

**VILLAGE OF FRANKLIN
PLANNING COMMISSION
Minutes of Meeting
December 15, 2010**

I. CALL TO ORDER

The regular meeting of the Village of Franklin Planning Commission was called to order by Chairman Pamela Hansen at the Franklin Village Office Building, 32325 Franklin Road, Franklin, Michigan, at 7:31P.M.

II. ROLL CALL

Present: Al Beke, Calvin Cupidore, Connie Ettinger, David Goldberg, Pam Hansen, Mike Heisel, Dean Moenck
Absent: Mary Hepler (excused), Joe Roisman (excused)
Also Present: Planning Consultant Christopher Doozan-McKenna and Associates, Administrator Amy Sullivan, Clerk Eileen Pulker

III. ADOPTION OF AGENDA

Motion by Cupidore supported by Ettinger to approve the agenda as submitted.

Ayes: Beke, Cupidore, Ettinger, Goldberg, Hansen, Heisel, Moenck

Absent: Hepler, Roisman

Nays: None

Motion carried.

IV. ADOPTION OF MINUTES

A. Regular Meeting of September 15, 2010

The following revisions were noted. Council Liaison Report: Expand comment regarding the appointment of Liut to the HDC and change the comment regarding Parking Study funding to note that Council approved up to \$1,800.00 not 1/2. Add Flood Plain Special Meeting Minutes.

Motion by Heisel supported by Ettinger to approve the minutes for the regular meeting of September 15, 2010, as amended.

Ayes: Beke, Cupidore, Ettinger, Goldberg, Hansen, Heisel, Moenck

Absent: Hepler, Roisman

Nays: None

Motion carried.

V. COUNCIL LIAISON REPORT

Sullivan advised that Council at its meeting this week approved moving the 2 Village administrative employees to the Police Department's Health Insurance Plan to save money, approved a 1% wage increase for the 2 Village administrative employees effective January 1st on par with the wage increase for the Police Officers, approved a 3 year agreement with the County regarding election services, and adopted an ordinance relative to stormwater management which applies to development where an area of disturbance is one acre or more.

A. Main Street Franklin (MSF) Program Update

Sullivan noted that the Sit/Shop/Stroll event was successful with one business noting it was the best week ever for the business (Escapades) and Main Street Franklin will be rolling out its brand in January. Discussion ensued with it being noted that the Main Street evaluation was successful.

VI. BUDGET EXPENDITURE REPORT

Hansen noted that the budget is less than in previous fiscal years. Moenck inquired regarding the agreement with McKenna, noting that no formal agreement is in place, the Commission should be approving expenditures monthly, and questioned whether with budget cuts the Commission can continue with up to 85% of its budget committed to McKenna. Hansen noted that McKenna is paid a flat \$750.00

per month for planning related services and that McKenna tracks hours dedicated to the Village and that Commission action drives McKenna's workload. Discussion ensued regarding payment to McKenna and the pros/cons of flat rate v. hourly. Sullivan noted that the flat rate includes administrative consultations which occur even when the Commission cancels its monthly meeting. The consensus of the Commission was that the flat rate arrangement works favorably for the Village. The Commission requested this item be added to its next agenda for formal consideration of the agreement with McKenna. It was requested that McKenna quantify the hours dedicated to the Village and the equivalent hourly cost for CY 2010. Hansen noted the Parking Study would be an additional and yet to be determined cost for which the Commission can request additional funds from Council if needed as discussed and approved at a previous Council meeting.

VII. PUBLIC COMMENTS

Hansen requested comments from the public regarding non-agenda items with no one from the public responding. Hansen thanked the Commission and the Village staff for the plant sent to her Mother's funeral.

VIII. UNFINISHED BUSINESS

A. To Do List Items Report

Hansen led the Commission on a review of the To Do List with the consensus of the Commission being that all items are or by the end of the meeting will be completed.

B. Village Parking Plan Development

Cupidore noted that Hansen had contacted him to request that he lead this Subcommittee. Additionally, Cupidore reaffirmed the Council's directive regarding the parking study, and distributed minutes from the initial December Subcommittee meeting, noting that representatives from HDC and Main Street had agreed to be members of the Subcommittee. Further, Cupidore advised that Main Street Design Committee is considering downtown parking, as part of a broader vision relative to downtown matters. Sullivan, Hansen, and Cupidore will be meeting with Vivian to rescope deliverables and tasks, with McKenna. Cupidore further noted that Subcommittee members(HDC & Main Street Design) had suggested that their actions wait until Main Street Design Committee has completed its study which will include parking considerations(due to be completed sometime in 2011). The Subcommittee will continue its directive to present recommendations, regarding parking enhancements for downtown Franklin. The Subcommittee's baseline data will be shared with the Main Street Design Committee in collaboration to support the cited larger comprehensive downtown study. Cupidore noted that the December meeting summary notes should have reference tasks due dates of 2011 not 2010. The next Subcommittee meeting will be held sometime in January, which Sullivan is working on. Main Street will be holding a charrette in January to kickoff its study. Discussion ensued with Beke restating the commitment of the Subcommittee to convey data to the Design Committee. Beke also inquired whether the Subcommittee intends to include cross-easements, as part of its downtown parking review, with Cupidore answering in the affirmative and noting that the end objective will identify solutions/enhancements, recommendations, for the benefit of Franklin downtown parking area. Discussion continued with responses provided regarding consulting costs, MSOC current and anticipated involvement. Cupidore noting that an update would be provided in January or February. Hansen advised that Sullivan summarized all of the past parking studies, tasks will be restructured/rescoped to include Main Street Franklin as well as MSOC, with overall planning coordination oversight provided by McKenna. Donahue (MSOC) and McKenna will review and determine if additional data is needed. .

C. Medical Marijuana Facilities Regulations

Goldberg provided a brief overview of input received since the last Commission meeting including: Fisher dissertation on the Act from a municipal perspective, Election – change in Governor and Legislature may provide direction from the State, recent Court of Appeals ruling, and recent suit filed by the ACLU against Birmingham, Livonia, and Bloomfield Hills challenging their ordinances. He briefly reviewed how other communities are handling the issue and noted that he believes a 6 month extension of the moratorium is appropriate as it will allow the Legislature time to provide some hoped for direction

and the Village time to further study the issue and recommend a course of action to Council that will be the right choice for the Village. He further noted that he has met with Staran and reviewed his draft Resolution to extend the Moratorium. Discussion ensued as to current Moratorium extension timing and Council/Commission meeting dates with it being suggested that the Commission take formal action to recommend the extension to Council this evening.

Motion by Beke supported by Moenck that due to the complexities of the Medical Marijuana Act and its various nuances, the Planning Commission recommends that the Village Council continue the Moratorium for an additional 6 months to allow Planning Commission to actively pursue alternatives.

Discussion ensued regarding whether the recommendation should include terms with Goldberg advising ultimately the terms are up to Council, however, Staran's proposed resolution modifies the language and provides a sound rationale/justification for the extension.

Ayes: Beke, Cupidore, Ettinger, Goldberg, Hansen, Heisel, Moenck

Absent: Hepler, Roisman

Nays: None

Motion carried.

Discussion continued with the request made that the Court of Appeals opinion be provided to Commissioners and with Hansen noting that the Commission is benefitting from Goldberg's professional experience in this matter.

IX. NEW BUSINESS

A. Proposed Parking Lot Improvements, 32220 Franklin Road, Huda School.

Hansen welcomed the guests and advised as to process/objectives as follows: Site Plan (Staff input/review – Commission considers fully completed applications); Huda School is proposing Parking Lot Improvements due to comments received from the Village's Planner and Engineer; Commission can provide comments regarding the proposed plan; Public Hearing would not be scheduled until potentially February; goal is to understand the proposal and provide feedback before they return with a fully completed application. Discussion ensued regarding the completeness of the submitted items and time frame for considerations with Sullivan advising she will review and follow up as to the completeness of the application.

Mr. Stephen Vaglica of Gateway Engineering Services, on behalf of his client Huda School and Montessori provided an overview of the school, current parking situation, safety concerns, cost concerns, and proposal noting that his firm was retained to investigate the current situation and provide recommendations as to improving the parking situation while not increasing its size. Commissioner's reviewed the site plan while Mr. Vaglica provided additional commentary which primarily focused on the following: Parking lot size (slightly reduced), parking lot resurfacing, eliminate 2nd entrance, widen remaining entrance, clearly identify parking spots, addition of roundabout for student drop off (clearly marked with striping and signage and wide enough to enable turning of a fire truck), retaining wall considerations, landscaping, on site water retention, bollards, off-site parking, etc.

Discussion ensued regarding site limitations due to the existing underground water storage tank, McKenna's report, current proposal, lighting concerns, topography, existing retaining wall, aesthetic concerns, quantification of designated parking spots, water retention, stormwater management ordinance, handicapped parking, traffic flow/controls in roundabout, site irrigation, with Vaglica noting they are open to input and will work with the Village (lighting, retaining wall, landscaping, aesthetic concerns), irrigation will be included, but there is a budget for the overall project. It was suggested that a similar presentation be provided to HDC at its January meeting requesting their input. Sullivan advised as to process, noting that the Village and its consultants will compile a list of open issues and discuss with client as to budgetary concerns, further refine the list, proceed to HDC, and when all is complete, forward to the Commission. Discussion continued regarding how the improvements would impact the site's

legally non-conforming zoning designation and Special Land Use Permit for the educational facility with Sullivan advising that the SLUP is a separate issue.

Ettinger reiterated her concerns regarding the Huda School site plan application noting that from a liability perspective the Village has to ensure that the application is signed by the actual property owners.

B. Review Proposed Amendment to Sign Ordinance.

Sullivan provided an overview of the proposed Amendment advising that Council is considering an amendment to the sign ordinance to eliminate the amortization date for permanent signs to be brought into compliance and has requested the Commission's and HDC's input. She further noted that Council did not want to eliminate the amortization date for temporary signs to be brought into compliance (administratively those not in compliance are being worked on), elimination of the amortization date would result in compliance over time as part of a natural evolution in signage/turnover, and Main Street is working on a proposal for revisions to the sign ordinance. Discussion ensued regarding temporary signs with Sullivan advising that enforcement will continue and proposed change with it being noted that the challenge for the current permanent signs is the cost to become compliant which in this economy could be problematic. Discussion continued regarding permanent signs (number), sign ordinance, and timing with it being noted that the revisions to the Ordinance should come first and with Sullivan advising the question is how does the Commission recommend the Village handle these permanent signs after the revised Ordinance is in place with the consensus (4 - 3) of the Commission being to include a sunset date for compliance as opposed to grandfathering them in. Discussion ensued with it being noted the Commission was almost tied on this matter.

X. DISCUSSION

A. Conditional Rezoning, Educational

Motion by Moenck supported by Ettinger to table this discussion until the next Commission meeting.

Ayes: Beke, Cupidore, Ettinger, Goldberg, Hansen, Heisel, Moenck

Absent: Hepler, Roisman

Nays: None

Motion carried.

XI. UPCOMING MEETING DATES

A. Next Regular Meeting Date: January 19, 2011, 7:30 P.M.

XII. ADJOURNMENT

Motion by Moenck supported by Ettinger to adjourn the meeting.

Ayes: Beke, Cupidore, Ettinger, Goldberg, Hansen, Heisel, Moenck

Absent: Hepler, Roisman

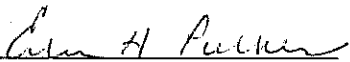
Nays: None

Motion carried.

There being no further business, the meeting adjourned at 10:04 P.M.

Respectfully submitted,

Lori D. Rich, Recording Secretary


Eileen H. Pulker, Clerk

TO DO LIST

December 15, 2010 Planning Commission Meeting

1. **Minutes September 15, 2010:**
 - a. Revise Council Liaison comments re Liut (more detail) and Parking Study funding (not ½ but up to \$1800.00).
 - b. Add Flood Plain Application Special Meeting Minutes.
2. **McKenna Payment Arrangement:**
 - a. Add formal consideration of payment arrangement with McKenna to next Commission meeting agenda. Include letter arrangement in next packet. Include McKenna's hourly summary/equivalent costs for CY 2010.
3. **Village Parking Study:**
 - a. Change due dates to 2011 not 2010.
 - b. Report back to Commission – January or February.
4. **Medical Marijuana:**
 - a. Recommend to Council 6 month extension of the Moratorium.
 - b. Forward Court of Appeals opinion to Commissioners.
5. **Huda School Parking Lot Improvements Proposal:**
 - a. Add to HDC's January meeting agenda.
 - b. Sullivan to review completeness of Application.
6. **Proposed Revision to Sign Ordinance:**
 - a. Recommend incorporating a date for permanent signage to be brought into compliance.
7. **Conditional Rezoning Discussion:**
 - a. Add to agenda for next Commission meeting.