

**VILLAGE OF FRANKLIN  
PLANNING COMMISSION  
Minutes of Meeting  
December 12, 2012**

**I. MEETING CALLED TO ORDER**

The regular meeting of the Village of Franklin Planning Commission was called to order by Chair David Goldberg at the Franklin Village Hall, 32325 Franklin Road, Franklin, MI, at 7:30 P.M.

**II. ROLL CALL**

Present: Al Beke, Calvin Cupidore, David Goldberg, Connie Ettinger, Peter Halick, Mike Heisel, Dean Moenck  
Absent: Karen Couf-Cohen, Mary Hepler (both excused)  
Also Present: Planning Consultant, Christopher Doozan, McKenna and Associates, Village Administrator, Amy Sullivan, Village Clerk, Eileen Pulker

**III. ADOPTION OF AGENDA**

**Motion by Ettinger supported by Heisel to approve the Agenda as revised.**

Upon request by Cupidore, Master Plan Review Funding discussion was added as Unfinished Business, Agenda Item G.

**Ayes: Beke, Cupidore, Goldberg, Ettinger, Halick, Heisel, Moenck**

**Nays: None**

**Absent: Couf-Cohen, Hepler**

**Motion carried.**

**IV. ADOPTION OF MINUTES**

**A. Regular Meeting of November 14, 2012**

**Motion by Heisel supported by Cupidore to approve the minutes for the regular meeting of November 14, 2012 as submitted.**

Discussion ensued regarding Sullivan's comments on Agenda Item B (page 4).

**Ayes: Beke, Cupidore, Goldberg, Halick, Heisel, Moenck**

**Nays: None**

**Abstain: Ettinger**

**Absent: Couf-Cohen, Hepler**

**Motion carried.**

**V. BUDGET EXPENDITURE REPORT**

**A. Budget Update**

It was noted additional funding will need to be requested from Council to cover secretarial services.

**VI. PUBLIC COMMENTS**

Goldberg requested comments be held to non-agenda items only with comments on agenda items being addressed during an agenda item.

- **Diane Lake, Crestwood**, provided a Master Plan historical perspective on rezoning and all the challenges associated with that, noting Master Plans have emphasized the importance of retaining the four (4) homes as residential and the importance of commercial revitalization, though not by changing the use. Lake further referenced the Main Street 2010 report ("Report") in terms of revitalization, retail destination, and the incompatibility of historic preservation and retail/regional destination. Lake summarized by suggesting because of the Master Plan and the strong community interest in that, the community has indicated historic preservation concepts are a high priority as well as maintaining those homes as residential; regional destination can only happen if and when the community indicates

that is what is wanted and is best done through a new Master Plan type of process. Lake offered to make the Report available and underline pertinent portions.

## **VII. PUBLIC HEARING**

### **A. Proposed Ordinance to Amend Section 1262.01, Parking Requirements, of Chapter 1262, Off-Street Parking and Loading.**

Chairman Goldberg opened the public hearing at 7:44 P.M and requested Doozan to provide a brief overview/synopsis. Doozan reviewed the three (3) categories of proposed amendments: parking standard for the downtown C-1 area; location of parking spaces for single family dwellings; off-street parking requirements (table). Goldberg noted this is the first of three (3) sections to be reviewed/amended with this being the first public hearing and noted the goal is to not take action this evening but to receive public input and vet out some of Doozan's comments, and after all three (3) sections have been considered, make one consolidated recommendation to Council regarding the ordinance as a whole.

- **Bill Lamott, Scenic Drive**, inquired as to what impact the prior parking study has had on their considerations, noted additional parking for the Kreger house was done via an agreement with the Church, and requested the Commission to lead the community down the path of resolving the parking problem not down a path of more paved spots.
- **Diane Lake, Crestwood**, opined if the changes are important there should be a tie-in to the Master Plan or some great need in the community to justify the changes; the changes shouldn't be done until they are justified. Lake noted she reviewed Doozan's report and sought additional clarification as to how parking is managed in jurisdictions mentioned in his report, noting several ancillary factors such as availability of municipal parking sites/structures, loading space, and on street parking.
- **Gail Beke, Colony Hill**, distributed to the Commission a letter from Roger McClow, Franklin Road, with Goldberg acknowledging receipt and noting Commissioners will read the letter before any action is taken.

Chairman Goldberg closed the public hearing at 7:56 P.M.

## **VIII. UNFINISHED BUSINESS**

### **A. Consider Ordinance to Amend Section 1262.01, Parking Requirements, of Chapter 1272, Off-Road Street Parking and Loading.**

Goldberg noted the goal is to vet out some of the issues and several good points were raised during the public hearing. Commissioners discussed parking standards with Doozan noting the number would be taken as a composite (commercial plus residential) and the ordinance has a provision to round to the nearest whole number. Discussion ensued regarding shared parking, parking study/analysis, parking requirements, variances, and comparables in Doozan's report, with Cupidore, upon request, offering to transmit an electronic version of the final Parking Study/Analysis. Goldberg summarized by reiterating the public comments provided good feedback and should be considered as the Commission determines what the revised standards will be.

### **B. Set Public Hearing to Consider an Ordinance to Amend Section 1268.29, Protective Screening, of Village of Franklin Ordinances Chapter 1268, Supplementary Regulations**

Goldberg noted this agenda item is to consider scheduling a public hearing and inquired if anyone had a problem with amending this section.

**Motion by Heisel supported by Cupidore to schedule a public hearing on an ordinance to amend section 1268.29, Protective Screening, of Village of Franklin Ordinances Chapter 1268, Supplementary Regulations for the January 16, 2013, meeting.**

**Ayes: Beke, Cupidore, Goldberg, Ettinger, Halick, Heisel, Moenck**

**Nays: None**

**Absent: Couf-Cohen, Hepler**

**Motion carried.**

**C. Set Public Hearing to Consider an Ordinance to Amend Section 1262.02 Parking Requirements, of Chapter 1262, Off-Street Parking and Loading**

Goldberg provided a brief overview noting this agenda item is to set the public hearing and inquired if anyone had a problem amending this section of the ordinance.

**Motion by Heisel supported by Ettinger to schedule a public hearing on an ordinance to amend section 1262.02, Parking Requirements, of Village of Franklin Ordinances Chapter 1262, Off-Street Parking and Loading for the January 16, 2013, meeting.**

**Ayes: Beke, Cupidore, Goldberg, Ettinger, Halick, Heisel, Moenck**

**Nays: None**

**Absent: Couf-Cohen, Hepler**

**Motion carried.**

**D. Consider Proposed Conditional Rezoning Application for the Property Located at 32635 Franklin Road, Currently Zoned R-3 Medium Density Residential District, to C-1 Local Business District**

Goldberg provided a brief overview noting the Applicant submitted some revisions to several sections of the proposal and the booklet with the tabs was helpful. Goldberg further noted this will take several meetings to get through with the goal for tonight's discussion being to consider all the proposed conditions to be included in the Application with the Site Plan issues to be considered at the following meeting.

- **Lisa MacDonald, Fitness Driven**, noted Fitness Driven is a private personal training studio and invited all interested parties to visit the studio to get a good understanding of what will be recreated in the Snow House and provided a brief overview of usage (not looking to expand, sessions are by appointment only).
- **Bill Finnicum, Finnicum Brownlie Architects**, reviewed how the property could easily revert to a residential use as only minor changes are being proposed.
- **Greg Gamalski**, advised as to the proposed application, noting the intent was to attempt to eliminate uses they clearly weren't looking for.

Discussion ensued regarding the proposed conditions and related topics with the following being noted/considered: 1) **Permitted-Prohibited Uses**: Language can be drafted to reflect retail as an accessory use, Doozan and Gamalski to flesh this out, preference is for language that details what Fitness Driven intends to do which would exclude other uses, consider establishing floor area for retail component, fundamental condition; 2) **Vehicular access and Parking** - Parking requirements to be considered after the parking ordinance is amended, Barrier Free/Parking – Site Plan consideration, will be subject to getting a variance or ordinance amended, Finnicum noted there is a written agreement relative to shared parking with Yankee Design, Finnicum offered to provide photo of basement; 3) **Picket Fence on Franklin Road** - Site Plan consideration; 4) **Lot Coverage and Storm Water Control** - Site Plan consideration, storm water runoff, HDC input needed, Finnicum offered to have his civil engineer provide written input relative to an analysis of current and proposed storm water runoff which can be provided to HRC, preliminary engineer analysis, Finnicum proposed providing a report that analyzes proposed with gravel vs. as required with asphalt); 5) **Historic District Requirements** - Process with it being noted the ability to analyze the conditions rest on other approvals, Doozan suggested adding a condition that the final site plan is approved conditional upon Historic District Commission approval; 6) **Protection of the Environment** - Two large trees in the front are protected trees, tree ordinance, condition if something more than required by the tree ordinance is offered (e.g. two year bond), environmental impact is minimal; 7) **Residential Character of the Snow House will be preserved** - critical condition, existing and proposed building size, second floor is not required to have barrier free access as services can be offered on the lower level, 8) **Landscaping and Buffering** - Fence needs to be revisited after protective screening ordinance revisions move forward; 9) **Lighting** – need spec sheets, recommendation would be subject to HDC approval on items in its domain, if something material is changed Planning Commission

will need to revisit the item; 10) **Signs** - Site Plan considerations, design subject to HDC approval, new sign ordinance in place; 11) **Use of the Flat Roof** - no ordinance to prohibit use, disallow use would be an acceptable condition; 12) **Termination of Conditional Zoning Permit** – fundamental condition, text change suggested; 13) **Annual Certification** - acceptable as a condition but compliance is not limited to the certification; 14) **Utility Easement** –grinder pump (not an issue as the pump will not be relocated); 15) **Variiances** – Conditional zoning can't be used to bypass ZBA process for variances.

- **Bill Lamott, Scenic Drive**, noted hours of use and number of occupants were concerns for Huda and suggested touching on those for this proposal and noted two experts in the field of historic preservation would be interested in addressing the Village and sharing their insight. It was noted this would be helpful (perhaps a joint meeting with HDC) and the suggestion was made to add them to an appropriate agenda under unfinished business.
- **Diane Lake, Crestwood**, raised concerns relative to use, non-conforming, expansion to commercial use and impact if it reverts back at some point. Lake suggested this would be an expansion of a non-conforming use which under normal circumstances would be considered by ZBA.

Discussion ensued with it being noted there is no planned expansion to the business hours – just a desire to give the clients the quality service they expect, Building Official would ensure conformance with building code, retail is ancillary to the business, parking/loading requirements as they relate to the retail component with Doozan suggesting this can be better defined in the agreement.

- **Bill Finnicum, Finnicum Brownlie Architects**, clarified that the building conforms with the zoning ordinance so there would be no expansion of a non-conforming use.
- **Diane Lake, Crestwood**, raised easement concerns.
- **Sherry Sparks, Evelyn Ct**, suggested this be looked at from a neighbor perspective, noting a fitness center next to a residential area could be disruptive to a residential lifestyle due to common morning and evening hours for these types of businesses. Sparks noted there are different building codes for commercial use, the business will generate noise, she is having difficulty in visualizing how the parking would be adequate, and there will be overlap of services (even though set by appointment).

Discussion ensued with it being noted hours of operation would be helpful information to include, the Village has ordinances that address noise and residential structures already converted to commercial, and the number of people in the business will be driven by numerous factors. Beke inquired as to whether the conditions for Conditional Zoning of a property are only specific to the current owners. Beke also asked if there would be another public hearing concerning the property once an agreement was more formally drafted. Goldberg replied affirmatively that, in his opinion, the Planning Commission will schedule another Public Hearing regarding this specific request for Conditional Zoning.

**E. Consider Proposed Site Plan for the Property Located at 32740 Franklin Road (Rain Garden and Parking Lot Improvements)**

Goldberg introduced this item with Doozan providing additional input and the Applicant showing photos of other rain gardens. Discussion ensued regarding handicapped parking, maintenance, minimum parking requirements, pavers, and HRC sign off with Goldberg noting he had visited the site and all of his questions have been addressed and Sullivan advising HRC has already signed off.

**Motion by Ettinger supported by Cupidore to approve the proposed Site Plan for the property located at 32740 Franklin Road (Rain Garden and Parking Lot Improvements) subject to barrier-free parking and ramping issues being identified before Council takes action.**

**Ayes: Beke, Cupidore, Goldberg, Ettinger, Halick, Heisel, Moenck**

**Nays: None**

**Absent: Couf-Cohen, Hepler**

**Motion carried.**

**F. Consider Proposed Site Plan Revisions for the Property Located at 32749 Franklin Road behind the Smile Brothers Building**

Goldberg provided a brief overview. Discussion ensued regarding parking requirements (surface, identifying spaces, number of spaces, bumper blocks, other limestone parking surfaces in the Village, adjacent property), and refuse (placement of containers). Dan Costello and Sullivan provided additional input regarding the parking space calculations. Goldberg noted how these type of spaces in general will be demarcated needs to be determined.

**Motion by Heisel supported by Cupidore to recommend approval of the Site Plan Revisions for the Property Located at 32749 Franklin Road behind the Smile Brothers Building.**

Discussion ensued with Beke noting that although the Site Plan satisfies the Village's existing requirements, he wished that these requirements were more specific in defining minimal square footage and amenity levels for residential uses in the C-1 District.

**Ayes: Beke, Cupidore, Goldberg, Ettinger, Halick, Heisel, Moenck**

**Nays: None**

**Absent: Couf-Cohen, Hepler**

**Motion carried.**

**G. Master Plan Review Funding discussion.**

Goldberg noted he addressed Council at its last meeting and advised them that when financial considerations are being considered, the potential to save \$3,000.00 for moving general elections from September odd years to November even years is significant in that the Commission will not be able to pay its recording secretary and will need additional funds for a Master Plan update. Goldberg noted the Commission has discussed the need for a Master Plan update previously and his suggestion is to consider a partial update, obtain some figures from Doozan as to his potential costs, and request funding from Council. He noted the review should touch on the Village Center area and creative development approaches for the properties along Telegraph Road. Discussion ensued with it being noted the creative development approaches would be general in nature and would simply set the stage for this type of an approach at a later date and the update would not be a complete Master Plan update with the costs being considerably less than the prior update. As for funding, Sullivan noted the Commission could review this internally with costs being deferred to the next fiscal year which she would include in the budget.

- **Pat Burke, Franklin Court**, noted some of these issues were vetted in the Charette.

**IX. UPCOMING MEETING DATES**

**A. Next Regular Meeting Date: January 16, 2013**

**X. ADJOURNMENT**

**Motion by Beke supported by Heisel to adjourn the meeting.**

**Ayes: Beke, Cupidore, Goldberg, Ettinger, Halick, Heisel, Moenck**

**Nays: None**

**Absent: Couf-Cohen, Hepler**

**Motion carried.**

There being no further business, the meeting adjourned at 10:18 P.M

Respectfully submitted,

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Lori D. Rich, Recording Secretary

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Eileen H. Pulker, Clerk

**Village of Franklin Planning Commission December 12, 2012 Meeting**

**To Do List**

- 1) Ordinance to amend parking requirements - Amend Section 1262.01:**
  - a. Cupidore provide electronic final version of Parking Study to Commissioners
- 2) Ordinance to amend protective screening - Amend Section 1268.29 :**
  - a. Set Public Hearing for January 16, 2013 meeting.
- 3) Ordinance to amend parking requirements Amend Section 1262.02**
  - a. Set Public Hearing for January 16, 2013 meeting.
- 4) Conditional Rezoning Application:**
  - a. Finnicum provide storm water runoff analysis for gravel vs. asphalt
  - b. Consider adding historic preservation experts to an agenda
- 5) Site Plan - Rain Garden:**
  - a. Identify barrier free parking and ramping issues before Council takes action.
- 6) Site Plan Revisions – 32749 Franklin Road:**
  - a. Approval recommended