



**PLANNING COMMISSION**

November 17, 2016

A regular meeting of the City of Petoskey Planning Commission was held in the City Hall City Council Chambers, Petoskey, Michigan, on Thursday, November 17, 2016. Roll was called at 7:00 P.M. and the following were:

Present: Gary Greenwell, Chairperson  
Dana Andrews  
Betony Braddock  
James Holmes  
Emily Meyerson  
Rick Neumann  
Cynthia Linn Robson  
Eric Yetter

Absent: Dean D. Burns

Staff: Amy Tweeten, City Planner

Others Present: Ryan Bentley, Petoskey News Review  
Jeff Bruney, 8332 Ridgeway Road  
Janssen Byers, 5894 Walloon Meadows Circle  
Norm and Brenda Byers, 5894 Walloon Meadows Circle  
Ron Cieslak, 33610 Grand River Avenue, Farmington  
Dennis Cross, 407 Michigan Street  
Jessica Fettig, 1085 Grand Ridge Drive  
Dan Hasty, 3858 Lorraine Drive  
Chad Hones, 3444 Aurora Drive  
Luke Rasper, 247 Skyview Street  
Todd Swanson, 5135 Coastal Woods  
Sharon Wagar, 1131 Jennings Avenue  
Keith and Lindsey Young, 710 Grove Street

Upon motion and support, minutes of the October 20 meeting were approved with corrections.

**Action on a Special Condition Use/Site Plan  
for 1124 Northmen Drive - Genesis Church**

Staff reviewed the changes to the plan and summarized her recommendations of requiring a revised floor plan so accurate parking requirements can be made and that pervious area be increased from the current 46% to 52% which could include turf parking.

Chairman Greenwell then turned discussion over to the Commission.

Commissioner Yetter felt the applicant had been responsive in addressing Commission suggestions, including a small decrease in parking and questioned the change in seating occupancy and Ron Cieslak responded that the number was calculated on the Michigan Building Code area for seating of 7 square feet per person. Mr. Yetter stated he believed the church was a good use in a transitional area between the school campuses and residential, and that the Commission had a responsibility to the community which is why they have had a concern with the large facility and amount of parking. He also noted that the changes to the parking requirements had been years in the making and were not targeted at this application, the timing just worked that way.

Commissioner Braddock asked staff if turf parking was grass parking, which staff affirmed. Ms. Braddock then asked what indicators are used to project church membership growth. Mr. Cieslak responded that his experience with this type of church is that once they have their own facility they develop a presence that increases membership. He noted the plan wasn't necessarily to grow the congregation at this facility as the satellite locations will continue to be used. If there were growth it would involve a second service which creates the difficulty of parking overlap. Ms. Braddock agreed that the church had been flexible regarding requested changes.

Commissioner Neumann stated that project fits with the location and topography of the site, and that the applicant had responded to concerns raised by the Commission. He said the 7 square feet standard had been in the code for years and asked Mr. Cieslak about the occupant load calculation and was told the aisles are not deducted from the 7 square feet. He also would like to see some turf parking such as the areas at the north end of the lots used for overflow, with numbers adjusted as needed by the Building Official.

Commissioner Andrews commented that the area was a residential district but that the ZBA determined the site was allowable for a church as a special condition use, that he was not comfortable having the church use school parking toward their requirement, that no public concern about the use has been raised, that he considered the use compatible with the area.

Chairman Greenwell found it interesting that the revised plan indicated a 45% increase in occupancy and asked staff whether it had been reviewed by the Building Department. Staff had not received anything official but understood that floor plans with seating had been sent for review and there had been some modifications to incorporate wheelchair seating areas and some additional decreases in seating. Mr. Cieslak noted the building occupancy was 1000, but the seating occupancy only was used for parking requirements.

Commissioner Meyerson agreed with many of the comments but was not comfortable approving a plan without the floor plan actually showing seating.

Commissioner Holmes also had concerns with seating.

Commissioner Robson asked if the original plan seating was fixed; the response was it was not. She commented that the issue of overlapping services and parking issues could be resolved by longer delays between, that the ordinance allows for shared parking so it is not unreasonable to have parking at Ottawa or on-street be used, that she would want to see the seating plan, that she would ask for an addition to the letter dated November 3, item #6 to read "the parking lot lights will be turned off when the building is not in use."

There was then discussion about the seating calculation, with Commissioner Yetter deferring to Commissioner Neumann as an architect and repeating that he felt the site had been improved, Commissioner Robson responding the County has said the number will likely be reduced, Commissioner Meyerson saying the floor plan before the Commission is not adequate to know if

it meets the ordinance standard or not and Commissioner Neumann saying the building code is black and white.

At this time, Dennis Cross, attorney for Genesis, stated that the code is clear how you calculate parking.

Commissioner Andrews suggested any approval be subject to the response of the Building Official on seating occupancy.

Commissioner Greenwell responded that 7 square feet per person is very tight and that it is interesting that the occupancy now allows 150 parking spaces.

At this time, Commissioner Neumann made a motion to approve the letter and plan submitted by Genesis Church on November 3<sup>rd</sup> (portions of letter detailing changes and commitments below) with the recommendation of staff regarding pervious area of the site be increased to 52% at the discretion of the applicant and subject to the review of the building code seating occupancy and parking plan revision as necessary, and amending item #6 in the submittal letter to read: "Parking lot lights will be turned off when building is not in use"

1. We have recalculated the legal capacity of the main assembly area based on the 2012 Michigan Building Code. (Refer to drawing SPA-2)
2. Based on the legal capacity, we have modified the parking layout as follows (refer to drawing SPA-1):
  - A. The parking space size and number has been reduced which decreases our pavement area by approximately 7% or 4,383 SF.
  - B. We have incorporated a new east/west pedestrian walkway in each of the new parking areas.
  - C. Based on our legal seating capacity, we have reduced the number of parking spaces to the minimum/maximum of 150 which includes the 5 handicapped spaces.
  - D. We have reviewed the information provided by the Watershed Council with our civil engineer and based on the size of our parking lot islands and the high maintenance requirements have chosen to provide our site drainage using the conventional methods as shown on our drawings.
3. The landscape screen wall at the southeast corner of the building has been removed and replaced by a 5'-0" evergreen hedge (refer to drawings SPA-1, L-01).
4. Four additional trees have been added along Northmen Court (Refer to drawing L-01).
5. Genesis Church will agree to limit the use of the patio area to non-amplified event use without prior permission from the City of Petoskey.
6. Genesis Church will agree to adjust the use of the parking lot lighting to times of scheduled building use.
7. Genesis Church will agree to the yearly cleaning and maintenance of the storm water system and structures.

The motion for approval is based on the findings that:

- a) The proposed development is on a site of adequate size and appropriate location in a transition zone to allow for adequate landscaping to make it compatible with surrounding uses;
- b) The proposed development is designed to fit into the natural topography of the site;

- c) The proposed development is on a parcel that can accommodate the circulation and parking requirements;
- d) The proposed development provides adequate buffering and screening;
- e) The scale, bulk, and elevation of the development blends with the land use, form of roof, and slope of the lot.

And that the church is

- a) Within the allowable height in a R-2 District; and
- b) The proposed church is located on a principal or minor arterial.

Mr. Cieslak commented that having 52% pervious area would result in a loss of 46 parking spaces. Staff responded her calculation was 30 spaces, or the parking show along the north end of the lots.

Mr. Neumann amended his condition on parking to require the parking areas at the north end of the plan to be turf parking.

Mr. Cross then quoted from Section 1704(1)(E) of the ordinance that requires parking and drive areas to be paved. Staff responded that Section 1716(3)(c)(4) allows the Commission to require a site plan revision that provides the best landscape, greenbelt or open space plan and to incorporate the minimum amount of impervious surface in a site.

Commissioner Meyerson then supported the motion. On a roll-call vote, the motion failed on a 4-4 vote, Andrews, Meyerson, Robson and Yetter voting no.

There was then discussion on the intent of the motion, which Commissioner Neumann clarified that it was to allow the parking numbers but require turf parking.

Ron Cieslak noted that the only example of turf parking that the Tip of the Mitt had provided was a boat launch in Traverse City.

Commissioner Andrews stated he voted against the motion due to the discretionary nature of the condition of turf parking; that the building code will determine parking numbers, that the applicant has revised the plan, and that he did not understand staffs reasoning for the location of the turf parking.

Commissioner Robson stated that the special condition use is in a residential district, which is why there has been so much discussion about parking and impervious area.

Sharon Wagar, 1131 Jennings Avenue, commented that as a neighbor she appreciated the Commission efforts but did not believe people would park on grass in winter which means they will walk in the street. She thought more trees on the north side might be a better idea as she felt turf parking would make the site less safe for pedestrians.

Mr. Cieslak noted that the hedge and landscaping will lessen the impact of the parking area.

Commissioner Andrews then made the motion to approve the special condition use for a church at 1124 Northmen Drive as submitted (dated November 3<sup>rd</sup>) subject to the concessions in the November 3<sup>rd</sup> letter with a change to amending item #6 in the submittal letter to read: "Parking lot lights will be turned off when building is not in use" and subject to the review of the building code seating occupancy and parking plan revision as necessary and approved by staff.

The motion for approval was based on the determination that

- a) The proposed development is on a site of adequate size and appropriate location in a transition zone to allow for adequate landscaping to make it compatible with surrounding uses;
- b) The proposed development is designed to fit into the natural topography of the site;
- c) The proposed development is on a parcel that can accommodate the circulation and parking requirements;
- d) The proposed development provides adequate buffering and screening;
- e) The scale, bulk, and elevation of the development blends with the land use, form of roof, and slope of the lot.

And that the church is

- a) Within the allowed height in the R-2 District height; and
- b) The proposed church is located on a principal or minor arterial, as determined by the Zoning Board of Appeals.

Support for the motion was made by Commission Yetter; upon roll-call vote the Motion carried 6-2 with Meyerson and Robson voting against the motion.

### **Housing Summit Summary**

Commissioners Greenwell and Robson gave a summary of the Networks Northwest Housing Summit they attended, providing information on the area demographics and need for low-income and workforce housing, the benefits of mixed income neighborhoods, and tools communities are using to promote affordable housing such as Payments in Lieu of Taxes (PILOTS), housing trust funds, and allowance for home owners to have lodgers that create housing for the seasonal workforce.

### **Discussion on Multiple Family Districts**

The Commission continued its discussion of the multiple family districts and the consensus regarding boarding houses was to keep it a special condition use in all zoning districts with a minimum 5000 square foot lot, but add 250 square feet of floor area/ person to accommodate multi-story buildings. Sheltered housing and treatment facilities would also become special condition uses in the RM-2, B-2B, B-2A Districts.

The Commission concurred with a short term solution to hospital height limits to not exceed existing structures on the campus, but that a hospital district should be created.

Discussion of the recent ordinance changes will occur at the December meeting.

The meeting then adjourned at 9:28 P.M.

Minutes reviewed and approved by Emily Meyerson, Commission Secretary