

FARMINGTON PLANNING COMMISSION PROCEEDINGS
City Council Chambers 23600 Liberty Street
Farmington, Michigan
Monday, January 13, 2014

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

ROLL CALL

Present: Babcock, Bowman, Buyers, Chiara, Crutcher

Absent: Gronbach

A quorum of the Commission was present.

Chairperson Bowman wished everyone a Happy New Year. She also commented on the email transmission of the Board packets.

OTHER OFFICIALS PRESENT: Director Christiansen, Building Inspector Koncsol.

OTHERS PRESENT: Sherrin Hood, LSL Planning.

APPROVAL OF AGENDA

MOTION by Chiara, seconded by Crutcher, to approve the agenda as submitted.

MOTION carried, all ayes.

APPROVAL OF ITEMS ON CONSENT AGENDA

a. Minutes of Regular Meeting – October 14, 2013

MOTION by Buyers, seconded by Chiara, to approve the item on the Consent Agenda.

MOTION carried, all ayes.

ZONING ORDINANCE TEXT AMENDMENT – OUTDOOR DISPLAY, SALES AND STORAGE

Chairperson Bowman introduced this agenda item.

Director Christiansen indicated there was a staff report included in the Commission's packets. He explained the text amendment stating it was discussed last year and now is asking for an amendment. He stated the agenda item is for the Planning Commission to review and then schedule a public hearing. He then turned the item over to Sherrin Hood.

Hood indicated that Kevin and Vince discussed with her possible revisions regarding the outdoor display, sales and storage language of the ordinance. A revision to the ordinance was then drafted. The provision for temporary storage was removed in favor of general standards to be applied to both temporary and permanent storage areas and must receive site plan approval by the Planning Commission. Some of the concerns addressed were that the ordinance should allow for seasonal items and not to provide an extra area of display for items belonging in the store. She then detailed the areas that were addressed and contain changes.

Christiansen stated the Planning Commission had a couple instances last year when there were requests for seasonal display areas that were granted because there was no language prohibiting them in the ordinance. The new language would allow the Planning Commission to have the means to look at the appropriateness of the requests and make sure they met the requirements of the ordinance. He indicated that businesses in the Central Business District are handled through the DDA and City Council.

The square footage requirement of the ordinance was discussed as well as having qualifiers to the types of materials displayed as well as displaying them on a durable surface. Change of ownership would require coming back before Planning Commission for renewal. The areas and timeframes for seasonal requirements and covered versus uncovered areas of display were discussed.

Hood then asked for feedback from the Commission.

Bowman thanked Hood and Christiansen for addressing the issue and presenting it in a clear and concise format.

Babcock commented that she loved the rationalization and hearing why the changes were made. She then inquired about existing businesses with outdoor storage and whether they would have to go through site plan approval.

Hood responded in the affirmative indicating businesses usually provide a close-up of sidewalk and front of building and where they are requesting to display.

Christiansen indicated it would be an amendment to their site plan rather than a full site plan approval and Hood stated it would be a means of gathering enough information for the Commission to make an informed decision on their request.

Babcock then inquired about businesses that have already been granted and what effect this change in the ordinance would have.

Christiansen responded that current businesses would be grandfathered but if it changed hands or based upon the Building Inspector's approval of how they operated

in the past year, that the renewal would not be granted, and they would then have to come back before the Commission and reapply under the new terms of the ordinance.

Discussion was held on Item #7 and whether it should be stricken or not.

Further discussion was held on Farmer's Market activities as well as Founder's Festival and other special events.

Chiara inquired about the responsibility of merchandise left outside in outdoor displays and further discussion was held. He also inquired about the reasoning for the placement of the sign on the Mommies to Mommies business on Shiawassee rather than Orchard Lake Road.

Crutcher asked if the limitation of 20,000 square feet were put in place, how many establishments in the community would qualify for that and Christiansen responded most of the bigger boxes in the shopping centers. He also asked for clarification of the amendment language with smaller establishments not being in a shopping center and the relief they would seek for same and Christiansen responded through the ZBA.

Crutcher then inquired if gas stations were subject to the same process and Christiansen stated the language would be clarified in regard to that and they may be exempt.

Christiansen then indicated that one of the challenges in determining whether an ordinance needs to be amended or not is to take into consideration the number of violations occurring to same and that gas stations have not presented themselves in that fashion thus far.

Hood then clarified that the smaller establishments not in shopping centers still have the ability to come before City Council and request a special event or weekend sale.

Crutcher then asked if there was a time limitation imposed on such and Christiansen responded they could come in and get a permit for that temporary sale. He then asked the timeframe for same and Koncsol responded ten consecutive days per season which can be broken up.

Buyers responded to Chiara's question about liability with regard to outdoor storage. He then complimented the well thought out draft of the ordinance. He asked for clarification with regard to existing users and whether only a change of use or ownership would they need to amend their plan and Christiansen responded that same use, same owner would be grandfathered in. But if a business changed and they wanted outdoor storage, a new business, change of use, they would be required to follow the new provisions which is coming forward with a site plan review and approval before the Planning Commission.

Babcock commented that the Building Inspector has the authority to retract same if a business is up for renewal and the terms were not adhered to.

Buyers reiterated that those users who would be new owners, new different users would come before Planning Commission with their site plan, they would be approved or not approved and that would stay in place until a change in ownership.

Christiansen responded unless there was a code violation or how outdoor storage is operated.

Buyers asked if the proposed language gives Koncsol the authority to do an annual review and Hood responded it didn't include annual but it can be kept in on Page 3, items d and e.

Christiansen stated that 6 (d) and (e) would be kept in and further discussion was held as to the language of the ordinance, including Item 11 as well as change of ownership ramifications.

Christiansen explained there are three levels of retail sales in the City, all retail sales shall be within a completely enclosed building. Secondly, there is an opportunity for outdoor display sales and storage seasonally, with site plan review and approval of Planning Commission and ordinance requirements. Third, temporary sales or special event, that is for a limited time period on a special basis.

Hood questioned change of ownership versus change of use and how that would affect their permit for outdoor display.

Crutcher asked if language could be added to address that concern and further discussion was held.

Babcock stated that she would like to see it amended to in no way transferable by ownership or use and detailed the reasons why.

Koncsol would like the Commission to look into an ordinance with regard to outdoor seating and storage and cites Luigi's and outdoor display in regard to Farmington Florist, to give some focus and direction via ordinance in dealing with that in the wintertime.

Christiansen stated that that would have to be in an amendment to the outdoor seating provisions, regarding storage of same and that would have to be looked into and further discussion was held.

The Commission then went over the proposed revisions and discussion followed.

Hood then stated she would email revised draft soon to the Commission so the Public Hearing can go forward on February 10, 2014.

MOTION by Chiara, seconded by Crutcher, to hold public meeting February 10, 2014
MOTION carried, all ayes.

ELECTION OF OFFICERS – PLANNING COMMISSION SECRETARY

Chairperson Bowman stated the Planning Commission is short one commissioner and also a secretary due to Jeff Scott moving to City Council.

Director Christiansen detailed the term of office vacated by Mr. Scott.

MOTION by Babcock, seconded by Crutcher, to nominate Chiara as secretary. Chiara accepted the nomination.
MOTION carried, all ayes.

Christiansen stated there is still a seat to fill and the matter was referred to City Council.

2014 PLANNING COMMISSION MEETING SCHEDULE

The 2014 Planning Commission Meeting Schedule was presented to the Commission, with the indication that the meetings occur on the second Monday of the month.

MOTION by Chiara, supported by Crutcher, to accept the 2014 Planning Commission Meeting Schedule.
MOTION carried, all ayes.

PUBLIC COMMENT

None heard.

PLANNING COMMISSION COMMENTS AND ANNOUNCEMENTS

Bowman stated that she participated in the 5k downtown and her father was a volunteer for the event and he wanted her to pass along how well organized the event was. The planners of event were thrilled in working with City in bringing the event here. It was the third race held in Farmington and she expressed thanks to administration and all parties involved.

Bowman is also looking forward to meeting new commission when one is selected.

Christiansen stated there are a lot of qualified candidates and Council is looking for a very qualified addition to complement standing Commission.

Christiansen stated there is a lot coming up with the City, economic and community development, quite a few things as seasons change, a lot of potential on horizon. There are significant redevelopment projects coming along, the courthouse property and its redevelopment, commercial redevelopment up and down Grand River and throughout community with the implementation of the Vision Plan and Grand River Authority Plan and updating and making a current Master Plan.

ADJOURNMENT

MOTION by Chiara, seconded by Crutcher, to adjourn the meeting.
MOTION carried, all ayes.

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Secretary