

**VILLAGE OF FRANKLIN
PLANNING COMMISSION
Minutes of Meeting
February 19, 2014
32325 Franklin Road – Village Hall
Franklin, Michigan**

I. MEETING CALLED TO ORDER

The regular meeting of the Village of Franklin Planning Commission was called to order by Chairman, Connie Ettinger at the Franklin Village Hall, 32325 Franklin Road, Franklin, Michigan at 7:30P.M.

II. ROLL CALL

Present: Rajaei Abbass, Calvin Cupidore, Connie Ettinger, Peter Halick, Dean Moenck, Bob Wilke,
Absent: Karen Couf-Cohen (excused), Mike Heisel (excused), Bill Sheppard (excused)
Also Present: Planning Consultant, Sarah Traxler, McKenna & Associates; Assistant Planner, Laura Haw, McKenna & Associates; Interim Village Administrator, David Murphy; Village Clerk, Eileen Pulker

III. ADOPTION OF THE AGENDA

Motion by Cupidore, seconded Abbass to approve the Agenda as submitted.

Ayes: Abbass, Cupidore, Ettinger, Halick, Moenck, Wilke
Nays: None
Absent: Couf-Cohen, Heisel, Sheppard
Motion carried.

IV. ADOPTION OF THE MINUTES

A. Regular Meeting of January 15, 2014

Cupidore corrected the minutes under **VIII. NEW BUSINESS, B. Review Parking and Storage of Vehicles and Equipment in Residential Districts (1268.14)**. After a discussion it was decided to rescind the motion by Abbass "...to remove the elimination on the number of parked cars in a driveway" until further study by Sullivan.

Motion by Ettinger, seconded by Abbass to approve the minutes as amended.

Ayes: Abbass, Cupidore, Ettinger, Halick, Moenck, Wilke
Nays: None
Absent: Couf-Cohen, Heisel, Sheppard
Motion carried.

V. COUNCIL LIAISON REPORT

There was none.

Ettinger introduced David Murphy, Interim Village Administrator, to the Planning Commissioners.

VI. PUBLIC COMMENTS

Ettinger opened the meeting for public comments with no one from the public responding.

VII. PUBLIC HEARING

A. Proposed Rezoning Application for .72 Acres/W. Side of Telegraph, S. of 13 Mile Road - Franklin Commons LLC, Lot 73, TF24-08-205-002 from R-2 Medium Low Density Residential to R-O Restricted Office District.

Chair Ettinger opened the public hearing at 7:33 P.M.

Traxler referred to her and Haw's letter to the Planning Commission, dated Feb. 13, 2014 in which she pointed out that they (McKenna Associates) had reviewed the re-zoning request against the Zoning Ordinance, Master Plan, and other Village policies. Based on their comprehensive review and findings they recommended denying the re-zoning as requested by the applicant, Franklin Commons LLC.

Ettinger asked for a clarification concerning vacated roads in the Village.

Harold Stulberg, Senior Vice-President with NAI Farbman Group, noted he is the designated representative for the property owner, Franklin Commons LLC, Mr. Garmo, and has the authority to answer any questions on his behalf. He acknowledged the noise issue of Telegraph Rd. that Traxler of McKenna mentioned and feels that a one story building would be a good buffer for the residential area of Helman Woods. He also acknowledged the restrictive covenant that is in place adding that it is his desire to meet with the subdivision residents with a site plan and other pertinent documents and discuss the possibility of rezoning the property, which is what he did for the re-zoning of the property at the corner of 13 Mile and Telegraph where the bank is now located, many years ago. He discussed the closure of Rushmore, curb cuts on Telegraph, well water consumption, potential renters for the office building, and the legal actions against the subdivision,

Ettinger provided a brief legal background of the current bank property at 13 Mile and Telegraph and mentioned the vacancy ratio of the Bingham Farms buildings across Telegraph from the subject property. She summarized the facts about the property: deed restrictions and a restrictive covenant that goes back to the 1950's, property that has been zoned R-2, and the numerous references in the Master Plan referencing the necessity to protect the Village periphery from commercial development.

Eman Daman, Helmandale, President of the Helman Woods Homeowner Association, explained that she represents those members of the Association who are in good standing, who are active, and have paid their dues. She agreed with Traxler's opinion and stressed the request's direct conflict with the deed restrictions which were recorded on 4/1/1952 and affirmed by Judge McDonald on 6/2/2012 as a result of a lawsuit by Franklin Commons. She gave a brief history of the Association's involvement with Franklin Commons, stating and correcting misrepresentations of facts, and the Association's concerns, including the fear that if Lot 73 were to be rezoned, the other lots (79-84) also owned by Franklin Commons would follow suit. She emphasized that even if the Planning Commission were to change the zoning for this particular lot, the active members of the Association who financed the legal battle against Franklin Commons are not willing to change the deed restrictions.

Ettinger closed the Public Hearing at 8:29 P.M.

VIII. UNFINISHED BUSINESS

A. Proposed Rezoning Application for .72 Acres/W. Side of Telegraph, S. of 13 Mile Road – Franklin Commons LLC, Lot 73, TF24-08-205-002 from R-2 Medium Low Density Residential to R-O Restricted Office District.

Motion by Ettinger seconded by Abbass that the Planning Commission recommend to the Village Council to deny the Rezoning Application for .72 Acres/W. Side of Telegraph, S. of 13 Mile Road – Franklin Commons LLC Lot 73, TF24-08-205-002 from R-2 Medium Low Density Residential to R-O Restricted Office District.

Ayes: Abbass, Cupidore, Ettinger, Halick, Moenck, Wilke

Nays: None

Absent: Couf-Cohen, Heisel, Sheppard

Motion carried.

IX. MASTER PLAN REVIEW

A. Review Chapter 5 Revisions

Ettinger explained that Traxler and Haw updated and revised a Chapter 5 draft, as per their memo, dated Feb. 14, 2014. The memo included a key indicating the proposed edits.

The following edits were discussed and approved by the Planning Commission.

Vision:

- Page 5-1, 6th Paragraph, 1st sentence: Change the word “Holistic” to “Gentle”. The sentence to read “~~Holistic~~Gentle lighting enhances the nighttime...”.
- Page 5-1, 7th Paragraph, 4th sentence: Change the words “...the two...” to “multiple”. The sentence to read, “...diners at ~~the two~~ multiple full service restaurants.”
- Page 5-2, top of the page, 3rd paragraph: Leave in the phrase, “...the illusion of curbs...”.
- Page 5-2, 1st Paragraph, 16th line on left side: Leave in the phrase, “...human scale...”.
- Page 5-2, 2nd Paragraph, 2nd line on left side: Change the word, “~~macro~~” to “general”. The sentence to read, “... Village Center in a ~~macro~~general sense...”.

Village Center History

- Page 5-2, Discussion ensued concerning the details and placement of this information. Decision was to keep all paragraphs of the Village Center History intact in the present location.

Village Center Character

- Page 5-4, 4th Paragraph on right side: Strike 1st sentence, “~~The more recent contemporary styles, ... character of the Village.~~”
- Page 5-4, 4th Paragraph, 5 lines down on right side: Strike the word “~~While~~...” The sentence to read, “~~While~~ The mix of building styles contributes to the eclectic nature of the Village.” Strike the remainder of the sentence, “...~~continued disregard for the historic~~...~~Historic District.~~”

Relevant Issues For the Village Center

- Page 5-6, 1st sentence on right side: “Throughout the years,..views on the Village Center.” to be rephrased by Traxler. “Numerous efforts over the last xxx years”

Traxler defined the term “charrette”.

Guided Growth

- Page 5-8, Strike the 2nd line/1st full sentence on left side: “~~The Historic District Commission...to the Village Center.~~”

Destination: Franklin

- Page 5-8, 4th line at bottom left: Discussion ensued concerning the tag line, “the town that time forgot.” Decision was to leave the phrase intact.
- Page 5-8, 1st full sentence on top right side: Strike the entire sentence, “~~Despite the historic architecture...explore the Village.~~”
- Page 5-8, 2nd Paragraph on right side, 1st sentence: Insert the word “However...” at beginning of sentence to read, “However, attracting visitors to the Village Center...infrastructure projects”.

Village Center Residential

- Page 5-8, 2nd Paragraph on right side, last sentence: Strike entire sentence, “~~These screens of trees...is presented to passersby.~~”

Recommendations

- Page 5-10, 5th Bullet Point: Strike “...~~while applying to the US Dept. of Interior Standards.~~”
- Page 5-10, Top right side in bold italics: Change the words, “*Do not permit...*” to “*Limit*”. The sentence to read, “~~Do not permit~~*Limit the Village Center expansion onto...*”.
- Page 5-10, Leave in words, “...*both sides...*” of Franklin Road. Change phrase, “~~Any pathways...~~” to “Continuous pathways...”. The sentence to read, “~~Any pathways~~Continuous pathways...”

Haw handed out a summary of the 3rd MSU Village Center Small Town Design Initiative Meeting, held Feb. 18, 2014.

Pat Burke, Franklin Court, explained that the ideas garnered from the Small Town Design Initiative are only starting points adding that the work was done by students who were supervised by professors, and now Professional Planners are needed to implement the visions.

B. Assign Chapter 6 for Review

Ettinger stated that comments are due to her by Feb. 27, 2014.

X. BUDGET EXPENDITURE REPORT

A. Budget Update

Ettinger referred to the report provided and commented that so far the Planning Commission is under budget.

XI. UPCOMING MEETING DATES

A. Next Regularly Scheduled meeting, March 19, 2014, 7:30 PM

XII. ADJOURNMENT

Motion by Moenck, supported by Wilke to adjourn the meeting.

Ayes: Abbass, Cupidore, Ettinger, Halick, Moenck, Wilke

Nays: None

Absent: Couf-Cohen, Heisel, Sheppard

Motion carried.

There being no further business, the meeting adjourned at 9:15 P.M.

Respectfully submitted,

Gail Beke, Recording Secretary

Eileen H. Pulker, Clerk