

VILLAGE OF NORTHPORT  
PLANNING COMMISSION  
116 W. Nagonaba St.  
Wednesday, October 19, 2022  
Draft MINUTES

*Note: upon request a Zoom recording is available for this meeting.*

**Call to Order, Roll Call:**

Chair Arbury called the meeting to order at 6:02pm.

Members present: Arbury, Cavendish, Newell, Gale, Wessell, and Woomer. Excused Absence: Caudill

**Public Present:**

Mary Cermak Betzoldt and Randy & Pat Koch attended in person, several other members of the public attended via Zoom

**Staff Present:**

Zoning Administrator- Joni Scott

Guest - Wade Trim Planner - Charles "Chip" Smith

**Approval of Agenda:**

Chair Arbury requested that the minutes approval be moved to after Chip Smith's presentation on the agenda. All commissioners agreed.

**Correspondence:**

Chair Arbury shared correspondence from Kathy Garthe about the Leelanau Township Foundation's Attainable Housing seminar, being held on Monday, October 24th from 6-8pm.

Chair Arbury shared correspondence from Samantha Madison interested in further information about our meeting times, where we met, and looking forward to further information on 7th Street.

Chair Arbury shared that Jane and Mark Voight responded to our request for information on 7th Street. ZA Scott shared that we received four other responses to the PC email. All 7th Street Property correspondence will be reviewed starting next regular November PC meeting, November 16, 2022. A separate Dropbox on the planning commission page of the web site will be created to house all the comments and suggestions from the public.

Commissioner Cavendish shared comments from Northport, Neighbors facebook group, where folks expressed hope for a larger venue for the proposed uses for the 7th Street property. Commissioner Wessell reminded everyone that people can attend our PC meetings at the village hall right now, but she noticed that web site still says that our meetings are held via Zoom, and that perhaps people are confused due to that.

**Public Comment:**

Randy Koch, he shared that he was present when the finance committee made a presentation on the work they had done on the four lot plan. He wanted to share his support for that plan and the work that had been done by the committee. He felt they did a thorough review of what the opportunities were for that property. He thinks that plan is in keeping with the existing village plans; it keeps it residential and it would generate more tax base. He also shared that Fred Steffens told him to relay that he also supports the development of the property into four residential single-family lots.

Mary Cermak Betzoldt, a lifelong resident, born and raised here, lives on North Shore Drive. As an environmentalist, she doesn't see the logic in removing all those trees, for four homes. The cost to build a driveway, sewer, etc is very high and she feels it is not the best use of that property. She supports a recreational area for everyone to enjoy, perhaps with a walking path, anything that won't destroy the ecology that's been in that location for decades and decades. She reminded everyone that it was going to be a golf course all those years ago, but it was never developed because it has wetlands. She is not against building more houses, but feels this isn't the place for it. She is also concerned that if we change the topography of that site behind her land, that it will affect all the other properties in the vicinity on North Shore. She is hopeful that all residents will look into this discussion.

### **Form Based Code Presentation with Chip Smith, Wade Trim:**

Our guest Chip Smith started the discussion on the CI and CRI districts and the application of form based code. He had the opportunity this summer to spend the day looking around the village, but really focusing on the CI and CRI districts, and the possibility of creating a form based code for those districts. He sent a basic rough draft of the traditional Euclidean zoning where you talk it all out, which isn't the final form, but rather a blueprint to show some of the changes they are considering. He then led commissioners in an exercise reviewing the strengths and weaknesses of the core district. "What do we do well? What do we not do well?"

#### **Positives (in General and Architecturally):**

- Chip loves our quirkiness and see it in an endearing way. There's a lot of different things going on; and that's interesting and makes people want to stop and explore. Therefore, we are starting from a great place, a high baseline.
- Identifiable downtown, a magnetic center
- Small scale of the downtown buildings, giving it a small town feel
- Walkability - proximity of village features (beach, marina, businesses, etc)
- Not overcrowded to the extent of Suttons Bay, Leland, Glen Arbor
- Owner occupied shops, not chain restaurants or businesses. Business owners are a collaborative team, and support each other
- Very eclectic - not cookie cutter - nostalgic comforting sense of community
- Unique and numerous special events - music in the park, uncaged, 4th of July, dog parade, fly-in pancake breakfast, etc

#### **Weaknesses:**

- Consistency of businesses open hours due to staffing - specifically on Memorial Day weekend and week after Labor day
- No alleys, misaligned streets, too many curbcuts, danger for pedestrians
- Parking for downtown businesses
- Poor and confusing layout and turns for the traffic flow - multiple yields
- State of Michigan owns the main road - limiting our options for changes
- Seasonal residents - the population decreases so much in the winter

#### **Opportunities**

- People have ideas but are lacking space to build
- Improving parking to cut down on the traffic moving in-and-out on the main thoroughfare
- Cleaning up and beautification
- Improving bikability

#### **Threats**

- Grandfathered private residences and vacant parking lot spaces that break up the potential to have a well thought out and cohesive commercial district
- Shrinking population
- Aging populations
- Nowhere to house workforce
- Skyrocketing property costs

**Some of the goals for Chip and Arthur with this project are**

- Enhance walkability
- Increase opportunities for housing above businesses downtown
- De-emphasize cars downtown
- Solve the parking conundrum
- Improve Signage
- Set a goal for what buildings should look like and what can go in them

Chip sought direction from the commission on the following issues:

- Building heights
- Architectural form based requirements
- Allowable Uses

One of the goals is to find some consensus on these so that their suggestions don't create stress in the community.

**Form Based Discussion - Pedestrian Experience:**

**Issues:**

- SWaukazoo Gateway to town - cars everywhere, very narrow sidewalks with signs and poles and so many obstacles, dumpsters scattered throughout parking lots
- Corner of Waukazoo and Nagonaba - designed for vehicles not pedestrians
- Nagonaba west of Waukazoo - sidewalk blockage due to cars, large semis parked in the road, which makes walking downtown difficult, which perpetuates more driving so people can avoid the pedestrian risks
- Nagonaba east of Waukazoo - great wide sidewalks, accommodate space for signage, families can pass each other, trees, lighting, interesting things to walk to, interesting architecture, fairly uniform "street wall" of buildings, which is good because when all the buildings are built to the same point it makes people feel safe and comfortable, and when there are holes in the "street-wall" people will tend to stop walking
- Mill Street - narrow sidewalks, but architecture, "street wall" and trees are all very good
- Bay Street - difficult to navigate due to lack of pedestrian sidewalks

**Detail and Fenestration:**

- Buildings play a huge role in the pedestrian experience. Rule of thumb in vibrant successful downtowns is 60-80% transparency on the ground floor; this creates interest for pedestrians walking by and looking in seeing whats going on, but also the security of knowing there are people looking out as well
- Advocate for windows and transparency on the ground floor, architectural details. We want to strive for a clear bottom, middle and top, with vertical & horizontal elements.
- Existing buildings that have less interesting facades - encourage adding interest by breaking up the space and scaling it to people (like with murals, art, etc).

**Existing Building Height and Mass:**

- Looked at maps he generated that show the detached single-family houses, single-story buildings,

multi-story buildings, and parking. Usually you see density and concentration in one area, but Northport is spread out and there is a lot of parking. Gotta figure out how to get cars in and out, but they should be secondary to the main focus of pedestrians. Every building that fronts the street should have an entrance on that street.

- “Street Walls” All the varying front setbacks, driveways and curbcuts on east side of Waukazoo means there is no “street wall.” Mill street also has varied front setbacks, but the consistency of trees and interest allows the “street wall” to still exist and be effective.

#### **Detached single-family homes in C I:**

- Currently they are a use by right, but this causes disruptions to the “street wall” and the delineation between residential and commercial. Arthur and Chip recommend removing it as a use, both by right and as special use. This would be a change from now, and if we change it, would mean that if anyone wants to put on additions, or rebuild a lost structure, would not be allowed unless you followed the exact initial footprint. We don’t want to make harmful decisions to people within our community, but we want to ensure we’re making deliberate thoughts on how we can advocate for better policies for this district. Commissioners also discussed only allowing it by special use, but Chip felt that also allows for negative effects or issues into the future.
- Chip felt if we feel it is appropriate to leave single-family homes as a use they could change landscape requirements to try and make them fit better, but feels it would be better if we no longer allow them. One of the things to keep in mind that form based code isn’t just to address how the structure is used, but creating a space that feels cohesive and feels commercial, shows delineation from residential to commercial, even if the uses aren’t.
- Commissioners discussed how allowing residences in the core district does allow for more conflict between the businesses and those residences with noise, activity, etc.

Commissioners agreed to shift to no longer allowing new single family dwellings C I.

#### **Auto-centric uses:**

- One drive-through - the bank, fairly benign, would not want to encourage anyone else to do drive-throughs.
- Gas station - Arthur and Chip strongly recommend that we remove it as an allowable use in C I. Commissioners wanted to keep in mind who our population is, and that we need to have auto-access. But conceded that allowing auto access everywhere, introduces risk and conflict between pedestrians and vehicles. Chip mentioned it could be done in a more collaborative way, and would involve talking to the business owners.
- Discussion on where we would move the right to build gas stations, and further discussion was needed.

#### **Future Building Height Requirements:**

- If all the false two-story facades were actually two-story buildings with housing above the businesses, think of how that would help positively contribute to solving the housing issues.
- Advocate for a minimum two-story requirement in the core district, and allow three-story with a setback on the third story only, so that people don’t see the whole facade height at once.
- Commissioners agreed that a setback of the third floor only, helps with the feeling of the scale when a pedestrian is on the ground. ZA Scott sought clarification as to whether any remodel of a C I property would then require a 2nd story be added and Chip confirmed that it would.
- Adding height to a building often makes a new build more economical, giving more space if including the cost of an elevator, rentals, etc. Particularly cause in our core district basements are not feasible due to the high water table.
- We want to encourage attainable housing and mixed uses. If we’re worried about the housing becoming STR’s - Look at city of Petoskey - they don’t allow STR’s in their downtown district at

all.

- Our downtown isn't flat, the core district is significantly downhill from all homes to the west. Commissioners agreed to a two-story minimum in CI, and third story allowed with a setback on the third floor only.

In conclusion, Chip reminded commissioners there will be many more opportunities to make changes, this was just a discussion to give Chip direction, and allow him to continue moving forward with making appropriate recommendations for our village. He will continue to work on the CI form based code and will have a draft with graphics and examples ready in the next month or so. Once we have reviewed CI and we take it to the council, then they will start the CRI district revisions. He advised that due to the mixed uses currently in CRI, it will be more challenging for them and they are recommending a hybrid of form based and Euclidean for the CRI district. Arthur and Chip will also be making suggestions for re-zoning some parcels.

### **Approval of Minutes:**

September 21, 2022 meeting minutes were approved, **moved by** Commissioner Newell, **seconded by** Commissioner Woomer, **motion carried**

September 28, 2022 meeting minutes were approved as amended, **moved by** Commissioner Wessell, **seconded by** Commissioner Newell, **motion carried**

**\*\*8:56pm** motion to extend meeting to complete agenda minus the Capital Improvement Plan (CIP) discussion which will be moved to the next meeting - **moved by** Commissioner Gale, **seconded by** Commissioner Wessell, **motion carried**

### **Old Business:**

#### **Review Planning Commission Work Document\*:**

Highlights by Chair Arbury:

- Re-leaf and Tree committee meeting progress
- 7th Street feedback dates - public response by November 15 - to begin review at meeting on the 16th
- STR (Short Term Rentals) added to January conversation,
- Master Plan discussion added to December meeting - will start laying out timeframe

#### **7th Street Review\*\*:**

*Charge: To make a recommendation for use of the 7th Street property currently owned by the Village. After a thorough review of available information, the goal will be to bring forward a potential plan, or plans, for use that are in keeping with our Master Plan, environmental regulations, and current zoning ordinances.*

#### **Appraisal Update:**

Pete Picard, the only appraiser to respond to ZA Scott's initial request for 7th Street Property appraisal work many months ago, has had family emergency and that has delayed him getting started on the work. ZA Scott talked to him via phone and asked to get a cost estimate of the work to be done before he starts on any work (property split to four lots).

Commissioners continued to have conversation on whether that is still the appraisal we want completed, or if we want to have two appraisals done that show the difference between developed with the road and utilities installed, or not. ZA Scott mentioned that we do have the cost estimate (albeit the costs are likely now higher than when created) for the installation of the infrastructure and that in her conversations with Pete Picard, he shared that all he would really be doing is dividing that cost estimate

across the lots and adding it to the value if sold. She gave this hypothetical example to explain: 4 lots and each is worth 50,000, if the infrastructure cost is 200,000, then each lot is worth \$100k each developed and \$50k undeveloped.

Commissioner Woomer asked if the zoning changes to R2 sizing that we are making are reducing the allowable size of lots, should or does that change how many lots we could, or should potentially split this property into? Commissioner Gale explained that if we wanted to split into more lots, it would require a different process because her understanding is that the property can be a maximum of 4 lots (per meets and bounds law), unless it is a PUD or subdivision. She continued that the new size requirements are merely a minimum, not a set requirement. Commissioner Gale also explained that if the drives were off of North Shore Drive, then we could put more than four 50'x200' lots, but that they have previously been working to avoid having driveways off of North Shore Drive.

Commissioners agreed that we can stick with our previous request of one appraisal, site split into four lots, and that we as a commission can use those numbers to extrapolate other scenarios.

### **Criteria Discussion:**

Chair Arbury recapped that over the past few months the commission has been working to determine the best way to capture and relay all the information we've gathered; and how best to translate that into a form to present to the council. We've established that we want to include the plans reviewed, and the feasibility or alignment with the existing Northport policies. Commissioners have had discussions about rubrics, and criteria, rankings, and should the commission even be ranking or filtering projects for presentation to council. At our last regular meeting this led to asking Commissioner Gale to seek guidance from the council on what they would prefer to see from our commission, and how many plans they would like to see.

Commissioner Gale recapped her October village council meeting discussion:

- Evaluate proposed uses - standard set of criteria,
- We haven't formally accepted the criteria, but will likely include the following: consistent with Master Plan and Rec plan, consistent with current zoning, is there state or federal law or regulation that needs to be complied with, is there potential short term revenue, long term revenue, short term expense, long term ongoing expense associated with maintenance.
- Judge each of the proposed plans against this same set of criteria. The council agreed that this was the appropriate step to follow.
- They asked that we not give them a spreadsheet with 15 different proposals, but to use our best judgment to narrow the choices to a maximum of four options that most closely align with the criteria.

Chair Arbury then started the discussion on how we will go about this. She felt that we can work to compile the lists of criteria we have each thought of, and then rather than us weight how important any of that criteria may or may not be that we simply state if they do or don't align with that criteria.

- Create the criteria - subcommittee will flush this out more fully to bring back to full commission
- Address the criteria
- Then hand that over and let the council decide which is the most important criteria

Chair Arbury shared a rough draft of her thoughts on the possible document layout to turn over to council:

- Planning Commission Process
- Application of Criteria (lists criteria and plans, showing the end results)
- Unanswered Questions (additional information still needed or in process)

- Planning Commission Comments/Summary
- Public Comments/Summary

She went on to add a suggestion for adding as a criteria:

- Benefits/impacts percentage of residents (*Township and village residents, all village residents, most village residents, some village residents, minimal village residents*)
- Any additional funding sources.

Commissioner Newell asked that community input somehow be included as a criteria category, so that the public input and opinions are there for council to review as well. Commissioner Cavendish asked if we should also consider if a proposed use can be completed in phases over time, or if it all has to be completed at once.

Commissioner's supported all criteria suggestions discussed and Chair Arbury concluded by encouraging commissioners and any members of the public in attendance to email any additional criteria they may have to her or the subcommittee.

#### **Next Steps:**

- The subcommittee (comprised of Commission Gale, Woomer and Cavendish) will work to polish and refine the criteria template to bring back to the commission at the regular November meeting to discuss and revise.
- At that meeting we will also begin to review and look at the public comments that have come in.
- As a committee we will begin compiling and working through the plans to prepare for a public hearing where we can present the plans to the public.
- Schedule public hearing - get feedback from the community and then bring that back and integrate and present that final product to council.

#### **Housing North Presentation, October 24, 2022:**

Chair Arbury shared as an FYI that there is an educational being hosted by Leelanau Township Foundation on attainable housing and encourages anyone who can to attend. There is not yet a location for the meeting, but the location will be posted soon. She included a Housing North, Housing Ready Checklist, just for reference and review prior to the presentation.

#### **CIP (Capital Improvement Plan):**

Scoring of projects moved to next meeting when the motion to extend meeting passed.

#### **December PC Meeting Date:**

Chair Arbury asked commissioners to review their schedules and come to the November meeting with possible any availability for a date change for the December 21 meeting, as that will be very close to the holiday weekend. The week prior, December 14th, is the Lions Club dinner and therefore won't work for multiple commissioners.

#### **Zoning Administrator Report:**

Report found on the village web site in the PC October 19, 2022 Meeting Packet Dropbox.

Commissioner Cavendish asked if the owners of the vacant portion of the hospital had contacted the ZA to discuss demolition of the building. ZA Scott reported that she had received some questions from them asking if the village could assist with officially "blighting" the property. She therefore connected the village attorney and the property owner's attorney and they have been discussing it. Through those discussions it sounds like the village council through use of the Dangerous Building Ordinance, may be able to assist with this, which should aid the owner by qualifying the property for additional funding sources.

### **Infrastructure Committee Report:**

Report found on the village web site in the PC October 19, 2022 Meeting Packet Dropbox. Chair Arbury clarified that her report is just a brief summary, that you can always reference the Infrastructure meeting minutes for all the details. She highlighted that she thanked the DPW on behalf of the tree committee and that during the meeting they requested additional funding from Infrastructure for tree maintenance. Chair Arbury asked that the Tree Committee to keep that in mind if they happen to find any additional funding sources, such as grants, etc.

### **Trustee Report:**

Commissioner Gale reviewed - report found on the village web site in the PC October 19, 2022 Meeting Packet Dropbox. She mentioned that most of the items of importance were already covered in the previous discussions in the meeting, but highlighted again that the council was willing and even preferred to start receiving the Zoning Amendments in parts, and she did share we want to start with Articles 2&3.

### **Tree Committee Report:**

Commissioner Newell noted that they held a meeting in September. They discussed the following:

- Re-leaf planting is completed and successful
- Tree City USA application is started with completion deadline of December
- Discussion continued on establishing a form for Tree Fund donations

### **Public Comment:**

Mary Cermak Betzoldt, she appreciates our work, but wants to ensure we consider that snowbirds will be leaving soon, and that they aren't all computer savvy. She encouraged the commission to list the options simply and not to hide the information in a Dropbox on the web site where not everyone can find it. She wants to ensure that people can find it, understand it, and more easily share thoughts and comments.

### **Commissioner Comments:**

Commissioner Gale, wanted to go on the record to thank Bob for picking up the work of the Tree Committee and working to replace our aging trees. She is grateful and feels that the work aligns so well within the Master Plan, and it's so much work coordinating the locations, plants, etc, and she's so appreciative of his efforts and dedication.

Commissioner Newell, commented that we are getting very granular in our zoning amendments, and its been such a long work in progress, and we are getting to the end, but just need to continue to dig in and get it across the finish line, word-by-word. He feels that hiring Wade Trim has been a very valuable investment and without their assistance he doesn't know how we would have gotten here.

Commissioner Cavendish, commented that she is very excited about the Form Based Code discussion and feels the changes will really benefit to the village.

Chair Arbury at the next meeting in November, she would like to talk about the Recording Secretary position, when at that point the election will have passed and we will know if there will be any changes to the commission.

### **Adjournment:**

8:36pm Motion to Adjourn - **moved by** Commissioner Newell, **seconded by** Commissioner Wessell, **motioned carried**

**Next Regular Meeting - Wednesday, November 16th, 2022 at 6pm**

**7th Street Criteria Work Session (subcommittee only) - Thursday, October 27th, 2022 at 9am**

Respectfully submitted,  
Laura Cavendish, Secretary

*\* all reports are in October 19, 2022 packet on website: [villageofnorthport.net/planning-commission/](http://villageofnorthport.net/planning-commission/)*

*\*\* all 7th Street Documents are in the 7th Street Document Drop Box on website: [villageofnorthport.net/planning-commission/](http://villageofnorthport.net/planning-commission/)*

*\*\*\* Meetings are mandated to be conducted within 2 hours unless extended past 8 PM by vote.*