



## PLANNING COMMISSION

April 21, 2022

A regular Planning Commission meeting was held in the City Council Chambers, Petoskey, Michigan, on Thursday, April 21, 2022. Roll was called at 7:00 P.M. and the following were:

Present: Cynthia Linn Robson, Chairperson  
Betony Braddock  
Carolyn Dettmer  
Richard Mooradian  
Rick Neumann  
Ted Pall  
Charles Willmott

Absent: Rose Fitzgerald

Others: Sarah Ford, Petoskey Harbor Springs Area Community Foundation  
Gerald Haan, Haan Development  
Andrea Jacobs, Housing North  
Corey Monroe, Haan Development

Staff: Zach Sompels, City Planner  
Alan Terry, Interim City Manager  
Lisa Denoyer, Administrative Assistant

Upon motion and support, the minutes of the January 20, 2022 regular meeting were approved. Motion carried 7-0.

### **Case #237-22 – Site Plan Review for Lofts at Lumber Square, 900 Emmet Street**

Commissioner Braddock stated that she had a conflict of interest as she owns a nearby property and recused herself.

Staff reminded the Commission that they had approved the proposed site plan in 2020 and informed them that due to lack of funding and the expiration of the previous approval, the applicant was returning for re-approval. A few minor details have been changed for the proposed 60-unit apartment building.

Corey Monroe, Haan Development, commented that the project is exactly the same as originally approved. The only change is the source of funding.

Commissioners commented on the lack of a lighting plan and asked about the extent of the grant funding, if there was any additional storm water information and if the overall height would be changed.

Mr. Monroe responded that they do not yet have a lighting plan, they are now looking to provide work force housing, the AMI would increase from 80% as previously proposed to 120% and they would like to add a pitched roof if possible.

Public comments were received in favor of the project and the much needed work force housing for the community.

Commissioners expressed a desire to review any changes regarding the height and to review a lighting plan.

At this time, Commissioner Neumann made a motion, seconded by Commissioner Pall, to approve the plan as submitted with the following conditions:

1. Any roof configuration changes need to come before the Planning Commission for review;
2. Extension of sidewalk and curbing along Fulton Street to the west property line. A revised plan should be submitted for review and approval before a zoning permit is issued;
3. Review and approval of the storm water management system by the Department of Public Works;
4. Right-of-way permits issued by the Department of Public Works for curb cut relocations and removals, sidewalks and hydrant location;
5. Utility connections shall be coordinated with the Department of Public Works;
6. Submittal of a lighting plan for review and approval; and
7. Submittal of any signage for review and approval.

Motion carried 6-0.

Commissioner Braddock returned to the meeting.

### **Bylaw Amendment**

Chairperson Robson commented that at previous meetings there was discussion to change the meeting start time from 7:00 P.M. to 6:00 P.M. and asked if there was any objection to this change.

Commissioners agreed to the proposed change and agreed to amend the bylaws.

Commissioner Pall made a motion, seconded by Commissioner Dettmer, to amend the meeting time to 6:00 P.M. Motion carried 7-0.

### **Ordinance Changes**

Staff commented that most people fear that Accessory Dwelling Units (ADUs) will become short-term rentals. That is not the issue here and while ADUs will not solve the housing crisis, it will help.

Commissioners discussed whether or not form based standards needed to be created before moving forward with some of the proposed changes and voiced concerns with setbacks and mobile home housing. They also discussed the pros and cons with creating a short-term rental ordinance, the need for two-family attached dwellings to be architecturally compatible with the surrounding neighborhood and ADUs to be compatible with the primary structure.

Commissioner Dettmer made a motion, seconded by Commissioner Pall, to approve the following amendment to Section 400 – Intent:

The R-1 and R-2 Single-Family Residential Districts are intended to continue the historic development pattern of primarily single family detached dwellings, with two-unit dwellings and limited accessory dwellings along with other residentially related facilities which serve the residents in the district.

Motion carried 7-0.

Commissioner Neumann made a motion, seconded by Commissioner Dettmer, to approve the following amendment to Section 401 – Principal uses permitted, (1)(c):

- c. The dwelling unit shall have a minimum footprint of 600 square feet, not including an attached garage.

Motion carried 7-0.

Commissioner Pall made a motion, seconded by Commissioner Willmott, to add the following language to Section 401 – Principal uses permitted and schedule a public hearing for all proposed changes:

8. Two-family attached dwellings subject to the following standards:
  - a. All regulations as contained in article XVI, Section 1600, Schedule limiting height, bulk, density and area by zoning district, in accordance with the district in which the parcel is located.
  - b. A two-family dwelling shall meet parking requirements of section 1704.
  - c. Two-family attached dwellings shall be architecturally compatible with the surrounding neighborhood.
  - d. A two-family dwelling shall not allow a garage to protrude beyond the front building plane.
  - e. For conversion of an existing building, the second dwelling entrance shall only be located on a non-street fronting building façade.
  - f. An exterior stairway to an upper level dwelling shall only be located on the side or rear of the structure and within the required building setbacks.
9. One (1) accessory dwelling unit (ADU) is allowed per residential lot subject to staff review and approval that the following standards are met:
  - a. An ADU is permitted on a parcel that has (1) single-family dwelling as the permitted principal use.
  - b. The property owner shall occupy either the ADU or the single-family dwelling on the property, except for temporary absences not to exceed a combined total of six (6) months in a calendar year, and be the primary residence of the property owner.
  - c. An ADU shall not exceed 600 square feet.
  - d. The property cannot exceed the lot coverage allowances of Section 1600 of the Zoning Ordinance.

- e. At least one (1) off-street parking space shall be provided for the ADU. Tandem or stacked parking in a driveway may count toward the off-street parking requirement.
- f. An ADU is not allowed on a property with a shared driveway.
- g. Leasing or rental of the ADU for less than three (3) months is prohibited.
- h. The accessory dwelling unit shall NOT have separate utility laterals.
- i. A deed restriction that runs with the land, on a form to be provided by the City, shall be filed with the Register of Deeds prior to issuance of a zoning permit, and it shall incorporate the following restrictions:
  - 1) The ADU shall not be sold separately from the single-family dwelling.
  - 2) An owner occupancy requirement and rental time limit.
  - 3) The deed restriction shall be in effect until the ADU is removed.
- j. No more than 10 new accessory dwelling units shall be permitted in a calendar year.
- k. The ADU cannot exceed 1½ stories and 16 feet, or the height of the principal structure, whichever is less.
- l. ADUs are only allowed in a rear yard and must have a minimum side-yard setback of five (5) feet, and a rear-yard setback of (five) 5 feet. If located on an alley, accessory building setbacks shall apply.
- m. ADUs shall be architecturally compatible in appearance with the primary structure.

Motion carried 7-0.

### **Sign Ordinance Amendments**

Discussion was tabled as the language will be returned to the Sign Committee for further review.

### **Public Notification and Engagement**

Discussion was tabled due to the late hour.

### **Public Comments**

No public comments were received.

### **Commissioner Comments**

Commissioner Willmott asked if there were still plans for a code enforcement officer and if there were any updates on the Mitchell Street Market property.

Alan Terry, Interim City Manager, responded that there are still plans for a code enforcement officer although it is not likely this year.

Staff responded that there are no updates at this time on the Mitchell Street Market property.

Commissioner Dettmer asked if there was any news on the status of Grand Villas and staff responded that they would be coming back to the Planning Commission for approval on a similar plan that has minor changes from the plan that was previously approved.

## Updates

Staff informed the Commission that a membership roster had been included in their packet that showed term expirations for Commission members and encouraged them to reapply prior to their term date expiration.

He also informed the Commission that he had been in contact with Emmet County Planning and Zoning regarding a possible joint training session in mid-July or August.

The meeting was then adjourned at 9:20 P.M.

Minutes reviewed by Cynthia Linn Robson, Chairperson