

**CITY OF FRASER PLANNING COMMISSION
MUNICIPAL BUILDING ~ 33000 GARFIELD ROAD
WEDNESDAY, APRIL 5TH, 2017 ~ 7:00 P.M.
MINUTES**

PRESENT: CHAIRMAN RICKARD, MEMBERS: BARR, COOK, CZARNECKI, FARINA, KEIL, LOY

EXCUSED ABSENCE: EHRKE, QUERTERMOUS

ALSO PRESENT: TIM TOMLINSON CITY ATTONEY
RANDY WARUNEK BUILDING OFFICIAL
LEAH BROWN RECORDING SECRETARY

1. CALL MEETING TO ORDER:

Chairman Rickard called the meeting to order at 7:00 PM

2.	Chairman	Rickard	Present
	Members:	Barr	Present
		Cook	Present
		Czarnecki	Present
		Ehrke	Absent
		Farina	Present
		Keil	Present
		Loy	Present
		Quertermous	Absent

3. APPROVAL OF AGENDA ~ Regular Meeting of April 5th, 2017

Motion by Member: **FARINA** Support by Member: **CZARNECKI**

TO: APPROVE the agenda of April 5th 2017, as submitted.

AYES **7** NAYS **0** MOTION CARRIED

4. APPROVAL OF MINUTES ~

a. Meeting of March 1st, 2017 as amended.

Motion by Member: **CZARNECKI** Support by Member: **BARR**

TO: APPROVE the March 1st 2017 minutes as amended.

AYES **7** NAYS **0** MOTION CARRIED

Chairman Rickard announced that City Planner Patrick Meagher has given his resignation. The city will soon begin the process of looking for a new City Planner.

5. UNFINISHED BUSINESS:

a. **#03-17 SLU / DANIELLE REEVES / 32365 WOODY / GRANNY'S LOTS OF TOTS (GROUP DAY CARE CENTER) TO ALLOW A GROUP DAY CARE CENTER OF 6-12 CHILDREN IN A RESIDENTIAL HOME IN THE "RM" - RESIDENTIAL MEDIUM ONE-FAMILY DISTRICT**

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Danielle Reeves addressed a concern that was presented at the previous meeting regarding parking.

Discussion ensued between Member Barr and Ms. Reeves about the added level of noise in the backyard with a larger number of children. It was decided that a privacy fence would help to reduce noise levels. A privacy fence would also help separate the neighbors' dogs from the children.

Member Farina stood by the concern on parking. There is a possibility that many children could be dropped off at the same time in different vehicles. With that being said there is not enough parking available. Member Czarnecki agreed with this. Member Czarnecki added that this particular street only allows parking on one side.

Member Czarnecki asked Mrs. Reeves if she would be willing to get a privacy fence and limit her hours of operation. Ms. Reeves agreed to both the fence and the limited hours.

Member Keil asked the City Attorney if it would be possible to limit the number of children to less than 12 but more than 6. The City Attorney confirmed that they could put a limit on the number of children.

Chairman Rickard read the City Planners comments. In short, the request does not meet the 8 standards. The noise, the parking, and the privacy of the neighbors are all concerns.

Chairman Rickard asked Mr. Warunek if there are any other home day care businesses in the City. Mr. Warunek replied that his is not aware of any others.

Chairman Rickard commented that approving this request might cause a precedent. The City Attorney stated that special land use requests are dealt with on a case-by-case basis. Unless the case is identical, it would not cause a precedent.

Member Barr reiterated the boards concerns with this request. She understands the need for day care centers, but in this case, the concerns of the neighbors must come first.

Chairman Rickard referred to standard eight. It is possible that the business could affect the value of the surrounding homes. If all 8 standards are not met, they have to turn the request down.

Motion by Member: **CZARNECKI**

Support by Member: **FARINA**

TO: DENY #03-17SLU / DANIELLE REEVES / 32365 WOODY / GRANNY'S LOTS OF TOTS (GROUP DAY CARE CENTER) TO ALLOW A GROUP DAY CARE CENTER OF 6-12 CHILDREN IN A RESIDENTIAL HOME IN THE "RM" - RESIDENTIAL MEDIUM ONE-FAMILY DISTRICT

For the following reason:

1. Out of the 8 standards, the application does not meet standard 1, standard 2 because of the lack of parking, standard 3 because of the noise, and standard 8 because this could affect the value of the surrounding homes.

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AYES 7

NAYS 0

MOTION CARRIED

6. SITE PLANS, SIGN REVIEWS, AND OTHER REVIEWS:

a. 05-17SP / BCP LIMITED LLC – HEALTHMARK / 34260 JAMES J POMPO / REVIEW OF THE THIRD AND FINAL PHASE OF THE HEALTHMARK SITE

Harry Kokkinakis was the representative for this review. He began his presentation by giving a background on Healthmark. Healthmark was a small family business, and through their successes, they were able to purchase a building in Fraser. Business continued to grow to the point that they could no longer fit in their original building. At that time, they knew they wanted to keep their roots in Fraser, so they purchased the three buildings in discussion. They are working toward renovating and connecting the three buildings.

Mr. Kokkinakis and his partners presented Phase I and Phase II of the project to the Planning Commission at previous meetings. He gave a brief overview of what Phase I and II entailed, and then began to describe the Phase III. Phase III will connect the third building to make one entire complex. This portion will be used for shipping and receiving. While reviewing the site with the board he explained that he will have to get approval from the Zoning Board of Appeals for a variance on parking spaces and setbacks.

Mr. Kokkinakis continued, explaining that he and the president of the company have been working to make sure there are no overhead doors or receiving trucks around the perimeter of the building. In Phase III, the truck access will be in the back, and not visible from the perimeter. He then went on to describe the inside of the building. The windows bring in a lot of light and the office has a very open industrial look with exposed trusses and ductwork. This makes the building consistent with the aesthetics of the warehouse.

Mr. Kokkinakis explained that the property is not as efficient because they have three different buildings facing three different directions. As far as the parking goes, they are confident that 183 parking spaces will suffice. Normally, they do not have customers coming to the building. Most of their sales are done at hospitals and trade shows. In addition to these reasons, the Tesky Drain further limits their options for the layout of the building.

Mr. Kokkinakis directed the Planners Comments. He explained that the site lighting should be on the site plan and then pointed out where it will be. He explained that this will be shielded LED lighting. The president has been very involved with the landscaping and he assured the board that it will be equal or better to what is there currently.

Mr. Farina commented that the site is beautiful. He then questioned if the landscaping needs to be included on the site plan. Chairman Rickard commented that they can make it a stipulation to be added to the plan for review by the building department.

Member Czarnecki commented that the facility is exceptional. She thanked Healthmark for staying in Fraser.

Member Cook asked Mr. Kokkinakis what Healthmark does. Mr. Kokkinakis replied that they sell hospital equipment.

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Member Farina commented that there should not be more than 190 employees in the facility. Mr. Kokkinakis clarified that there will be no more than 190 people at one time. Member Farina asked Mr. Kokkinakis to inquire about shift overlap with the owner. The City Attorney commented that from a site-plan perspective, the stipulations should be related directly to the site plan itself.

Motion by Member: **FARINA**

Support by Member: **LOY**

TO: APPROVE 05-17SP / BCP LIMITED LLC – HEALTHMARK / 34260 JAMES J POMPO / REVIEW OF THE THIRD AND FINAL PHASE OF THE HEALTHMARK SITE

With the following stipulations:

1. Subject to approval by the Zoning Board of Appeals
2. Lighting needs to be added to the plan.
3. Landscaping is subject to the building departments approval.

AYES 7

NAYS 0

MOTION CARRIED

7. Public Hearings:

01-17RZ / MARCO SANTIA / 33540 HAYES / CONDITIONAL REZONING OF PROPERTY FROM RESIDENTIAL LOW – ONE FAMILY (RL) TO RESIDENTIAL MEDIUM – ONE FAMILY (RM) FOR NEW DEVELOPMENT WITH THE FOLLOWING CONDITIONS: A) MINIMUM LOT WIDTHS OF 60 FEET, and B) SUBJECT TO PRELIMINARY SITE- CONDOMINIUM PLAN BEING APPROVED AS SUBMITTED.

Mark Santia introduced himself to the board. He is the owner of this property. He explained that the RM (Residential Medium) zoning would be the same zoning as the Field Stone Subdivision adjacent to his property. He also clarified these are single-family condominiums, not multi-family. The look and price of condominiums will be relatively consistent with the adjacent homes.

Mr. Santia provided a revised copy of the proposed rezoning agreement to the board.

Mr. Sanita explained that the proposed lot sizes meet the square footage requirement for the RM district. He then went on to compare the requirements for RL (Residential Low) and the requirements for RM (Residential Medium). In short, the proposed lots would be more consistent with the existing subdivision if they were zoned RM.

Carlo Santia introduced himself to the board. He reiterated the points that Mark Santia made and added that leaving the property as RL could create economic hardship. The housing market would not be compatible with the adjoining subdivision. Mr. Santia added that he foresees the homes to the south of this property wanting to do the same and continue building houses down the street.

Chairman Rickard opened the floor for public comment.

Councilman Lesich asked for clarification on the process of conditional rezoning.

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City Attorney Tomlinson gave an overview of what conditional rezoning entails. He also made a point that although the City Ordinance does not address conditional rezoning, the City still has the authority to grant conditional rezoning requests.

Councilman Lesich is concerned about City Council making the final decision; he believes that the Zoning Board of Appeals would be more qualified to make the decision. He also has concerns about the consistency of the new homes with the neighboring subdivision, and the possible precedent of having many more homes with narrow lots if this is approved. He commented that he would like to see the updated Master Plan. He then pointed out a concern on the site plan that there should be more of a turnaround.

Chairman Rickard commented that this is a preliminary site plan.

Mr. Carlo explained that the final site plan will have more detailed information, including further information about a turn-around.

Discussion continued about the need for a turn-around.

Fraser Resident Gary Placido distributed an informational packet on conditional rezoning to the board. He went on to explain his understanding of what conditional rezoning entails. He believes consistency would be very difficult in this case and feels that allowing narrower lots could cause a precedent. He feels that there are missing details that need to be addressed before moving forward with this. He is concerned about allowing conditional rezoning without a written procedure in the City Ordinances.

Fraser resident James Mischel expressed a concern about how the development of the area will affect the wildlife and aesthetics.

Fraser resident Arthur Chavez expressed a concern about keeping the streets clean, parking availability for work vehicles and resident vehicles, the time of day construction will begin, and the quality of the road. He also commented that there is not enough room for emergency vehicles to turn around.

Fraser resident Tim Bahorski agreed with the comments from Mr. Mischel. He is also concerned about having smaller developments because it could affect the value of the surrounding homes.

Fraser resident George Fillar expressed concerns about the narrow lots causing a precedent, the possible need to tap into the manhole on his property, and the difficulty for emergency vehicles to turn around. He is also concerned about the open holes for basements. It could be a safety hazard for the neighborhood children.

Fraser resident Joe Candela expressed some of the same concerns as the other residents. He also expressed that he wants to see consistency in the subdivisions.

Fraser resident Tom Suminski expressed concerns about the quality of the roads and the consistency of the homes.

Chairman Rickard closed the public hearing.

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Member Cook asked Mr. Warunek to explain the requirements of the RL and RM zoning district. Mr. Warunek explained the differences. He showed the board a visual of the type of houses they are looking to build.

Mr. Santia explained he would not have an issue with a square footage requirement. He wants there to be consistency between the two neighborhoods as well.

Member Czarnecki asked for clarification on what they are supposed to be approving this evening. Chairman Rickard explained that the recommendation to council would be to rezone the properties or not. They will work on the site plan at later meetings if the rezoning is approved.

Discussion ensued about previous detached condominium projects in the city.

Discussion ensued between member Farina and Mr. Santia about the potential issues with the turn around.

Mr. Santia asked the board to read the Planners Comments. The comments were discussed and were in support of the conditional rezoning.

Member Loy stated his concern about not having a formal process for conditional rezoning. He has concerns about allowing 60ft wide lots. There should be consistency with the neighboring sub.

Discussion continued about the need for more information on the turn around and utilities.

Motion by Member: **CZARNECKI**

Support by Member: **KEIL**

TO: POSTPONE 01-17RZ / MARCO SANTIA / 33540 HAYES / CONDITIONAL REZONING OF PROPERTY FROM RESIDENTIAL LOW – ONE FAMILY (RL) TO RESIDENTIAL MEDIUM – ONE FAMILY (RM) FOR NEW DEVELOPMENT WITH THE FOLLOWING CONDITIONS: A) MINIMUM LOT WIDTHS OF 60 FEET, and B) SUBJECT TO PRELIMINARY SITE- CONDOMINIUM PLAN BEING APPROVED AS SUBMITTED.

The following information is required for the next meeting:

1. Provide elevations, floor plan, and plot plan.
2. Provide further information regarding the turn around / cul-de-sac.
3. Discuss plans for public safety access and engineering.
4. Review and address comments from the public.

AYES 7

NAYS 0

MOTION CARRIED

The City Attorney asked the board to clarify the date they are postponing this review until. The board clarified the next scheduled meeting, as long as they have the plans ahead of time.

The building official clarified that some of the concerns the audience has are specific to the building department. He elaborated on some of those concerns and commented that there are restrictions/ guidelines the builder will have to follow.

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8. NEW BUSINESS:

Member Farina mentioned that the by-laws state that Planning Commission meetings are scheduled on the second Wednesday of the month. This needs to be corrected.

It was discussed that when they get a new City Planner they will revise the by-laws.

9. OLD BUSINESS:

Discussion ensued about the master plan and what needs to be done next to move forward with it. The board mentioned the possibility of a bullet list with the steps.

10. ZBA LIAISON:

Inter-Lakes Bases Inc. requested two variances. The decision was postponed to the next meeting. The Zoning Board also conducted interviews for the open seat on the board.

The building official added that Inter-Lakes Bases has withdrawn their request.

11. COMMISSION MEMBERS TO BE HEARD:

Chairman Rickard: Nothing at this time

Member Barr: Appreciates the information from Mr. Placido.

Member Cook: Believes there were valid points on both agenda items. He needs more time to research conditional rezoning.

Member Czarnecki: Welcomed member Keil.

Member Farina: Gave information about a Planning and Zoning course in May.

Member Keil: Commented that the board needs more information before making a decision on conditional rezoning.

Member Loy: Thanked resident Placido for the information packet he provided.

City Attorney: Nothing at this time.

Building Official: Reminded the members about ID photos.

12. PUBLIC TO BE HEARD: None

13. ADJOURNMENT:

Motion by Chairman **Rickard** Support by Member **Czarnecki**

TO: Adjourn the meeting of April 5th at 9:45 pm

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AYES **7** NAYS **0** MOTION CARRIED.

THE MOTION CARRIED UNANIMOUSLY.

Todd Quertermous, Secretary

RANDY WARUNEK, Building Department Director