

**VILLAGE OF FRANKLIN
PLANNING COMMISSION
Minutes of Meeting
February 16, 2011**

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 7:30 P.M.

II. ROLL CALL

Present: Al Beke, Calvin Cupidore, Connie Ettinger, David Goldberg, Pam Hansen, Mike Heisel, Mary Hepler, Dean Moenck, Joe Roisman

Absent: None

Also Present: Planning Consultant Christopher Doozan-McKenna and Associates, Administrator Amy Sullivan, Clerk Eileen Pulker, Main Street Franklin Administrator, Vivian Carmody

III. ADOPTION OF AGENDA

Motion by Heisel supported by Cupidore to approve the agenda as revised.

Discussion ensued regarding the agenda with it being noted that the sign presentation is not unfinished business and could be moved to following public comments and before unfinished business as an educational item, Village Parking Committee and Village Parking Plan Development updates are best discussed together, and 1st Floor Retail Ordinance is not a revision but a referral from Council with the consensus being to amend the agenda accordingly.

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

Nays: None

Motion carried.

IV. ADOPTION OF MINUTES

A. Regular Meeting of January 19, 2011

Motion by Hepler supported by Beke to approve the minutes for the regular meeting of January 19, 2011, as submitted.

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

Nays: None

Motion carried.

V. COUNCIL LIAISON REPORT

Sullivan provided a brief overview of the following items of relevance to the Commission considered by Council at its February 14th meeting: Budget (budget information presented, forming citizen blue ribbon committee to review budget and make comments/recommendations to Council); Amended Master Fee Schedule for tree removal permit/bonds by deleting blanket performance bond and adding permit fee, and \$450 bond for replacement of protected trees and for every three inch caliper of heritage trees to be replaced and protected trees intended to be saved; Discussed possible 1st floor retail ordinance and transmitted to PC for its consideration; Adopted the amendment to the sign ordinance that pushes out the sunset date for non-conforming permanent signs to be brought into compliance (Sullivan provided an update as to the real estate sign). Hepler requested information on and discussion ensued regarding the recent incident in the Village regarding medical marihuana.

VI. BUDGET EXPENDITURE REPORT

Hansen led the Commission on a review of the budget. Discussion ensued regarding items that were removed from the budget to facilitate funding of the parking study with Sullivan advising this has been done and with the consensus of the Commission being to have the budget updated to reflect those

changes. The commissioners agreed that staff would review the financial reporting format to reflect forecasted expenses by line item for the year to allow commissioners to more accurately assess the financial condition of the PC. Hansen advised that Sullivan has requested Commission input on projected expenditures for the FY 2011-2012 budget with Commissioners discussing how to approach this with the consensus being to provide a budget to Council broken down by discretionary costs (project related) and non-discretionary (required meeting costs, McKenna retainer), with it being noted that a budget is not necessarily authorization to spend, and with Sullivan advising that preliminary figures are indicating the Village will have a deficit next year. Hansen noted she will draft a list of budget items including potential projects/costs for consideration at the March meeting.

Discussion ensued regarding the Master Plan which is required to be updated every 5 years (due in 2011) with Doozan noting that a review not necessarily a complete revision is the requirement and with Hansen advising she will include as a discretionary item a review of the Master Plan.

VII. PUBLIC COMMENTS

None.

VIII. EDUCATIONAL ITEM.

A. "Signs of a Successful Main Street" Presentation

Pat Burke, Main Street Executive Board and liaison to Design Committee, presented a power point developed by the National Main Street Center for the National Trust for Historic Preservation on signage/process, noting a downtown/main street area's unique needs are best addressed through signage regulations that focus on design that defines the character of the district and which will ultimately benefit the district collectively as well as individual property/business owners. Discussion ensued with Sullivan advising the sign ordinance will be moving out of the Main Street Franklin Design Committee soon and with Sullivan advising Council would refer this back to PC.

IX. UNFINISHED BUSINESS

A. To Do List Items Report

Hansen led the Commission on a review of the To Do List with it being noted that Huda School should be moved to the March meeting, Budget expenditures should be added to the March meeting, with further explanation of the parking study funding and expenditures.

B. Village Parking Committee Update Village

C. Village Parking Plan Development Update

Cupidore provided a brief update noting the survey has gone out to Village stakeholders, Main Street is collaborating on the parking study, the planned charette is postponed, and Committee goal is to review survey data in March and bring forth a recommendation to the Commission at its April meeting. Discussion ensued regarding the charette and JJ&R's anticipated involvement (role and potential cost) with Carmody providing input, noting that nothing has been finalized. Further, Cupidore noted the sub-committee's role in sharing data in support of MSF organizing of the charette.

D. Discussion on Main Street Franklin Update

Hansen initiated a discussion regarding handling MSF updates at PC meetings. Informational needs have changed since MSF was first instituted and with many Commissioners' active in MSF and with Hansen on the Board, a monthly report is no longer necessary as Commissioners can provide input during Committee reports and Hansen can provide a broad update. Carmody noted she would be present when a MSF item is up for consideration.

E. Consider Revising List of Non Protected Trees in Tree Ordinance

Hansen provided a brief review and requested Sullivan to provide guidance relative to the list and whether a motion is required with Sullivan advising that a motion to revise the ordinance to replace Appendix A with the new list would be in order. Discussion ensued regarding the compilation of non-protected trees

(what was added/removed), potential motion, and process to move forward with the consensus being that the non-protected tree list was not to be revised.

F. Medical Marijuana Facilities Regulations Discussion

Goldberg provided an update noting that Farmington Hills has not adopted its restrictive ordinance and is continuing the moratorium. To move forward on Franklin's approach, he needs to hear Commissioner's thoughts as to what course of action (ignore, prohibit, regulate) to follow so he can narrow his research accordingly and better equip the Commission on a recommendation to Council. Goldberg noted that Doozan is assisting him in connecting with Southfield's planner with a recommendation to schedule a joint presentation to the Commission and Council. Discussion ensued regarding the form of a recommendation with the consensus being to compile a term sheet and not present a draft ordinance to Council until Council has reviewed the term sheet and narrowed the direction. General topics of discussion were: Community input: (eventually a public hearing would be required as on any ordinance, consider providing an opportunity for public input earlier in the process, individual mindsets/morals/values will flavor outcome); Residential impact: (recent home invasion, risk to police department, home business concerns, property owners v tenant concerns, can amount be limited, can it be restricted to patients, property value concerns, grower assumes responsibility for security, dispensaries not suitable, issue of barns, spreads risk, large lots could pose additional risk); Non-residential impact: (could Village designate one place in the Village outside of the residential district for growing purposes, brings topic into the open, centralizes risk, could effectively prohibit, not all property owners are Village residents); Legal: (difference in County approaches, recent survey showing continued support of medical marijuana, Ingham requires registration of caregivers, difficulty in balancing municipal/law enforcement concerns with individual rights, prohibition sends clear message to criminal element but is likely to be challenged, permitting avoids a legal challenge). Doozan presented several options and after discussion/consideration Commissioners reached a consensus that prohibition and ignoring were not options for the Village and the best course of action would be to regulate growing for patients (residential) and prohibit dispensaries/caregivers with Hepler noting prohibiting caregivers could be problematic, Cupidore suggesting the approach of prohibition by requiring a commercial district designation, Moenck noting that regulating use by patients and prohibiting dispensaries/caregivers buys the Village time for the State to step in and clarify the law, and Goldberg advising he will research this option. Hepler suggested that the Village could benefit by designating an area in the Village in which a well-protected, regulated, and licensed growth facility could operate.

X. NEW BUSINESS

A. Consider 1st Floor Retail Ordinance – Council Referral

Hansen advised this is an informational item and noted the request was initially raised at a Commission meeting by a merchant (Kochensparger) to help promote retail in the Village, was referred to Main Street – Economic Restructuring Committee ("ERC") for consideration, who brought it to Council, who referred it to the Commission. Cupidore, who is a member of the ERC, agreed with Hansen's summary noting this is a potential strategy to revitalize the downtown by increasing the retail/office use percentage with which other communities have had success. Hansen requested Sullivan to clarify the referral from Council with Sullivan advising it was not specific; just a request for Planning to look at it. Carmody provided a brief overview of the request as presented to Council noting the Village needs to stop the trend of seeing space transition to office from retail and this is a potential tool that a committee could review for use in Franklin to address this concern. Discussion ensued regarding what other main street communities are doing (ordinances that restrict commercial and/or lowering leasing rates), concern of limiting/changing property owner rights, benefits of stronger retail presence, appeal is part of the process when needed. Hansen requested ERC to come back to the Commission in March with an informational presentation and business case as to why an ordinance of this nature is desired, along with other potential strategies for achieving the objective of increasing retail use in the Village Center.

XI. UPCOMING MEETING DATES

A. Next Regular Meeting Date: March 16, 2011, 7:30 P.M.

XII. ADJOURNMENT

Motion by Roisman supported by Ettinger to adjourn the meeting.

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

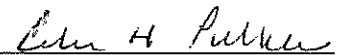
Nays: None

Motion carried.

There being no further business, the meeting adjourned at 10:09 P.M.

Respectfully submitted,

Lori D. Rich, Recording Secretary



Eileen H. Pulker, Clerk

TO DO LIST

February 16, 2011 Planning Commission Meeting

- 1. Huda School Parking Lot Improvements Proposal:**
 - a. Add to March agenda.
- 2. Projected Expenditures for Budget Purposes:**
 - a. Add to March agenda.
 - b. Hansen draft discretionary project related cost estimates and send worksheet out with next packet.
- 3. Budget Report:**
 - a. Sullivan/Pulker to update Report to reflect budget items that were removed with those funds earmarked for Parking Study.
 - b. Sullivan/Pulker to update report format to include forecasts by major line item.
- 4. Parking Study:**
 - a. Parking subcommittee to Review data in March and aim for recommendation at April meeting.
- 5. Medical Marihuana:**
 - a. Goldberg to research regulating patients and prohibiting caregivers in residential.
- 6. 1st Floor Retail Ordinance**
 - a. ERC to provide information and business case as to why an ordinance of this nature is desired, along with other potential strategies for achieving the objective of increasing retail use in the Village Center.