



City of Petoskey

PLANNING COMMISSION

May 21, 2015

A regular meeting of the City of Petoskey Planning Commission was held in the City Hall Community Room, Petoskey, Michigan, on Thursday, May 21, 2015. 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

Also Present: Sawyer Kulman, 1424 Resort Pike Road
Bill McMaster, 4450 East Mitchell Road

Upon motion and support, the minutes of the April 16, 2015 regular meeting minutes were approved.

Action on Site Plan at 1711 Standish Avenue

Staff provided an overview of the landscaping plan and revised site plan, noting the addition of nine trees, the reduction in pavement and the designation of 18 parking spaces for Complete Paint and 12 parking spaces for the new 5,700 square foot building that could house four offices and storage space for contractor use.

Commissioner Meyerson thanked Mr. McMaster for the site plan changes and commented that she would like to see triangular striping added adjacent and opposite to the triangular striping shown on the site plan in order to make a clear driving lane through Complete Paint and Supplies.

Commissioner Neumann asked if Mr. McMaster was aware of where the property line was and if he had measured 10 feet from the east property line to see where the building would line up with the existing trees. Mr. Neumann also commented that he would like to see the trees along the property line be preserved, if possible.

Mr. McMaster commented that; he was unsure where the property line was, Benchmark Engineering would be staking the property lines before construction begins and that he too would like to preserve the trees along the property line, if possible.

At this time, Commissioner Holmes made a motion, with support by Commissioner Neumann to approve the revised site plan with the following conditions:

1. Annual maintenance of the detention basin;
2. Approval of any proposed signs;
3. Striping of parking lot in compliance with the site plan; and
4. Triangular striping at the northwest end of the parking lot.

Motion carried 9-0.

Public Hearing on Zoning Ordinance Amendments

Staff reviewed the proposed changes to Sections 401, 402, 1600 and 1703 of the Zoning Ordinance with commissioners.

After some discussion, a motion was made by Commissioner Greenwell, with support by Commissioner Looze, to recommend the following changes to City Council:

Section 401 Principal uses permitted would be amended to remove (2) farms as a permitted use and home businesses would be added as follows:

(7) Home Businesses subject to the following:

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

The rationale for the proposed changes is to allow entrepreneurial businesses that do not negatively impact the residential character of a neighborhood.

Section 402 Principal uses permitted subject to special conditions would be amended to read:

The following uses shall be permitted, subject to the conditions hereinafter imposed for each use and subject further to the review and approval of the site plan and Section 1717 Standards of Review.

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 when 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 principal or minor arterial.
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.

The rationale for the proposed changes is to remove specific recreational uses and replace with general language and to two-family residences in the single family districts where an increase in density would not negatively impact neighborhoods.

The schedule of regulations would be amended to change the lot coverage ratios as follows:

Zoning District	Minimum lot size (square feet)	Proposed Lot Coverage Ratio Maximum
R2	Lots 7,200+	Increase from 30% to 33%
R2	Existing lots <7,200	Increase from 30% to 35%
R3	6,000	Increase from 30% to 35%

The rationale for these changes is to allow additional lot coverage for living space or garages within a footprint that would maintain neighborhood compatibility, thus decreasing variance requests.

1600 (b) The front yard setback in the R2 and R3 Districts would be changed from:

Where the front yards of two or more principal structures in any block or within 300 feet in existence at the time of passage of this ordinance, within the district zoned and on the same side of the street, are less than the minimum front yards required herein, then any building subsequently erected within said block (or 300 feet) shall not be less and need not be greater than the average depth of the front yards of said two or more structures.

To: "the minimum front yard setback is the average of the front yard setbacks for the houses within 150 feet on either side of the subject property"

Staff will add an illustration

1600 (c) would be changed from:

In the case of a rear yard abutting a side yard (or when a side yard is adjacent to a front yard across a common separating street), the side yard abutting a street shall not be less than the minimum front yard of the district in which located.

To: The minimum corner-front yard setback shall be the average of the front-yards of the existing houses within 150 feet on the same side of the block.

Staff will add an illustration.

The rationale for these changes is to eliminate an arbitrary number that many homes do not currently meet for the front and corner-front yard setback requirements and require new construction to repeat the existing street pattern, rather than stating an absolute number.

Section 1703 Accessory Buildings:

(5) No detached accessory building in R-1 through R-3, RM-1, RM-2, O-S and P-1 Districts shall exceed one and one-half stories, or 16 feet in height.

A taller structure would be required to increase its setback to 5 feet from a rear and rear-side property line.

(7) Accessory buildings in residential districts may only be used for storage, hobby or home business use as regulated by Section 401(7).

The rationale for this change is to allow slightly taller accessory buildings for permitted uses, while protecting adjacent properties with a larger setback.

Motion carried 8-1; Commissioner Robson voting against.

Updates

Staff informed commissioners that; the Emmet Streetscape Project report will be complete by June 3, 2015, Public Works had already striped crosswalks at State Street and Michigan Street and reminded them that their regular June meeting will be held on June 11th instead of June 18th.

Staff also recommend that Planning Commissioners attend the June 1, 2015 City Council meeting as a developer with a purchase offer on Sunset Square will be giving a presentation on ideas for the future development of the site.

Meeting adjourned at 8:28 P.M.

Minutes reviewed and approved by Emily Meyerson, Secretary