neumann then commented that he felt that the proposed changes would be a great reuse of the building and saw no issues with the requested changes.

Commissioner Robson asked if; the grade along the south side would be leveled off to lessen the drop-off, the proposed crosswalk would be raised and curbed or better defined, the sidewalk along the south side of the building could continue beyond the bump-out area and if the proposed changes included changing the windows out completely.

Mr. Patullo commented that; stairs would be added and there will be a gradual grade change down toward the kitchen door, the crosswalk would not be curbed because it is actually a divider between two handicap spaces, the bump-out area is a service area and there is no existing sidewalk but that residents could use the new west entrance to avoid having to walk around the building and that some of the windows would be taken out, some would be replaced with windows of the same size and shape and that some egress windows would be added in the office areas.

Commissioner Burns asked what the current use or occupancy level of the upper garages was and if they have been leased out.

Mr. Patullo commented that the garages are empty and are not being leased to anyone and the space above the garages is used for storage.

Commissioner Yetter inquired about landscaping improvements and commented that he felt it was a great use and the decreased density would be great.

Mr. Patullo commented that the landscaping will get a makeover and will be cleaned up a bit.

Commissioner Andrews asked if any consideration was made for public transit increase and public transportation use and how entering and exiting from the property from Harbor Watch Drive would work and if there was enough room to loop around the building, and if there was an expectation of pedestrian traffic to the Friendship Center during daytime hours.

Mr. Patullo responded that it had not been addressed yet and that existing cuts in the medians would make turns easy for transit buses and that eventually they would like to put in a porte cochere in the front of the building for pick-ups and drop-offs. He also commented that they had not discussed pedestrian traffic walking that far and would presume that they would either drive or take a shuttle but that there is a connector on the southeast corner of the property to get to the sidewalk should they choose to walk there.

Commissioner Looze inquired about the size of the patios and what the background and purpose of them was as they are adjacent to the parking lot.

Mr. Patullo commented that the patios would be 6' x 8' and that all of the upper units have small decks and they didn't want the lower units to be excluded from having that amenity. He also commented that there would be landscaping and screening to separate the patios from the parking area and traffic.

Commissioner Robson asked what was envisioned for landscaping between the patios and the parking area along the south side and if it would also be done along the north side.

Mr. Patullo commented that he was unsure as they have not yet done a landscape plan but imagined it would be something that would allow for year-round screening, possibly a 4' high evergreen or something like that and that it would only be done on the south side around the patios and the north side will most likely have potted plants along the sidewalk area.

Commissioner Holmes asked if there would be any changes in the existing lighting on the site to which Mr. Patullo responded that there would not.

Commissioner Greenwell asked if the dumpster was enclosed to which Mr. Patullo responded that it was.

At this time, Commissioner Burns made a motion, seconded by Commissioner Andrews, to recommend approval of the final plan amendment of an increase of 4 residential units for an age-restricted independent living facility to City Council. The motion carried 8-0.

### **Public Hearing on the Master Plan Update**

Staff reviewed updates and changes that were made to the Master Plan that included; Census Data Updates (2010 Census and 2008-2012 ACS), updates to City data (e.g., water production, public safety calls, street and sidewalk miles), minor updates to goals, objectives and strategies to incorporate actions that may have been taken over the past five years and some additional narrative, goals and strategies changes.

At this time the hearing was opened for public comment. There being no public comments, the public hearing was closed.

Commissioners commented that they were all happy with the changes and updates that were made.

At this time, Commissioner Burns made a motion, seconded by Commissioner Robson, to postpone action until after a joint meeting with City Council. The motion carried 8-0.

### **2015 Meeting Schedule Options**

Staff presented the Commission with two options for 2015 meetings. The first option was to keep the meeting schedule the same as recent years and the second option reduced the number of special meetings for code revision discussion and education from eight meetings per year to five.

The second meeting schedule was proposed; in hopes that the new approach of getting policy direction with staff drafting the language would streamline the process, because of the potential for special meetings to respond to the New Arlington Place submittals; and the need to address training requirements as the Planners Moments series will be discontinued.

Commissioner Andrews asked if there were other continuing education opportunities now that the Planners Moments series was being discontinued to which staff responded that there may be some local opportunities, but if not, then staff may bring someone in. There may also be the potential for webinar continuing educations opportunities as well.

At this time, Commissioner Neumann made a motion, seconded by Commissioner Looze, to adopt the second meeting schedule option. The motion carried 8-0.

### **Updates**

Staff gave an update on the New Arlington Place and informed the Commission that they have set up a new website for the community to review.

Staff also informed the Commission that the Old Town Emmet Neighborhood Committee is working with the Land Bank Authority that owns property on Petoskey Street on a request for proposals to conceivably get market rate housing on the property.

Staff further informed the Commission that they will be conducting a courtesy review of the Petoskey Public School's new sports complex at their January 15<sup>th</sup> meeting, as well as review of Northmen Drive for recommendation to City Council for the drive to become a City street.

The meeting then adjourned at 8:07 P.M.

Reviewed by Gary Greenwell, Chairperson



**BOARD:** Planning Commission

**MEETING DATE:** January 15, 2015 **DATE PREPARED:** January 7, 2015

**AGENDA SUBJECT:** Petoskey Schools Athletic Complex courtesy review and recommendation on Northmen Drive becoming a City Street

**RECOMMENDATION:** Review/ Action

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The Commission will be reviewing the overall site plan for the new Petoskey Schools Sports Complex, as well as the design for the reconstruction of Northmen Drive for possible addition to the City street inventory.

The sports complex site plan is a courtesy review, as approval of public school facilities rests with the State Superintendent of Schools.

As part of the project, the school district is proposing to upgrade Northmen Drive and would like to have the currently school-district owned drive accepted by the City once construction is complete. Pursuant to the Planning Enabling Act, Section 61(1), the construction of a street shall be submitted for review and approval or disapproval by the Planning Commission as to its location, character and extent.

The proposed roadway would be 24 feet of pavement with curb and gutter, street trees and street lights. Due to the realignment of the road and plans for athletic facilities on both sides of the street, there is a single ten (10) foot sidewalk shown on the north side, rather than two six-foot sidewalks. The sidewalk is then connected to the south by several proposed pedestrian tunnels. This ten-foot trail would then accommodate bicycle as well as pedestrian access to the school campus.

City staff has met with the school district to discuss the roadway and supports the proposed design becoming a City street with the following conditions:

- Responsibility for the tunnels and sidewalk connectors to remain with the school district; easement language to be developed;
- Continued discussion of long-term roadway reconstruction funding participation by the school district;
- Use of City-standard street lights and trees;
- Staff approval of utilities within the Northmen Drive right-of-way, including storm sewer; and
- Sidewalk design shall incorporate ADA compliant standards.

A motion by the Commission should be to approve and accept, approve with conditions, or deny the reconstructed Northmen Drive into the City street system as shown on the submitted plan. This action will then be forwarded to City Council for consideration of street acceptance.





**BOARD:** Planning Commission

**MEETING DATE:** January 15, 2015

**DATE PREPARED:** January 8, 2015

**AGENDA SUBJECT:** Requested Site Plan Amendment for 630 W. Mitchell Street, Rite Aid

**RECOMMENDATION:** Review/ Action

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**Background**

The Michigan Department of Transportation (MDOT) has been working with the owner of the Rite-Aid property to acquire additional right-of-way at the northwest corner of US-31 and US 131. The additional right-of-way is necessary for the 2015 reconstruction of US-31 to improve the turning radius of southbound traffic heading west on US 31, as well as for installation of mast arms and ADA compliant pedestrian crossings. As the purchase is necessary for government purposes, it is identified as a taking with just compensation.

**Request**



The property acquisition would move the right-of-way seven (7) feet closer to the building, requiring the relocation of the business and resulting in loss of two parking spaces (see illustrations provided). The approved Rite Aid special condition use site plan from 1997 required 50 spaces and provided 51 (enclosed). Staff had suggested to the property appraiser that the lost spaces could be picked up as employee parking on the north or northwest side of the building. However, Rite Aid wants all the parking spaces in front of the building, so MDOT has negotiated a purchase based on changing the site plan to remove the two landscape islands identified below and replace them with parking spaces. As this would be an amendment to an approved site plan, Planning Commission approval is required.

Alternatively, a variance would be necessary for a reduction of parking spaces as a result of the MDOT land acquisition.

**Action**

The Planning Commission may approve, approve with conditions or deny the request for a site plan amendment.





**BOARD:** Planning Commission

**MEETING DATE:** January 15, 2015      **DATE PREPARED:** January 7, 2015

**AGENDA SUBJECT:** Review and comment on draft amendment to be considered for inclusion into the 2012-2017 Parks and Recreation Master Plan

**RECOMMENDATION:** Review and Comment

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Informational: The Michigan State Waterway Commission, for 2015, is requiring that municipal marinas be included in the community parks and recreation master plan and list both large scale maintenance needs as well as planned improvements in order to be eligible for 2015 Michigan Waters Grant Funding. The City's current 2012-2017 Parks and Recreation Master Plan has the Municipal Marina listed under Bayfront Park and needs identified were for new capital projects, not large scale maintenance items. City staff has now prepared a draft plan amendment identifying the marina portion of Bayfront Park as a separate facility and has incorporated anticipated large scale maintenance projects that could be eligible for funding under the new Waterway Grant Program.

Review and Comment: The proposed draft amendment entitled "Bayfront Park Municipal Marina Facility" is attached for your review and comments. Once comments have been reviewed and if changes are requested by the Commission they will be incorporated into the final draft amendment.

Next Steps:

1. The draft amendment will be made available for public review for two weeks. A notice of the public review period will be publicly advertised and posted on the City's website. This review period is currently scheduled to begin on January 14, 2015.
2. A public hearing will be scheduled by the Parks and Recreation Commission to receive public comment and take action on the amendment. Tentative date for the public hearing is 7:00 P.M., Wednesday, January 28, 2015.
3. The final draft of the Marina Plan will be forwarded to City Council for consideration and action. Notice of this meeting will be advertised in the Petoskey News Review and on the City's website and is tentatively scheduled for February 2, 2015.
4. Plan amendment, if adopted, shall be forwarded to the Michigan Department of Natural Resources Grants Division for acceptance and inclusion in the current 2012-2017 Parks and Recreation Master Plan.

Action: Planning Commission shall review and comment on the proposed draft amendment and forward to the Parks and Recreation Commission.

Enclosure  
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**BOARD:** Planning Commission

**MEETING DATE:** January 15, 2015

**DATE PREPARED:** January 8, 2015

**AGENDA SUBJECT:** Review and Comment on the Emmet County Master Plan Update

**RECOMMENDATION:** Review/ Comment

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Emmet County has completed its five-year review and update of its master plan and has distributed for comment. The changes are updates to Census figures and information on number of farms in the county.

Staff had forwarded the link to the Master Plan Update to the Commission and will bring up the website at the meeting for review.





**BOARD:** Planning Commission

**MEETING DATE:** January 15, 2015

**DATE PREPARED:** January 6, 2015

**AGENDA SUBJECT:** Proposed amendments to the single family districts

**RECOMMENDATION:** Discussion/ Schedule a public hearing

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Over the past several months, the Commission has been discussing possible amendments to the single family districts, including home occupations, lot coverage ratios, accessory building standards, and special condition uses. Many of these subjects were identified through the master plan process as needed amendments to the zoning ordinance. The proposed changes based on these discussions and their rationales are below.

**Home Businesses**

These changes are proposed to promote an entrepreneurial community for small scale start-ups that residents may wish to begin in their homes. A home business would become a permitted use in all residential districts subject to the following:

1. Are incidental to the primary residential use.
2. Are conducted entirely within the principal residential building and not evident in any way from the street or from any neighboring premises.
3. Business is carried on only by the inhabitants of the building.
4. Do not involve any outdoor activities, and have no visible display or storage of goods from outside the dwelling unit.
5. Do not change the character of the building in which it is conducted.
6. Do not constitute, create or increase a nuisance.
8. Employ only mechanical equipment which is similar in power usage and type used for household purposes, home offices, or hobby workshops.
9. Devote no more than twenty-five (25) percent of the principal building to the home business.
10. Client traffic is restricted to between the hours of 8:00 a.m. and 6:00 p.m.
11. Must not require client parking spaces in excess two (2) spaces, located in the driveway or on the street directly adjacent to the property.
12. Must not generate vehicle trips in excess of ten (10) trips per day.

In addition, the Commission recommends amending Section 7.1(4)(d) of the Sign Ordinance to read:

Home businesses are allowed a single business identification sign, not exceeding one (1) square foot, to be wall-mounted next to the entrance.

**Lot Coverage Ratio and Accessory Structure Standards**

When a board of appeals receives numerous variance requests for common items, it is often an indication that the zoning ordinance may need an update. In reviewing past variance requests and approvals, the pattern has been for lot coverage or setback variances often to enable the construction of a garage. The Commission has looked at the single family standards to determine whether there may be a need for additional flexibility for the way people live today, while maintaining community character that could lessen the number of requests that go to the Zoning Board of Appeals.

**Lot Coverage Options**

Current Lot Coverage Standards:

<b>Zoning District</b>	<b>Minimum lot size (square feet)</b>	<b>Current Lot Coverage Ratio</b>	<b>Structure coverage area (square feet)</b>
R1	8,400	30%	2,520
R2	7,200	30%	2,160
R3	6,000	30%	1,800

While many City lots meet the current minimum lot sizes, there are also quite a few that do not, which means the lot is often non-conforming even before an owner wants to make an improvement. Below are some options the Commission has discussed that would increase the flexibility of existing conforming and non-conforming lots.

<b>Zoning District</b>	<b>Minimum lot size (square feet)</b>	<b>Proposed Lot Coverage Ratio</b>	<b>Structure coverage area (square feet)</b>
R1	8,400+	30%	2,520
R2	7,200+	33%	2,376+
	Existing, non-conforming lots <7,200	35%	Maximum coverage 2,520
R3	6,000	35%	2,100

## Accessory Structures

Currently, a detached accessory building may only be used for storage, unless the use is approved by the Zoning Board of Appeals. However, there are several grandfathered accessory dwelling units in former carriage houses. Several communities are now allowing accessory dwelling units- commonly referred to as a “granny flat”- which is seen as a way to provide affordable housing if rented out, or a separate unit for a family member. The Michigan Economic Development Corporation is also promoting allowance of these units through its Redevelopment Ready program, again as a way of providing the community with affordable housing in non-traditional housing options

Traverse City is in the process of modifying its ordinance – the draft language that will be discussed for possible public hearing on January 6<sup>th</sup> is enclosed. Staff also asked Scott McPherson, Boyne City Planning Director, about their allowance for ADUs and specifically how they enforce the owner-occupied provision. He said they don’t aggressively enforce the provision but have had no complaints and have maybe had 5-6 ADUs built in the past 11 years. He noted that Wilson Township has a provision that there must be a deed restriction, but that has resulted in none being built and he would not recommend this approach.

Below is a summary of what the Commission discussed. Unless the Commission wants to revisit the 35 foot rear yard setback for principal structures, the setbacks for an attached garage would remain the same.

	Current	Proposed
<b>Height - Max</b>		
Detached	1 story, 14 feet	2 stories, height of principal structure or 25 feet, whichever is less
Attached	2 stories, 25 feet	2 stories, height of principal structure or 25 feet, whichever is less
<b>Setbacks - Min (rear and side)</b>		
Detached		
Single story	3 feet, 3 feet	3 feet, 3 feet
Two story	3 feet, 3 feet (If variance granted)	5 feet, 5 feet
Attached	35 feet, 5 feet	35 feet, 5 feet
<b>Use</b>		
Detached	Uses other than storage are approved by the ZBA	Allow accessory dwelling unit with condition that one unit must be owner occupied and on-site parking sufficient for two dwelling units.
Attached	Same as principal structure	Same as principal structure

### **Special Condition Uses**

The Commission has reviewed and amended the special condition uses in the R1 and R2 Single Family Districts as follows:

1. Churches and other facilities normally incidental thereto subject to the following conditions:
  - a. Buildings of greater than maximum height allowed in Article XVI Schedule of Regulations may be allowed provided front, side and rear yards are increased above the minimum required yards by one (1) foot for each foot of building height that exceeds the maximum height allowed.
  - b. The site has frontage or direct access to an existing or planned principal or minor arterial.
2. Public, parochial and private intermediate and/or secondary schools offering courses in general education, not operated for profit, subject to the following condition: The site has frontage or direct access to an existing or planned principal or minor arterial.
3. Utility and public service buildings and uses (without storage yards) when operating requirements necessitate the locating of said building within the district in order to serve the immediate vicinity.
4. Non-public recreational areas and recreation facilities when not operated for profit and primarily intended to serve residents of a planned development
5. Colleges, universities and other such institutions of higher learning, public and private, offering courses in general, technical, or religious education and not operated for profit, subject to the following conditions:
  - a. Any use permitted herein shall be developed only on sites of at least forty (40) acres in area.
  - b. All access to said site shall be directly from a principal or minor arterial.
  - c. No building shall be closer than eighty (80) feet to any property line.
6. Cemeteries subject to the following:
  - a. All sides of the cemetery shall be adequately screened from any residential view.
  - b. All access to said site shall be directly from a major or collector thoroughfare.
7. Municipal office buildings when in character with the neighborhood.
8. Accessory buildings and uses customarily incident to any of the above permitted uses.
9. Two-family attached dwellings subject to the following standards:
  - a. All regulations as contained in Article XVI, Section 1600, Schedule of Regulation for Uses, in accordance with the district in which the parcel is located.
  - b. A two-family dwelling shall meet parking requirements of Section 1704.
  - c. A two-family dwelling shall not allow a garage to protrude beyond the front building plane.

