

**City of Keego Harbor
Planning Commission Virtual Meeting Minutes
Tuesday October 6, 2020**

CALL TO ORDER: Chairman Yoder called the meeting to order at 7:05pm

ROLL CALL:

Present: Chairperson Yoder, Vice Chairman Santia, Council Member Fletcher, Commissioner Douglass, and Commissioner Streng

Absent: Commissioner Dillion and Commissioner McCarthy

Motion to excuse Commissioner Dillion and Commissioner McCarthy by Vice Chairman Santia; seconded by Commissioner Streng

Roll Call Vote - Ayes:5 Nays: 0 **MOTION CARRIED**

STAFF PRESENT: Records Clerk Lori Gilman and City Planner Jason Smith

APPROVAL OF AGENDA

Motion to approve the agenda for Tuesday October 6, 2020 by Council Member Fletcher; seconded by Commissioner Streng

Roll Call Vote - Ayes:5 Nays: 0 **MOTION CARRIED**

APPROVAL OF MINUTES

Motion to approve the meeting minutes from Tuesday September 1, 2020 by Commissioner Streng; seconded by Vice Chairman Santia

Roll Call Vote - Ayes:5 Nays: 0 **MOTION CARRIED**

PUBLIC COMMENTS

David Emerling – Mr. Emerling indicated he was running for City Council on the November 3 Ballot.
Mayor Rob Kalman – Mr. Kalman indicated he was running for City Council on the November 3 Ballot

NEW BUSINESS

3159 Orchard Lake Road – Cleaning Authority – Preliminary Site Plan

Planner Smith indicated the applicant intends to construct a parking area that is intended to provide additional parking spaces for the multi-tenant retail commercial building at 3159 Orchard Lake Road which is currently occupied by the Cleaning Authority and Lakepointe Market. Planner Smith reviewed his staff report with the Planning Commissioners.

Commissioners discussed the potential for drainage issues which might make the project cost prohibitive. These drainage issues might change the site plan the applicant presented. The Commissioners want the applicant to consult with a Civil Engineer to get a clear picture of the stormwater management requirements before coming to the Planning Commission with a Preliminary Site Plan.

Motion to table 3159 Orchard Lake Road – Cleaning Authority – Preliminary Site Plan by Commissioner Streng; seconded by Commissioner Douglass

Roll Call Vote - Ayes:5 Nays: 0 **MOTION CARRIED**

Finished First Floor Elevation Ordinance Discussion

Planner Smith indicated that at the September 24, 2019 Zoning Board of Appeals (ZBA) meeting, the ZBA heard a dimensional variance case pertaining to Section 15.26(d)(1), Slope Away from Buildings and Finished Floor Elevations of the Keego Harbor Zoning Ordinance. The request was to seek relief from the a forementioned Ordinance for properties located on Cass Lake Front Street. This section states:

"In no case shall the finished floor of the proposed dwelling unit be less than 0.75 feet or exceed 2.5 feet above the centerline of the fronting street at the lowest point along frontage of subject lot."

One of the many responsibilities of the ZBA is to assist in keeping the zoning ordinance current and to review its decisions and identify if there are provisions of the zoning ordinance that are consistently being requested for variances. If the review highlights some parts of the ordinance, it may be an indication that these provisions need to be updated.

At the August 28, 2019 meeting the ZBA passed a formal request that the City Council give some attention to this matter. Their rationale is due to the following:

1. The September 24, 2019 ZBA case will amount to four (4) properties within the past two (2) years that are seeking relief from Section 15.26(d)(1).
2. The topography of certain properties within Keego Harbor make meeting Section 15.26(d)(1) difficult or impossible.
3. At times, a high-water table within the City creates difficulty to meeting the Ordinance requirements.

City Council has asked the Planning Commission to research this matter.

After research and discussion staff recommends that the City take another approach in reviewing finished first floor elevation. Below is recommended language, **in red**, that could allow for more flexibility for the City Engineer and Building Official when reviewing plans.

Proposed Language

City of Keego Harbor – Section 15.26 Site Grading

d) Grading Plan Standards

At a minimum, grading plans shall show existing and proposed grade elevations adjacent to existing and proposed structures on the subject property and at the structures on adjacent properties. In addition, sufficient existing and proposed elevations are needed for the site and for as much of the adjacent property as is necessary to establish the proposed surface drainage pattern. If excavation or filling is proposed, the amount of material to be excavated or filled shall be indicated on the grading plan. All elevations shall be based on U.S.G.S. datum.

Elevations and location of benchmarks used for determining elevations shall be shown on the plan.

1. Slope Away from Buildings and Finished Floor Elevations
All **The grade around** buildings and structures shall be constructed at an elevation which provides a sloping grade away from the building or structure, thereby causing surface water to drain away from the walls of the

building to a natural or established drainage course. **Grading on the subject parcel shall be so developed as to prevent surface from flowing onto adjoining parcels except through a previously defined drainage course.**

The grade shall not exceed 6 inches of rise in 10 feet from side lot line **(5% slope) at any location perpendicular to the lot line.** ~~The slope shall be measured from the highest point along the side lot line to the building line.~~

~~In no case shall the~~ **The** finished floor of the proposed dwelling unit **shall not** be less than 0.75 feet or exceed 2.5 feet above the centerline of the fronting street at the lowest point along frontage of subject lot. **An exception may be made by the City Engineer and Building Official where the existing geographic conditions of properties within a 100 foot radius of the subject property (measured from the center of the front property line) make it impractical for the proposed dwelling unit to meet this requirement. The proposed finished floor elevation should be within 2 feet of the first- floor elevations of the majority of properties within the 100-foot radius (50% or more). Grading shall be completed to the Building Official's and City Engineer's satisfaction and shall demonstrate that additional fill is not detrimental to surrounding properties in terms of compatibility and drainage.**

Commissioners agreed that the proposed language should be amended to require the finished first floor elevation to be measured from centerline of the front street at the median of the road elevation fronting the subject lot rather than the lowest point.

Planner Smith explained if the Commissioners approve changing the ordinance, the City will hold a public hearing at the November 4, 2020 Planning Commission meeting and discuss the proposed zoning text amendment. The Planning Commission shall provide a recommendation to the City Council for final consideration for adoption.

Motion to approve changing the ordinance with a public hearing on November 4, 2020 by Vice Chairman Santia; seconded by Commissioner Douglass

Roll Call Vote - Ayes: 5 Nays: 0 MOTION CARRIED

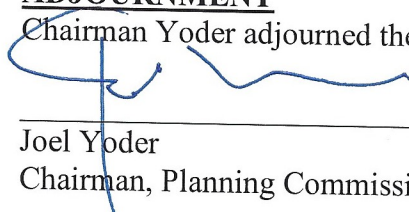
OLD BUSINESS


Gibbs Revised Proposal Update

Planner Smith indicated there will be a Special Joint Virtual Meeting with City Council, TIFA Board and the Planning Commission on Tuesday October 13, 2020 at 6:00pm to discuss this proposal.

ADJOURNMENT

Chairman Yoder adjourned the meeting at 9:00pm


Joel Yoder
Chairman, Planning Commission


Lori Gilman
Keego Harbor, Records Clerk

