

FARMINGTON PLANNING COMMISSION PROCEEDINGS
Monday, November 9, 2009

Chairperson Gronbach called the meeting to order at 7:00 p.m. in the Farmington City Council Chambers, 23600 Liberty Street, Farmington, Michigan.

ROLL CALL

Present: Buck, Christiansen, Crutcher, Ingalls, Kuiken, Scott, Sutton.

Absent: Bowman.

A quorum of the Commission was present.

OTHER OFFICIALS PRESENT: Building Inspector Koncsol, City Manager Pastue, Deputy City Clerk Pohto.

OTHERS PRESENT: Sherrin Hood, LSL Planning, Inc.

APPROVAL OF AGENDA

MOTION by Buck, seconded by Sutton, to approve the agenda. Motion carried, all ayes.

APPROVAL OF ITEMS ON CONSENT AGENDA

MOTION by Christiansen, seconded by Scott, to approve the items on the consent agenda as follows:

- Acceptance of Farmington Building Department 4th Quarter Report – April through June 2009.
- Acceptance of Farmington Building Department 1st Quarter Report – July 1, 2009 through September 30, 2009.

Motion carried, all ayes.

DISCUSSION REZONING REQUEST, 33106 WEST EIGHT MILE ROAD FROM INDUSTRIAL TO COMMERCIAL 3

City Manager Pastue stated the purpose of this agenda item is to inform the Planning Commission that LSL Planning has reviewed the City's Planned Unit Development (PUD) Ordinance and recommended that the PUD tool be used to approach the proposed redevelopment of the site. He commented this approach would eliminate months of waiting for the City to revise the ordinance.

He commented Administration is in the process of scheduling a meeting with the applicant to discuss a conceptual plan for the site, elements of the PUD agreement, and to develop a schedule for the PUD process before the Planning Commission and City

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Council. He noted he was hopeful this item would be on the December Planning Commission meeting agenda.

DISCUSSION – ADULT REGULATED BUSINESSES

Pastue noted there needs to be a clean record regarding proposed changes to the Zoning Code that deals with adult regulated businesses. He verified all commissioners received the DVD with study materials to be discussed at future meetings. He stated there would be a separate record of the proceedings dealing specifically with the zoning text regarding this agenda item.

In response to a question by Commissioner Kuiken, Pastue responded the material was for review and study and not to be read word for word.

CONTINUED REVIEW OF PROPOSED ZONING TEXT AMENDMENTS

Sherrin Hood, LSL Planning, Inc. reviewed Draft 3 of the proposed amendments to the Zoning Ordinance, which included: density in the R3 district was increased from 16 to 18 dwelling units/acre, R4 to be eliminated completely from Article 5, Multiple-Family Residential Districts and to rezone the existing Brookdale Apartments to R3.

Pastue commented Brookdale was already non-conforming and responding to a question by Commissioner Scott he stated the Brookdale Apartments were built in the 1960's. Hood noted she has a map reflecting the 16 to 18 dwelling units based on review of the densities of current development in Article 5, Multiple-Family Residential Districts.

Hood reviewed the restricted drive-through uses in all commercial districts in Article 7, Commercial Districts and noted the amendment would remove all drive-through uses from the CBD. She noted drive-through banks, restaurants, dry cleaners and pharmacies are allowed as special land uses only as noted in C2, and in the C3, drive-through banks, restaurants and those accessory to retail uses are allowed as special land uses while those for dry cleaners and pharmacies are allowed by right.

She stated the generic drive-through line item in the table of uses was removed to avoid confusion that they may be allowed for uses other than those specified above.

Hood further noted residential uses are now allowed in the C3 district as part of a PUD. Pastue commented the City does not want to have buildings right up to the lot line in the downtown, and noted the Citizen's First Bank drive-through in the downtown as an example. He encouraged dialog from the Commissioners. Hood stated they wanted to scale back on drive-throughs in the C2.

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Discussion followed regarding compliance of existing drive-through regulations. Commissioner Ingalls noted the Commission had denied drive-throughs in the past due to traffic problems.

Chairperson Gronbach questioned if a new business were to come in for approval would the issue need to appear before the Zoning Board. Pastue replied if it were a hardship the applicant would need to appear before the ZBA.

Commissioner Sutton noted if a fast food restaurant submitted an application and it were in a C3 it would still abut residential. Hood responded the parcels are a little larger in the General Business. Sutton commented almost every area where there is commercial there is a form of residential behind it such as apartments or condos.

Responding to a question by Gronbach, Pastue stated the area behind Drakshire is zoned C2. Pastue noted banks, pharmacies, and dry cleaners could have a drive through in a C2 district. Hood stated the only alternative would be that it would be very specific in terms of where and how a drive through could work, which would allow the Commission to deny the applicant if there was not a large enough parcel to allow for buffering. Sutton asked what the difference would be between C2 and C3 in regards to fast food. Hood replied the Planning Commission could be specific as to what would be allowed.

Commissioner Christiansen commented the Planning Commission consistently looks at the special land use and the impact of adjacent proximity to residential. He stated he was inclined to not have such specificity in the ordinance, but is in favor of special land use provisions to make limitations. Pastue reviewed the wording of the ordinance.

Gronbach asked for further clarification on the wording of restaurant drive throughs.

Sutton stated she was comfortable with not having any drive throughs in the CBD, but was not sure about the C2. She noted there did not seem to be an issue with the Silver Dairy drive through which is in the C2. Commissioner Kuiken concurred with Sutton noting there are the same issues in the C3 and questioned if they are limiting the type of businesses that would want to come into the C2 by eliminating drive through restaurants. She commented the CBD District has a completely different aspect and they are trying to achieve a different goal for that area, but she did not see a detriment to having a drive through restaurant in other areas. She noted they needed to question if they want to limit that type of business in the C2. Pastue replied if the Commission wanted to leave banks, dry cleaners, restaurants and pharmacies in the C2 they still have the prerogative to use the special land use. Sutton commented it is more conducive to get out of the car and walk around in the Downtown District.

Christiansen concurred with the previous comments and noted by using the special land use criteria it would allow the Commission to review.

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Commissioner Scott stated the size of the site was a key factor and that there could be modifications to make the drive through more stringent in the C2 District and would make it more palatable to the surrounding neighborhood. Pastue noted Burger King was a tight site. Pastue stated the ordinance could be written to include decibel levels and setbacks from a speaker box and lighting issues from the residential area.

Sutton noted the biggest problem with decibels is enforcement.

Pastue stated they will update the C2, C4 and special land uses and upgrade certain specifications in regard to the drive through that would address sound, setbacks, lighting, and screening.

Commissioner Scott questioned the stacking issues at banks and pharmacies. Pastue responded there were some standards in Article 14 dealing with parking. Discussion followed regarding stacking. Sutton stated there is a requirement for what stacking should look like, but not how many. It was noted there were 10 stacking spaces in the ordinance for drive through restaurants, 4 stacking spaces for banks, dry cleaners are allowed 2 stacking spaces, but none was listed for pharmacies. Hood stated she would address drive throughs.

Gronbach noted there needed to be some guidelines for the Commission to use in order to make a decision.

Commissioner Ingalls questioned if a drive through was established at a business and it closed would it still be allowed if another business took over that site. Hood replied the applicant would have to appear before the Commission for a decision since it is not automatically allowed.

Ms. Hood continued to review proposed amendments to the Zoning Ordinance. She noted there were no PUD changes from last month's meeting, but she did include them since the changes would be discussed. She commented they corrected Article 12 of the Special Land Use since there was a mistake regarding adult theatres since they were listed twice.

She reviewed the boundary survey in Article 13 for buildings and structures that fall within 3 ft. of the property line.

Scott stated there is confusion regarding Article 7 in the building design by percentages as to amount of glass, etc. Hood commented she would clarify items 5 in regards to Exterior Finish Materials and item 6, Windows. Gronbach noted the original intent when the Design Committee worked on the CBD design guidelines was to have more glass, which was noted in 6A, but noted the way 5A is written it is confusing and asked that it would be helpful to clarify. Pastue asked if the Commission was comfortable with the standards as discussed. Christiansen noted the 70% glass only applied to the first floor. He commented there is confusion under 6A storefront/ground floor façade, and the

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graphic says first floor. Discussion followed regarding the wording of ground floor or the use of first floor. Pastue verified 75% glass and 25% other appropriate materials wording be used. Commissioner Crutcher commented nothing is mentioned about glass in openings. Pastue commented there could be a combination of a balcony and wall and that the balcony doesn't have to run the full length of the building for a 2nd story. Hood noted the rationale would be discussed at the next meeting when Jeff Purdy would be in attendance.

Scott voiced concern regarding the Village Mall and the look that it is boarded up. Sutton noted they needed to address the amount of windows on a balcony.

Discussion followed regarding the wording of hand drawn site plans. Hood noted the ordinance states that what is submitted to the Commission have to contain the dimensions that are drawn to scale. Commissioner Buck stated the intention was the degree of roughness of the materials submitted so that it was understandable and clear.

Scott discussed additional required content for the Architectural Site Plan in order to convey more information to the Planning Commission; information that any quality designer would require. Among the items he suggested were scale of the drawing, right-of-way, drainage, setbacks, property lines, and flood plains surrounding developments within 100 ft. of the site. He commented a lot of the information could be obtained from aerials. Hood replied more detail could be obtained by request of the Commission, but should it be required on all site plans. Pastue referred to the first table for review. He noted there were only 2 instances where non-residential buildings would have an architectural plan that would be built in renovations, modifications to the façade or other features that do not result in additions to floor area or building heights and non-residential accessory open air business. He commented everything else required a site plan. Discussion followed regarding information to be included on a site plan. Sutton stated she was looking for a balance between not making some changes cost prohibitive because a full site plan would be required for every application that came before the Commission. She noted the conceptual plans are acceptable if the applicant is merely looking for feedback from the Commission before the architect does their final changes. Ingalls discussed a checklist that is used by the City of Novi.

Gronbach suggested that at the end of the chart it be added that this is what the Planning Commission is requesting; however, if the site plan is to be approved further specifications may be needed to complete Administrative approval and list examples. Pastue stated he would meet with Ms. Hood and Jeff Purdy for further review. Hood requested a listing of changes suggested by the Commission be submitted to her.

Scott requested proper sealed documentation showing a legal description. Sutton noted a legal description could be incorrect unless there is a new boundary survey using metes and bounds as opposed to looking at old documents. Hood noted some communities require that the assessor look at the applicant's legal description for verification. Christiansen stated they expect correct information from the applicant and

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voiced concern over too much information that is submitted for an addition to a house, etc. He referred the legality to staff since they are submitting a permit. Sutton questioned if a legal description is needed on an application for an addition to a home and it is well within the lot lines and setbacks. She felt it was one more hurdle for the applicant if additional information was not needed. Pastue noted Administration would review legal descriptions and ask for verification of property lines and the Planning Commission would still have the digression to require the applicant to provide that information. Discussion followed regarding the Silver Dairy.

Christiansen stated the Planning Commission has the digression to ask for additional information from the applicant. He noted the Commissioners have certain responsibilities in order to make a decision regarding the application. He stated ultimately the City issues the permit and the Planning Commission reviews a particular item. He noted additional requirements could add extra cost to the applicant. He commented as long as the Commission has the ability to require further information if deemed necessary. Kuiken verified plan-by-plan would be reviewed. Crutcher noted there could be a delay for the applicant to proceed if extra material was requested by the Commission.

Discussion followed regarding outdoor sales. Scott voiced concern over seating in restaurants and the kitchen area regarding parking.

Commissioner Buck questioned the annual seasonal outside sales. Pastue commented outdoor sales would be over after Christmas and begin again in April. Sutton noted there should be a distinction between outside seating at restaurants and actual outside sales of goods. Sutton suggested part of that ordinance be reviewed as to permanent conditions for outside seating. Pastue noted certain design issues could be incorporated in the site plan for approval. Discussion followed regarding storage of equipment.

Ingalls asked for clarification of 14-4 regarding required landscaping.

Pastue and Hood reviewed Article 21.

Gronbach noted no action to be taken at this meeting.

PUBLIC COMMENT

There was no public comment.

COMMISSION COMMENTS AND ANNOUNCEMENTS

Buck stated he felt privileged to serve on the Planning Commission the past few years. He thanked the Commissioners for all of their work, the professionalism of the City engineers, planners and City staff. He was impressed with the work and knowledge of

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all involved in making Farmington a better place. Gronbach thanked Buck for his service and congratulated him as Mayor.

Gronbach asked Administration if there was any further development at World Wide Shopping Center. Pastue noted the economy has scared Walgreens and Administration had heard nothing further from them regarding their development. Building Inspector Koncsol stated it is still speculation that O'Reilys is planning on taking over the part of the building where the fishing shop used to be. He encouraged them to give advanced thought to a co-coordinated effort with the owners of the center regarding façade design. Discussion followed regarding specifications for landscaping, signage, consolidation of dumpsters, and parking lot layout.

Pastue congratulated the Planning Commission for all of their work on the Master Plan and amendments to the Zoning Ordinance.

ADJOURNMENT

MOTION by Sutton, seconded by Buck, to adjourn the meeting. Motion carried, all ayes.

The meeting adjourned at 9:02 p.m.

Respectfully submitted,

Secretary