



PLANNING COMMISSION

May 6, 2021

A special Planning Commission meeting was conducted virtually from remote locations, with staff at City Hall Council Chambers, Petoskey, Michigan, on Thursday, May 6, 2021. Roll was called at 7:00 P.M. and the following were:

Present: Cynthia Linn Robson, Chairperson, Petoskey, MI, Emmet County
Betony Braddock, Petoskey, MI, Emmet County
Carolyn Dettmer, Petoskey, MI, Emmet County
Rose Fitzgerald, Petoskey, MI, Emmet County
Richard Mooradian, Petoskey, MI, Emmet County
Rick Neumann, Petoskey, MI, Emmet County
Ted Pall, Petoskey, MI, Emmet County

Absent: Kent Warner

Others: Beth Carusi, 1111 East Mitchell Street
Martie VanBerlo, Emmet County Building Department
Lindsey Walker, 1312 Emmet Street

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

**Discussion and Direction on Possible
Zoning Changes to Address Housing Needs**

Staff gave the following overview of proposed changes to the zoning ordinance that would help address housing needs:

Density calculations for the RM-1 and RM-2 Districts are based on a formula that likely was part of the original 1974 Zoning Ordinance and is more suited to greenfield than infill redevelopment sites. These calculations also carry through to any of the business or industrial districts that allow residential uses, making existing sites less feasible for multiple family construction.

Parking requirements take up a large amount of a redevelopment site. While parking is necessary, reducing the required amount of parking allows more of a site to be used for housing. A possible change would be to reduce parking requirements in all residential districts and/or create parking maximums in place of parking minimums.

Numerous developers have commented that they cannot build a market-rate multiple family building in three stories, 33 feet. This is due to preference for higher ceilings than the building code allows (7-foot) and other code requirements. If redevelopment is really wanted, the ordinances should allow for three-story buildings with ceiling heights of more than eight (8) feet.

The current subdivision ordinance requires private streets serving more than eight (8) units to be 32 feet of paved width. This is wider than many of our public streets.

The following suggestions are ways to allow for infill development that is compatible with the predominately single-family character of our neighborhoods – many of which already have houses divided into multiple uses.

- Allow two-family dwellings by right in all zoning districts – staff approval through a zoning permit that will review parking sufficiency (currently allowed as a special condition use requiring a public hearing at the Planning Commission).
- Allow accessory dwelling units (ADUs) in all single-family districts by right – staff approval through a zoning permit.
- Consider eliminating one single family residential district (R-1) and allow all single family districts to have side yard setbacks of a minimum of 15 feet – one setback no less than 5 feet-as is currently allowed in the R-2 and R-3 Districts.
- Decrease the required minimum lot sizes in single-family districts to be consistent with originally platted lots (50'x150' or 145' versus current widths of 60' and 70').

The downtown is the densest zoning district. While it is important to have commercial ground floor uses fronting the street, there may be the ability to accomplish this while also allowing creation of residential uses. Possible changes could be:

- Allowing the back half of downtown storefronts to be converted to residential use if located on an alley (require a minimum amount of first floor, street fronting commercial space).
- Allowing lower level space that fronts an alley to be converted to residential space. Current language only allows upper stories to be used for residential.

Commissioners discussed how historically residential and commercial uses were combined in the same building, the need for code enforcement, the minimum size requirement for bedrooms and the possibility of the City and the County collaborating on code enforcement issues.

Commissioners stated that they would consider eliminating housing density restrictions in business and industrial districts for new construction but wanted to wait to have clearer expectations in multiple family districts.

Commissioners voiced concerns with stacking cars in the driveway of a multi-family home, as it could be problematic given differing schedules and the need to move vehicles. There were some concerns with the increase of on street parking as some streets are narrow and the added vehicles could restrict two-way traffic. There were also concerns with winter parking and how additional vehicle parking on the street could be problematic. Some Commissioners felt there was a need to prioritize housing over parking and commented that on street parking can be traffic calming.

Commissioners inquired as to how the proposed width for a private drive was determined, voiced concerns with ingress and egress should vehicles park along the private drive and asked staff for a list of existing private streets within the city. Staff responded that the proposed width was reviewed by the Department of Public Safety. She then referenced Kieran Court, Bay Harbor and Woodview Court as a few examples of private streets within the city.

The Commission agreed that they would be willing to change private street widths to 20 feet with a turn around every 300 feet.

Commissioners discussed the pros and cons of allowing lower level residential units in the B-2 Central Business District. Some concerns were the cost associated with bringing a commercial space to residential code standards and loss of usable space for the first floor business. One major benefit would be added housing and possible workforce housing in downtown.

Martie VanBerlo, Emmet County Building Department, commented that the building code provides for safer buildings and while fire separation, suppression and egress are a few challenges that may arise, the code applies on a case-by-case basis based on occupancy load so the impact could be

different in each building. The cost of changing the use to residential may be prohibitive in some situations.

Commissioners stated that they would consider allowing the rear of downtown storefronts and basements facing alleys be used for residential purposes but requested input from the Downtown Management Board (DMB) before making any recommendations.

Staff responded that she would look into the building code and request feedback from the DMB.

Commissioners reviewed and discussed the different height proposals provided in their packet. Some Commissioners felt that ceiling heights over 10 feet were not typical outside of the central business district, that using 9 feet for residential would be reasonable, and were open to adjusting height limits to ensure buildings can meet current user expectations. Staff will work with Commissioner Neumann on a proposal for building heights.

Given the hour, the Commission decided to end their discussion of ordinance changes and asked for public comment.

Lindsey Walker, 1312 Emmet Street, asked if minimum bedroom size standards would apply to ADUs.

Chairperson Robson responded that they would, as it is a building code requirement.

Beth Carusi, 1111 East Mitchell Street, asked if the infrastructure was based on the 1974 ordinance or if it had been updated and if the infrastructure could handle large development in the industrial and business districts. She stated that as many are aware the housing crunch has created unsafe housing situations in town and asked if there was an advocacy system for people to help enforce building codes.

Staff responded that she believes the infrastructure could support large development as there was previously industry in the Standish Avenue and Buckley Avenue areas and the addition of residential units in these areas would not likely overwhelm the infrastructure. The City has an International Property Maintenance Code and individuals can contact the Department of Public Safety regarding code violation concerns.

Commissioner Pall mentioned that the City's website has an anonymous tip form that can be completed and submitted online to public safety.

Commissioners discussed concerns with the lack of code enforcement and the possible need for an enforcement officer and how now may be the time to ask City Council to consider this need.

The Commission will continue its discussion at future regular meetings.

Updates

Staff reminded the Commission that they have a special joint meeting scheduled for Tuesday, May 11, 2021 to review changes made to the master plan. She also reminded them that if the changes were approved at the joint meeting that a public hearing could be scheduled for June at their regular May meeting.

Staff informed the Commission that she had discussions with Paul LeBlanc regarding the college district and that they are following the format of the hospital district.

The meeting was then adjourned at 9:17 P.M.

Minutes reviewed by Ted Pall, Vice Chairperson/Secretary