

CITY OF FREMONT
MINUTES OF THE REGULAR PLANNING COMMISSION MEETING

Tuesday, July 28, 2009
Fremont City Hall

Call to Order: A regular meeting of the City of Fremont Planning Commission was held in the Council Chambers at the Fremont City Hall on Tuesday, July 28, 2009. The meeting was called to order at 4:00 PM.

Present: Chair Don Henry and Commissioners Jack Butterick, Dennis Caplis, Marcia Eib, Jim Krouse, Jim Sloan and Lon Vredevelt

Absent: Jane Drake and Peg May

City Officials Present: Michele Ribant, Fremont Zoning Administrator
James M. Rynberg, Fremont Mayor

Approval of the Meeting Agenda

A motion was made by Marcia Eib, seconded by Jim Krouse and carried to approve the agenda as presented for the July 28, 2009 meeting.

Election of Officers and Announcement of Re-appointed Members

A motion was made by Jim Sloan, seconded by Marcia Eib and carried to elect Don Henry for a one year term from July 1, 2009 to June 30, 2010 as chair of the Fremont Planning Commission and to elect Jack Butterick for a one year term from July 1, 2009 to June 30, 2010 as vice chair of the Fremont Planning Commission.

Don Henry announced that the following Fremont Planning Commission members were re-appointed with a term for each from July 1, 2009 to June 30, 2012:

- Jim Krouse
- Marcia Eib
- Peg May
- Don Henry

Approval of the Fremont Planning Commission Minutes

A motion was made by Jack Butterick, seconded by Dennis Caplis and carried to approve the minutes from the June 23, 2009 Regular Planning Commission meeting.

Public Comment

Sara Wolfsen informed the Commission that she was from the Newaygo County Fair, and she was at the meeting to express her concern the Fair had about not being able to use a portable sign to advertise the Newaygo County Fair. Michele Ribant explained the number of contacts that had taken place between the City and various members of the Fair Board with regard to the sign. She indicated that the sign has been located on City property and that the City has an obligation to follow the regulations it imposes. Ms. Ribant said she would contact Ms. Wolfsen the next day to discuss the matter.

Becky Tuuk informed the Commission that the City should consider ways to allow residents to advertise garage sales. The Commission asked staff to put the issue of “garage sale signs” on the Planning Commission agenda at its next meeting in August.

Public Hearing – Amendments to the Fremont Hybrid Form-Based Zoning Ordinance

Chair Henry opened the public hearing at 4:06 p.m. He explained that the purpose of the hearing is to receive comments on the proposed changes to the Fremont Zoning Code. Michele Ribant reviewed the proposed changes to the Code as outlined below:

- **Article 2, Section 2.02 – Definitions:** Proposed change to Special Event Sign and Temporary Sign definitions
- **Article 4, Section 4.05 – Downtown Main District:** Proposed change to allow office uses in the Downtown Main District as a Special use with certain requirements
- **Article 4, Section 4.01 – Estate District, Section 4.02 – Neighborhood District, and Section 4.03 – Mixed Use District:** Proposed change to allow a second accessory building not to exceed 144 sq. ft. in the Estate District, the Neighborhood District and the Mixed Use District
- **Article 5, Section 5.04 – Industrial District:** Proposed change to allow a Day Care Center (Commercial) in the Industrial District when it is accessory to a permitted use on the same site and to provide for parking requirements in relation to the Day Care Center
- **Article 6, Section 6.15 – Signs:** Proposed change is to revise the definition of special event signs under the Exempt Sign category and to revise the definition of Off-premise signs under the Prohibited Sign category

The detailed amendments were outlined in the agenda packets. No one from the public spoke to the issue of the proposed amendments to the Fremont Zoning Code.

Chair Henry closed the public hearing at 4:16 p.m.

A motion was made by Lon Vredeveld, seconded by Jim Krouse and carried to recommend to the Fremont City Council approval of the proposed amendments to the Fremont Form-Based Zoning Code as outlined.

Nestle/Gerber Child Development Center – Site Plan Review

Joseph Weiss, architect for Nestle/Gerber, presented the proposal to retrofit the existing one story building in the Nestle/Gerber complex that was once used as a Gerber Visitor Center and later as a Workout Facility and is now being proposed as a Nestle/Gerber Child Development Center. He indicated that three (3) additions are being proposed to the building, and he then proceeded to cover the issues as outlined in the staff report.

Michele Ribant indicated that the subject property is located in the Industrial District, and a Day Care Center is not a Use permitted in that District under the current Fremont Zoning Code; therefore, amendments to the Code will be necessary if the Plan is to be approved. She indicated that proposed amendments to the Code have been noticed that would allow a Day Care Center (Commercial) in the Industrial District when it is accessory to a permitted use on the same site and to provide for parking requirements in relation to the Day Care Center. She indicated that the City Council will have to approve the proposed amendments to the Code in order to allow for the Day Care Center in the Industrial District.

Linda Moore, Associate Director at Nestle Nutrition, confirmed that the Day Care Center will only be available to children of employees – not the public.

After some discussion, a motion was made, by Marcia Eib, seconded by Jack Butterick and carried to approve the Plan set dated July 1, 2009 that includes the Site Plan, the Landscape Plan and the Lighting Plan for the Gerber Child Development Center, subject to approval of a storm water management plan by Newaygo County and subject to the Fremont City Council approving proposed changes to the Fremont Hybrid Form-Based Zoning Code to allow for a Child Care Center (Commercial) in the Industrial District as a permitted use with standards and to allow for appropriate parking standards for the Child Care Center.

48 West Main – Stariha Law Offices – Deviations Requested

Patty Carpenter presented the request for variations on behalf of the Stariha Law Offices in relation to the building located at 48 West Main Street. She indicated that facade work is being conducted on all four (4) facades through the Fremont Façade Improvement Program but that deviations to the Zoning Code are needed in relation to the awning on the front façade and the canopy on the rear façade that is being proposed. The following deviations were requested in relation to the subject property:

- A four (4) foot deviation on each side of the front façade in relation to the requirement that awnings not project closer than five (5) feet to a common lot line. The awning will be one (1) foot on each side to the common lot line.
- A one (1) foot deviation on each side of the rear façade in relation to the requirement that canopies not project closer than five (5) feet to a common lot line. The canopy will be four (4) feet on each side to the common lot line.

- A three (3) foot deviation to the requirement that an awning be six (6) feet perpendicular to the façade. The awning on the front façade will be three (3) feet perpendicular to the façade.

A motion was made by Jim Sloan, seconded by Lon Vredevelde and carried to approve the following three (3) deviations in relation to property located at 48 W. Main Street:

- A four (4) foot deviation on each side of the front façade in relation to the requirement that the awning not project closer than five (5) feet to a common lot line.
- A one (1) foot deviation on each side of the rear facade in relation to the requirement that canopies not project closer than five (5) feet to a common lot line.
- A three (3) foot deviation with regard to the front awning in relation to the requirement that the awning be six (6) feet perpendicular to the façade.

The Fremont Planning Commission asked staff to arrange for a public hearing to amend the Code to allow awnings and canopies to be closer to a common lot line than five feet and to change the requirement in terms of how far out an awning/canopy must project perpendicular to the façade.

Discussion on Sandwich Board Signs – Presentation by Larry Breuker

Larry Breuker, a local sign company owner, showed two examples of sandwich board signs that met many of the standards in the Fremont Zoning Code for this type of sign but not the height requirement or the requirement that a percentage of the sign must be at least 35% of the sign area that is permanently painted or that has affixed graphics. He suggested that if the Commission thought these signs as presented were acceptable in appearance that the Code be changed to allow for them.

After some discussion, the Planning Commission asked that the regulations in relation to sandwich board signs in the Downtown Main District be reviewed at the next meeting.

Discussion on Letter to Planning Commission from Jim Sloan

Jim Sloan reviewed the letter he sent with the Planning Commissioners. It was stated that if any of the Planning Commissioners ever want to review a regulation in the Zoning Ordinance with the entire Commission, they should feel free to do so. It was stated that the Zoning Code can always be revised to fit the needs and desires of the community.

Unfinished Business

There was no unfinished business.

New Business

There was no new business.

Commissioners' Update

At the last meeting, the Commission requested that full size plans be provided to them in their agenda packets. At this meeting, the Commission gave staff the latitude to include whatever size plan is appropriate based on the project but that if smaller size plans are provided to the Commission, they need to be easy to read.

Staff Update

Michele Ribant said Jane Drake asked that the information on signs from the MSU Extension office in their agenda packets be provided to them. The Commission concurred that the handout had valuable information in it in relation to signs.

Next Meeting

August 25, 2009
Fremont City Hall
Council Chambers
4:00 PM

Adjournment

There being no further business of the Planning Commission, a motion was made, seconded and carried to adjourn the meeting at 5:37 PM.