

Approved
6.27.24

**City of Keego Harbor
Planning Commission Meeting Minutes
Thursday, May 23, 2024, at 7 PM**

CALL THE MEETING TO ORDER

Chairman Yoder called the meeting to order at 7:02 p.m.

ROLL CALL

Present: Chairman Yoder, Vice Chairperson Streng, Commissioner Emerling, Commissioner Meabrod, Secretary Santia, and Mayor Pro Tem Shimansky

Absent: Commissioner Douglass

Motion by Vice Chairperson Streng; supported by Commissioner Emerling to excuse Commissioner Douglass from the May 23, 2024, meeting.

Unanimous Vote: Ayes: 6 Nays: 0 Motion Carries

STAFF PRESENT: City Manager/Clerk Tammy Neeb, Deputy Clerk Stacy Goodall, City Planner Mara Braciszewski.

APPROVAL OF AGENDA

3170 Orchard Lake Road-PUD Extension has been removed from the agenda and will be placed on the agenda for June. The deadline for an extension does not expire until September.

Motion by Commissioner Meabrod; supported by Commissioner Emerling to approve the agenda for May 23, 2024, Planning Commission Meeting.

Unanimous Vote: Ayes: 6 Nays: 0 Motion Carries

APPROVAL OF MINUTES

The dates of the public hearing and a spelling error will need to be corrected.

Motion by Secretary Santia; supported by Mayor Pro Tem Shimansky to approve the April 25, 2024, meeting minutes.

Unanimous Vote: Ayes: 6 Nays: 0 Motion Carries

PUBLIC COMMENTS

Kirsten Sonnevile-Douglass 1703 Maddy Ln.- On behalf of the Parks and Rec Commission asking for volunteers to help with the Memorial Day Parade.

April & Virgil Lockardt- New business owners trying to open Lorenzo's Pizza and Sweet B's Ice Cream shop. The previous catering business that occupied the building two years ago was a similar business to the proposed take-out business. The current zoning ordinances are being reviewed by city planners and the change of use requirements will be discussed further.

Planning & Zoning Report

April 2024

McKenna assists the City of Keego Harbor on zoning, planning, and economic development matters. This document serves as the official Planning Commission report on Planning and Zoning activities and services in April 2024. Contact your McKenna Team via email anytime:

- **John Jackson, AICP, NCI, Project Director** (jjackson@mcka.com)
- **Mara Braciszewski, AICP, Project Manager** (mbraciszewski@mcka.com)
- **Ashley E. Amey, NCI, Project Planner** (aamey@mcka.com)

Date	Address	Zoning	Inquiry	Planner's Review
April 16	2184 Park Circle	NR, Neighborhood Residential	The property is for sale and the Applicant is looking for more info. Can a garage or shed be added? Any soil info? What is building potential?	Limited development potential based on average waterfront and front yard setbacks. Anyone interested should get a survey to determine the degree of conformity before they close on the property.
April 16	3119 Pridham	NR, Neighborhood Residential	Is a front yard deck allowed?	No, front yard covered porch, patio or terrace are fine but not deck.
April 17	1786 Sylvan	NR, Neighborhood Residential	Zoning Permit for a gazebo.	The applicant wants to install a 300 SF gazebo. Per Zoning Ordinance, section 15.13 (f), accessory structures cannot be greater than 100 SF. Section 4.03 defines the accessory uses permitted as "private garages, garden houses, non-commercial gardening, tool houses, sheds, non-commercial greenhouses, non-commercial swimming pools, and home occupations". However, previous Planner told applicant that they could build if they complied with lot coverage and set back standards. Applicant is in compliance with these standards.
April 17	2916 Virginia	NR, Neighborhood Residential	What is a building envelope?	Per property size and section 4.08, the applicant can cover up to 30% of the property with a house, or 1,960 SF.
April 22	2005 Maddy	NR, Neighborhood Residential	Would like to arrange a meeting with planners. New home plans and the first zoning reviews were done on 4/20/2024. The applicant has been busy but would like to continue the review process.	Planners met with the Applicant on April 24, 2024. He will adjust the position of the garage on the property to comply with Zoning Ordinance standards.

April 22	3023 Glenbroke	NR, Neighborhood Residential	Wants to build carport over driveway. The applicant said he spoke to someone before (nothing in the system), and they told him he would need a variance.	A carport would not be permitted. The Applicant would have to complete a zoning permit application + go to the ZBA if he wishes to construct a carport on his property. The Applicant may consider constructing a garage instead.
April 22	1763 Beechmont	NR, Neighborhood Residential	Review Zoning permit - replacing some existing fencing and adding 2 gates.	The proposed fence complies with all requirements. However, the gates facing the roadway must be 4' with a 2' lattice. Applicant was informed of this requirement (citing 1781 Beechmont as an example of what it would look like). Applicant will construct that portion of the fence / gate with a lattice.
April 29	2038 Cass Lake Rd, Ste 4	C-1, Local Business	Review Sign Permit PS24005.	Sign permit was approved by Zoning on May 6, 2024.
April 29	2192 Park Circle	NR, Neighborhood Residential	Review Zoning permit - needs to be denied to qualify for June ZBA	The application is being reviewed.
April 29	3262 and 3264 Millwall	NR, Neighborhood Residential	Looking for info on 3262 Millwall which is for sale and includes vacant lot 3264 Millwall next door. Can a garage be built on a vacant lot? If so, how big?	A structure cannot be built on a lot without a primary structure (Section 15.13H). He could look into a lot combo or installing a garage at the rear of the house. A lot combo could be considered and reviewed.
April 29	2916 Virginia	NR, Neighborhood Residential	What is a building envelope?	Inquiry is paused due to Applicant circumstances.

RECOMMENDATIONS

The monthly reports submitted to the Planning Commission serve the purpose of identifying any trends within Keego Harbor. These trends may include increased demand for housing in specific neighborhoods, a rise in small businesses opening up, or repeated requests for a certain type of variance. Once trends are identified, it is crucial to act. Potential solutions include zoning ordinance amendments, new policy documents, or even applying for grants to fund projects.

Grants

McKenna's services to the City include searching for grants that Keego Harbor may be eligible for, in addition to applying for them. McKenna is excited to announce that Keego Harbor has received the following grant(s):

- a. *MSHDA – Housing Readiness Incentive Grant (\$45,000)*

The Michigan State Housing Development Authority (MSHDA) has granted Keego Harbor a \$45,000 grant. Keego Harbor was approved to utilize this grant funding on the upcoming Master Plan Update.

Zoning Ordinance Amendments

1. Accessory Structures.

On April 17, McKenna spoke with an applicant who wanted to install a 300-square-foot gazebo in their backyard. However, the applicant was informed that according to Section 15.13(F) - Accessory Structures, they are not allowed to construct an accessory structure that exceeds 100 square feet.

We believe that this requirement is excessive and should be removed. The ordinance already includes a provision about lot coverage, which states that lot coverage cannot exceed a certain percentage in the NR (Neighborhood Residential) District. The lot coverage requirements should be sufficient to prevent the need for additional regulations relating to the size of accessory structures such as a gazebo. We recommend that the Planning Commission consider removing this requirement.

2. Site Plan. On May 15, 2024, McKenna received an inquiry from two applicants who seek to open an ice cream parlor and pizza restaurant in a C-1, Local business Zoning district. The uses are considered "standard restaurants" in the zoning ordinance, which are allowed as a special land use. This means the applicant must pursue the special land use process. On the May 23, 2024, Planning Commission meeting, there is a public hearing to discuss removing the SLU requirements from restaurants. The Planning Department recommends this removal.

Not only do the applicants need to apply for a SLU under current ordinance, they also need a site plan, which must be stamped by a professional and meet the requirements listed in 16.06-0-2. Section 16.06 lists the scenarios when a site plan is required. The Planning Department recommends the following changes in policy:

SECTION 16.06 SITE PLAN REVIEW

(a) When Required.

(1) Site plan review is required for **all new construction, except for projects that involve single or two-family development.**

~~Proposed uses, including change of use, and certain existing uses within the City where an alteration, addition, expansion, change or conversion constitutes an increase or reduction to the existing structure or use of more than five hundred (500) square feet or ten (10) percent, whichever is less; or would require a variance from the provisions of the Ordinance, regardless of its size.~~

(2) ~~Any development, except single-family residential, for which an off-street parking area is required in Article XIII, Off-Street Parking Requirements.~~

(2) Projects that involve special land use, variance, and/or Planned Development.

~~(3) Any use except single-family residential which lies contiguous to a major thoroughfare or collector street.~~

~~(4) All residentially-related special land uses permitted in single-family districts such as, but not limited to: churches, schools, and public facilities.~~

(3) Projects that require more discretion as deemed by the Zoning

Administrator or Building Official. For example, these projects could include changes in use to a more intensive use, which may result in changes in parking, hours of operation, and the physical character of the site.

~~Not eligible for sketch plan review as determined by the Zoning Administrator.~~

(b) Sketch Plan Review

- (1) Intent. The intent of this section is to permit submittal of a sketch plan in instances where a complete site plan is not considered essential to ensure compliance with the intent and standards of this Zoning Ordinance.
- (2) Eligibility. The Zoning Administrator and Building Official may allow a sketch plan for the following activities:
 - ~~(a) Change in use, as defined in the Zoning Ordinance, that do not increase the gross floor area, provided all other improvements are consistent with the requirements of this Zoning Ordinance.~~
 - (b) Renovation, addition, construction of a one- or two-family structure (up to 2 units).**
 - (c) Renovation, addition, construction of a new accessory structure.**
 - (d) Projects that involve minor modifications and do not require a special land use or variance. Minor modifications are defined as a change to an existing building that does not increase the footprint by more than 25%.**
 - (e) Temporary uses and structures (including outdoor sales and dining).**
 - (f) Change in building height that does not involve floor area.**
 - (g) Alterations to the off-street parking layout or installation of pavement or curbing improvements provided the total number of spaces shall remain constant, and the construction plans and lot construction are approved by the City.
 - (h) Relocation of a waste receptacle to a more inconspicuous location, or the installation of screening, both consistent with the requirements of this Zoning Ordinance.
 - (i) Changes to a facade, architectural features or wall signs, provided such changes are consistent with the requirements of this Zoning Ordinance and do not significantly change the appearance of the building (an elevation plan showing changes and construction materials is required).
 - (j) A change from a nonconforming use, building or site to a more conforming situation consistent with the requirements of this Zoning Ordinance. **This includes re-occupancies that do not have the required residential screening wall and/or a dumpster enclosure. These projects would be required to install a screening wall and dumpster enclosure.****
 - (k) Modifications to upgrade a building to improve barrier-free design, comply with Americans with Disabilities Act or other federal, state or county regulations.

- (l) Internal construction or change in the floor plan for a conforming use that does not increase gross floor area, provided the construction cost over a twelve-month period does not exceed fifty (50) percent of the building's state equalized value or effect parking requirements on a site.
- (m) Construction, improvements, or alterations of signs, retaining walls, fences, waste receptacles, sidewalks, antennae, lights, poles, cooling/heating or other mechanical equipment, telephone booths, newspaper boxes, landscaping or similar structures which conform to the requirements of this Zoning Ordinance or other City standards, and where site plan review is not specifically required under other sections of this Zoning Ordinance.

Section 16.06 site plan review recommendations were discussed, and a public hearing will need to be held.

Motion by Commissioner Emerling; supported by Vice Chairperson Streng, to set a public hearing for June 27th for changes to the zoning ordinance.

Unanimous Vote: Ayes: 6 Nays: 0

Motion Carries

NEW BUSINESS

Public Hearing -Neighborhood Residential Development Standards, ZBA Timeline, and Zoning Ordinance Amendments for C1, C2, and O1 Districts

Public Hearing Opened: 7:57 PM

City Planner Mara Braciszewski started with changes to definitions in Article 2 of the zoning ordinance. Commissioners agreed to remove the Central Business Overlay District. Changes to the zoning map with the collapse of the Office District and the related articles were discussed. All O1 will be rezoned as C1 and some land and residential uses under Article 3 will be incorporated into the commercial district. Additionally, non-conforming structures with the same footprint meeting all other setback requirements (second-story additions) will be permitted. General provisions were reviewed including fence regulations, and accessory buildings as lot coverage allows. In Article 15, accessory building definitions were discussed.

Public Hearing Closed 9:20 PM

COMMISSIONER COMMENTS

ADJOURNMENT

Chairman Yoder adjourned the meeting at 9:22 p.m.

Joel Yoder
Joel Yoder (Jul 16, 2024 08:53 EDT)

Joel Yoder
Chairperson, Planning Commission

Stacy Goodall
Stacy Goodall
City of Keego Harbor, Deputy Clerk

May 23, 2024 PC meeting minutes

Final Audit Report


2024-07-16

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