

FARMINGTON PLANNING COMMISSION PROCEEDINGS
23600 Liberty Street
Farmington, Michigan
September 13, 2021

Vice Chairperson Perrot called the meeting to order in Council Chambers, 23600 Liberty Street, Farmington, Michigan, at 7:00 p.m. on Monday, September 13, 2021.

ROLL CALL

Present: Crutcher, Kmetzo, Mantey, Perrot, Waun
Absent: Majoros, Westendorf
A quorum of the Commission was present.

OTHER OFFICIALS PRESENT: Director Christiansen, Recording Secretary Murphy; Beth Saarela, City Attorney; Brian Golden, Director of Media Services; Brian Belesky, Audiovisual Specialist.

APPROVAL OF AGENDA

MOTION by Crutcher, seconded by Waun, to approve the agenda.
Motion carried, all ayes.

APPROVAL OF ITEMS ON CONSENT AGENDA

A. July 12, 2021 Minutes

MOTION by Kmetzo, seconded by Waun, to approve the items on Consent Agenda.
Motion carried, all ayes.

SITE PLAN REVIEW – PROPOSED BUILDING ACCESS IMPROVEMENTS, MEDILODGE OF FARMINGTON, 34225 GRAND RIVER AVENUE

Vice Chairperson Perrot introduced this item and turned it over to staff.

Director Christiansen stated this item is a review of a proposed building access improvement for the existing Medilodge of Farmington, a respiratory health care facility. The proposed building improvements which are new access ramps are intended to be located in the rear of the existing building adjacent to the existing parking area, that's on the south side of the existing Medilodge facility. No changes regarding building dimensions or to the exterior of the existing building or other site improvements are proposed. The Applicant has submitted plan for the proposed building improvements including a proposed site plan, proposed building elevations and detail elevations and plan views. The Applicant, Mr. Mike Card, represents Farmington Medilodge and is in attendance tonight at this meeting to review the proposed building improvements with the Commission. There are attachments as I indicated that were submitted, a site plan application and support material. This is an aerial overview of the Medilodge facility

located on Grand River at the southeast corner of Grand River and Gill Road. The Medilodge facility has been here at this location since about 1965 is the time period it was originally constructed. There have been improvements to the facility and to the site over time. You might recall that the last improvement was I think about 2008 when the respiratory equipment, the outside containers, the oxygen tanks, the enclosures and some other types of improvements were added to this facility. Also, over time general repair and maintenance has taken place; I think there was a roof repair, a new roof that was done probably about two years ago. So, over time there have been upgrades and improvements, the facility has been well maintained, it continues to operate at a very high level here in the City of Farmington. At this time what is being proposed are upgrades to the access locations on the south side of the building, it's really kind of a horseshoe shaped building and there's two access points, one at either end. And what is intended is the stairs, there's a couple risers or stairs to a door that goes into the building; those are intended to be removed and two new ramps will be provided. Looking here at this photograph if you see the horseshoe here up on the screen, if you look to the ends of the horseshoe, that would be to the south end of the bottom of the building, on each end you can almost see the two door locations on here, that's where those two site improvements are proposed. Because these are physical improvements to the building and to the site, a site plan review and approval is required. We go ahead and take a look, this is the site plan application for Medilodge that was submitted by the Applicant, again, Mr. Card is here this evening representing the Medilodge facility in their proposal. This is the site plan that has been submitted, the aerial photo, the building, the access points, Grand River, Pickett, Gill Road, and the surrounding support facilities, parking. You can see those oxygen storage tanks that I mentioned that we approved back in 2008, that's located on the southeast corner of the site. There's a demolition plan that's submitted, so what's intended is to remove those stairs and construct the two new ramps; additional site plan information, floor plan, and you can see the two new ramps here located on this plan. Detailed cross sections for the ramp, the ramp view, it's ADA compliant. I'll let Mr. Card here introduce himself and give you an overview and explain the purpose and the need. And again, improvements to these types of facilities because they're physical elements they're outside, they're associated with the building to include site plan approval by the Planning Commission.

Vice Chairperson Perrot invited the Petitioner to the podium. Mike Card, Medilodge representative, came to the podium. He stated Medilodge has always been very active in upgrading its facilities, in this case it's a little bit strange. We have an annual inspection at the State level for safety. The building was built with current Code and the steps there meet current Code but the State has asked us to put in handicap ramps. So in order to really get a long and play in the sandbox with the State, we try to, when it's affordable, follow suit to satisfy them and not give too much pushback; that's what has driven this design. Otherwise the building has full ADA Code compliant ingress/egress, but this is

really just a State survey result, that they're actually asking for more than is necessary, it's a two-story building, when we're under fire we have no elevators, we have to evacuate the building down stairs regardless, they're just having a great issue of too much steps to those doors, so we're willing to just put in the ramps and make that problem go away. The ramps do come into the existing parking lot ever so slight; traffic with the handrail, we can work that out, because this way we're on the service drive but there's sufficient space there so we're hoping with your review and I hope with approval we can move ahead on this.

Commissioner Crutcher asked if they are reconfiguring some of the parking spaces and Card replied we're putting them on a larger angle because it's a little tight, all of those parking spaces are 90 degree turns so we're putting it on an angle so it's easier to get in and out of there.

Crutcher said it looks like you're losing three spaces but if you take out two next to the pinch point that may work instead of three and Card replied we're trying not to lose that parking because our land space is limited and pre-Covid we fill the parking lot up.

Crutcher said if you just take out the two spaces across the pinch point, instead of three, and Card replied that's something I can definitely look at.

Director Christiansen stated that is certainly a very important point and we had that dialogue that you must always be mindful that parking is at a premium no matter where it is at in our community and certainly on private property as well. I know and am very well familiar with the day to day activities on site here, so we'll certainly work with the Petitioner on that, we don't want to lose any spaces and if there's a better way to facilitate that within the existing site, we'll certainly work with Mr. Card and Medilodge to achieve that.

Crutcher stated when he goes by there he sees people sitting on the sidewalk and if you take the two spots you can make a little sitting area back there.

Perrot thanked the Petitioner and called for a motion.

MOTION by Kmetzo, supported by Crutcher, to approve the access improvements for the Medilodge of Farmington building located at 34225 Grand River Avenue; that the proposed building improvements with the new access ramps will be located in the rear of the existing building adjacent to the parking area.

Motion carried, all ayes.

REVISED PROPOSED ZONING ORDINANCE TEXT AMENDMENT: PERMANENT OUTDOOR SEATING ENCLOSURES

Vice Chairperson Perrot introduced this item and turned it over to staff.

Director Christiansen stated this item is a review and consideration of a revised proposed zoning ordinance text amendment regarding permanent outdoor seating enclosures. The proposed amendment would amend Chapter 35, Zoning, Article 7, CBD, Central Business District, C-2, Community Commercial District, C-3, General Commercial District and RO, Redevelopment Overlay District. Section 35-102, Table of Uses, and the requirements of the accessory outdoor seating provision, to allow permanent outdoor seating enclosures. At their April 22nd, 2021 meeting, the Downtown Development Authority Design Committee reviewed the proposed Zoning Ordinance Text Amendment and forwarded their comments to the Planning Commission, and a copy of those minutes of that meeting have been attached with your staff packet. At the May 10th, 2021 Planning Commission meeting, the Planning Commission reviewed the proposed Zoning Ordinance Text Amendment and scheduled the required public hearing for June 14th, 2021. At the June 14th, 2021 Planning Commission Meeting, the Planning Commission rescheduled the public hearing for July 12th, 2021 as requested. At that July 12, 2021 meeting the Commission held the required public hearing and then tabled action on the proposed zoning ordinance text amendment in order for the City Attorney to make revisions to the amendment requested by the Planning Commission. A copy of the revised proposed draft ordinance is attached and that is what's under consideration this evening. So, looking at that attachment included with your staff packet, these are the DDA Design Committee minutes, we've been through this before but again part of the complete package. You've taken a look at their comments at your public hearing if you recall and then the revised proposed amendment which has been prepared by the City Attorney, again, comments were made on July 12th at the public hearing meeting and the City Attorney took those comments and prepared a revised draft. And Beth Saarela, our City Attorney, is present with us this evening, Mr. Chair.

Vice Chairperson Perrot asked Saarela for her comments regarding the proposed changes.

Saarela stated that the principal change was to revise everything to not be out front and the major comments resulting in these changes is that these not be used in summer as air conditioned enclosures but more of a weather resistant outdoor structure for inclement weather, but that was the only major change I made. I changed some of the standards in addition, so if you want to look at Section 2, there's some timing provisions I added, when it can be used and prohibiting use during some other times. So, with that same concept in mind with this not being a permanent structure, also deleted some of the standards so those are the main changes, to move everything to the rear and make it not permanent.

Vice Chairperson Perrot opened the floor for comments or questions from the Commission.

Kmetzo asked assuming the amendment will be passed, will the establishment that wishes to set up the structure for outdoor seating, so they're in compliance with the ordinance, do they have to come before the Planning Commission and Saarela replied they will have to come with a request for a Special Land Use.

Director Christiansen said if I might add to Ms. Saarela's comments, the initial interest for this text amendment came from the Farmington business community and they approached City Council because of the Covid pandemic and the issues related to restrictions on food and beverage, on indoor dining, on indoor service for food and beverage establishments, and the approach with Council was asking if there could be consideration to allow for structures, enclosures, within outdoor seating areas. The initial interest was something that potentially could be on a permanent basis, so really adding footprint, adding square footage, adding area that would be outside to the bricks and mortar portion of the building but would have elements like awnings or canopies or zip-in/zip-out sides, maybe other elements for weather such as heaters, access and ventilation and other things like that. So, at the direction of Council, City administration working with the City Attorney prepared this amendment. The amendment would as structured allow for enclosures in outdoor seating areas. Currently we don't allow in our ordinance enclosures of any type, whether it's permanent or even temporary. And then there's a process and that process is outlined right here and you've been through this with the Special Land Use as well and Special Land Use requires a Special Land Use application and site plan. And then that information is prepared, provided to you, and you as a Planning Commission would consider that and potentially then schedule the required public hearing to the Special Land Use and hold the required hearing for the Special Land Use as you consider the site plan. So that's really the structure if I'm correct, with this amendment, and then there are various standards in here, I think I have Section 2 up on screen now and if that's what Ms. Saarela was referring to, elements of outdoor structures, the materials, the design, other sorts of things which would be your purview under review. I think this is where this is now at and the next steps would be again your consideration this evening of the revised proposed amendment subsequent to the public hearing and any action you take will be forwarded to City Council. Because this is a voting Ordinance Text Amendment, they have the responsibility of any changes in terms of any approvals of changes to the Zoning Ordinance.

Crutcher asked if a change was made to the timeframe and Saarela replied it is under subsection b on the first page. And Crutcher then asked if someone could set up an outdoor seating during the October and April period and not have to do an enclosure and Saarela replied that didn't change at all, the unenclosed seating.

Crutcher asked if someone wanted to do outdoor seating between October and April, they could still do outdoor seating without an enclosure if they want and Kmetzo replied isn't that under number 2, special provisions.

Saarela replied regular outdoor seating is from April 15th to October 31st, but we have extended that through Covid and asked Christiansen if that still applied.

Christiansen stated those were two very special circumstances, those two occasions, those two resolutions, actually there were four actions by Council, if I'm correct. But in light of the Covid pandemic, I think you're aware that in June of 2020 Council passed an expansion of the outdoor seating area beyond the areas that were site plan approved at the time into other spaces, parking lots, etc., the terms and conditions and requirements for a temporary special permit, and that was a process that was established and over a dozen businesses took advantage of that Council approved resolution and went through the permit process for that. They expanded their outdoor seating areas in the summer of 2020 and that continued on until October 31st, but in August of 2020 Council realizing that there was a need to continue that and wanted to make sure that we were accommodating the needs of the businesses, allowed it to continue beyond October 31st until this next season. And then they went ahead and considered another resolution allowing for the same thing to continue in 2021, that is expanding outdoor seating areas, until October 31st of this year. So, that's when the actions of Council that were taken in 2020 and then extended into 2021 will expire. That then will go back to the Zoning Ordinance provisions as they currently exist and that is a time period and it is up on screen right now, currently it is as Ms. Saarela indicated April 15th to October 31st. And then that outdoor seating is not used during the wintertime period. Certainly if there is interest in that, that's something that can be considered. It hasn't been part of this for a blanket to expand it, but it's certainly something that has been discussed a little bit. But as you look here, there is a specific time period here still of April 15th through October 31st. And I think in our discussions, there has been some interest in expanding that. And that would have to be either your recommendation or action or inclusion and Council's action, to consider something like that. But I would defer back to Ms. Saarela if there's anything else I'm missing.

Saarela said the only thing that I would add is that right now there can be a request extending a timeframe under that same provision and Christiansen replied we've allowed for flexibility based upon those dates based upon weather conditions to accommodate the business needs in the community, so there has been some flexibility, I don't think it's gone on that long, usually by mid-November without any changes in enclosures and etc., it's getting a little challenging. But also, too, we've allowed the season to start before April 15th for everybody based upon circumstances and existing conditions so it's been

seasonal as things have gone along, we've worked with the businesses to accommodate their needs.

Kmetzo then stated the first part of the sentence should read "requiring Planning Commission approval" for the first part, so we're still allowing enclosures between October 31st and April 15th and Saarela replied if they go through the Special Land Use process to get an enclosure around the outdoor seating. She went on to state you can have outdoor seating without an enclosure from April 15th to October 31st. From October 31st and beyond requires a Special Land Use.

Christiansen said and to go back to the requirements of a Special Land Use, they're in Section 2. So, outdoor seating traditionally with no enclosure is from April 15th to October 31; if you're looking for an enclosure and a Special Land Use, that can be a year round situation. But in a case like this, it has to be approved and reviewed by the Planning Commission if this ordinance amendment moves forward.

Vice Chairperson Perrot called for a motion from the Commission.

MOTION by Waun, supported by Mantey, to recommend approval of the proposed zoning ordinance text amendment for permanent outdoor seating enclosures as revised and to forward it to City Council for their review and consideration.

Motion carried, all ayes.

REVIEW AND DISCUSSION – ZONING ORDINANCE AUDIT

Vice Chairperson Perrot introduced this item and turned it over to Director Christiansen.

Christiansen stated this item is a review and discussion of the audit of City of Farmington's Zoning Ordinance. With your staff packet and your staff report attached is a link to Chapter 35 of the Zoning Code of Ordinances and that link is listed here, so that is the attachment. I don't have it as part of this packet and able to link to it, so I have downloaded it, if you will indulge me, I will go ahead and get out of this right now, if it will let me. So what I'm bringing up on screen right now is Chapter 35 of the Code of Ordinances of the City of Farmington. This is the Zoning Ordinance for the City. And Chapter 35 has 21 articles in it, beginning with the title and purpose for zoning for the City of Farmington. And you might recall in our dialogue regarding this zoning audit, that it is typical when a community updates its Master Plan that the next step is to take a look at the Zoning Ordinance to make sure it's still what the City wants it to be in terms of provisions that relate to the implementation of the Master Plan because you know that the Zoning Ordinance is the tool that aids in implementing and supports the Master Plan. So, the Master Plan is the guide, is the general road map for the community where the

Zoning Ordinance is the rules, regulations, implementation tools. So, we started on this in the summertime and we had prepped for it and we were looking at it back in mid-summer and we hadn't had a chance to start down the pathway of reviewing the Zoning Ordinance in its entirety but that is where we're at now and what we'd like to be able to do is article by article just generally go through and discuss any issues with the article in question, anything that you as a Commission have questions about, individual Commissioner questions or anything collectively. And certainly Ms. Saarella has been involved in zoning audits before in her capacity as our legal counsel and with the City's municipal law firm, so she serves as a resource in this case with our audit. It will probably take us a couple meetings to get through and if there are any changes, we'll certainly move forward with that, changes with the Zoning Ordinance, what we were just doing with the outdoor seating amendment required under process the preparation of an amendment to the Zoning Ordinance and then consideration, public hearing, etc., and moving forward to the legislative body for their consideration. So, long and short, we're going to do a zoning audit and we're going to move forward with that. And I guess what I would do, Mr. Chair, is turn it back over to you and maybe we could have some comments from Ms. Saarella, just her experience and what her suggestions might be and maybe she can assist us as we move through. I have this Ordinance and I think some of you also may have downloaded it from the link on your electronic devices, and that's great, and it's up on screen for our use as well.

Vice Chairperson Perrot stated it sounds like you're going to be handing out homework, I get this feeling in my bones.

Attorney Saarela stated in looking at the Master Plan and doing some reading and some homework, I think that's the important thing, that we need to look at the Master Plan and make sure what we're proposing is carried over. So, maybe breaking that down, somehow break that down and consider each chapter or section of the Master Plan and then looking at where we need to look in the Zoning Ordinance and make sure these things are carried forward. So, looking, for example, at focus areas, future land use, existing conditions, you have different topics in the master plan that are not going to exactly line up, we're going to have to jump around the Zoning Ordinance. When you go through the Master Plan and you look at the big topics that are going to require change going forward, at that time we need to focus on district by district, what in order to pull off this change of the Master Plan and what it proposes in each individual district. So you could take coordinating between the two documents, there may be some at home refreshing with the Master Plan, I don't know how much reading you've done of the Master Plan, but really have to figure out what the goals are and then we're going to need to focus on where in the Zoning Ordinance are we going to see that focus.

Perrot said we look at the Master Plan every year, so it's really a living, breathing document that changes throughout time, whereas ordinances in some instances it's made once and never reviewed again.

Saarela stated the Zoning Ordinance, we look at it when a problem comes up, in order to make sure it's staying current with the Master Plan changes and is consistent with what the plan is.

Perrot stated really going forward this could be a maintenance item, to make sure the previous 12 months, or 24 months, whatever, the actions that we've taken, the actions that have occurred with the Zoning Ordinance, falls in line with our overall plan and our ultimate goals for the Master Plan instead of looking at each and every single zoning ordinance. You mentioned if we want to look at the Master Plan and familiarize yourself with the Master Plan and really chunk it out into manageable sections, you know, each one of us, I don't want to speak on behalf of everybody else, but we're very open to taking on, like I said, homework and if there's things that stand out that require us to have discussion, definitely I'm pretty confident you'll get in touch with all of us, including the gentlemen that are missing tonight, we are very accessible via email and things like that. I think considering my time with this group, I have no concerns, it's not something we can't handle. It's just a matter of chunking it out and talking about it and then understanding what our course of action is in the event that we find something that really needs to change.

Kmetzo stated I think it's divide and conquer, maybe the Master Plan can be divided into chunks and then each one is assigned a chunk and we review the Plan and we see if there are any items that may be impacted.

Saarela said I'm just looking at how the Master Plan is broken down. A lot of these goals start really on page 54, the focus areas are on page 54. So, we can look at these focus areas and it's really talking about broken down sections of the City and what goals to focus on section by section. So the carryover would be to look at those zoning districts and make sure that those are the zoning districts that would allow the City to meet these goals and as projects come in and proposals come in over time. So, you talk about the vision, what the hopes are for the future for that area, but I think we have to look at what zoning districts are here and do these districts allow these things to happen with the way the resolutions are written now.

Director Christiansen provided the index for the Code of Ordinances for the City and stated there are thirty-five chapters that are listed here. So, page 1, page 2, going into page 3. This is the whole Code, the whole City Code and all sections. So, if we go to page 3, page 3 starts Chapter 35, Zoning. And I indicated there are twenty-one articles

in zoning. So, of the twenty-one articles, the first one is Title and Purpose, and that's what's up on screen right now. Something like that is a statutory compliance, I think statutory requirement compliance, it addresses the basis for zoning and the then compliance with the City's Zoning Ordinance, with State statutory requirements under the Michigan Zoning Enabling Act, if I'm correct, Ms. Saarela. And then what you have is Article 2 and so on, the twenty-one articles. Let's turn the page. Now, and it's a little lighter in color, but this is now what we can benefit from having this in front of us. This will be our little cheat sheet, it's like a program. When you go to an event, you get a program, and you can see what's in front of you. So, let's look now at Chapter 35 Zoning, Article 1, Title and Purpose. You see in there a short title, purpose, conflicting regulations, vested rights and a reserved section. I don't know if we have any issues with this section, but that's what's in there.

Now, let's look at the next portion. So, I'll scroll down, and I'll page down here, this is a lot of references in here, State law you see, ability to regulate, MCL 125.581. So, again, as we go through here, we're going to go down to the next article which really starts the regulations, the rules. Article 2, General Provisions. And in here, we start talking about lot area allocations is the first thing you'll see, Municipal Buildings and Uses, Principal Buildings and Structures, Residential Development Regulations. Then we start talking about specific types of uses here. These are general provisions and I'll keep scrolling here, there's 168 pages in this and I don't want us to get bogged down in any of the areas that we don't need to focus on. So, Residential Development Regulations, what this section is, these are just general regulations that pertain to really uses and development regulations in the community. And if there's a need to make any changes, there might be a need to address some of this section. So, again, Residential Development Regulations are in Article 2, they are Section 35-24, it talks about intent. The reason this section here, this General Provision is very important as all are, but the City of Farmington is significantly a residential community with support nonresidential uses and facilities and a core downtown and of all other support features. Our residential uses are our primary uses and have been for many, many years. And in our long range planning, in our Master Planning, it's still the primary focus of the community. That's why looking at these kind of provisions is very important. What is it about our residential community that we might need to take a look at; is there anything in terms of our Zoning Ordinance provisions that aren't allowing the kind of residential development that we want to achieve, any questions, we can talk about whether the Zoning Ordinance has the provisions to allow for what we want to continue to do or not. That's in here. These are General Development Regulations. Again, it's very broad based, it's legal in most instances here, it talks about residential construction, where it's located, how it's approved, the standards for approving, applications, again, very general provisions. These are not the Zoning District Regulations; those are more detailed and specific. So you have a set of general provisions, the overview, the broad brush stroke. And then you have some specific

regulations. So, here you go, let's look at, here's a graphic. This is a graphic in here that talks about the general components, elements of the front fascia of our single family home. You have the façade length facing the street, you have garage door; why is this important? Because building additions and single family architecture are dependent upon these regulations and its percentage of garage to total fascia that are required, permitted and limited in here. And that's all part of our general provisions. In any event, there's minimum floor areas, dimensional requirements, yard setbacks, building appearance, garages and other specificity. So this is general. As you go through the General Provisions now you come up with, the next section references Adult and Child Care Facilities and Zoning Districts they're permitted in, the various types of those facilities, adult foster care, day care, the sizes, the operations, whether it's a permitted use, Special Land Uses. And again, I don't want to drag down any conversation but these are all current requirements and we haven't had any sort of challenges to or issues with that are working as part of the implementation tool but I'm making you aware of these right now, General Provisions. So you can take a look at all these general provisions and we're not going to look at every single one of them because if we did by the time we get down to number 60, we're going to talk about the keeping of horses. So, all of that is in here. I don't know if Beth has any other comments.

Saarela said I think the main thing to do is to take a current look at the Master Plan and figure out in your mind what is important for the Master Plan, what are the main goals of the Master Plan we're trying to focus on for growth. And as you're reading through these I think you have to have the Master Plan in your head and make a decision whether we need to skip over these and move on and focus on what is important in the Master Plan. So, the General Provisions, we'll probably go through those pretty fast and then the districts.

Christiansen replied yes, I hope it's okay, Mr. Chair, to have some open dialogue here, not to step on anyone or not to follow procedures to speak. But I think as Beth is indicating again, the Zoning Ordinance is a policy document in terms of it is a set of codes, rules, regulations, following State statute, it's a legal document, it's an implementation tool, so we need to look and see if the rules are still valid and applicable and are doing what we need them to do. So, in looking at the Master Plan, so really we have three things in front of us. We have the Zoning Ordinance and that's what's up on screen and then we have what I gave you here hopefully will be helpful, we can follow this here, the index; and then the Master Plan, I can also pull the Master Plan up but what the challenge is and we can go and look at each section of the Master Plan and ask questions as to what implements that. And in the Master Plan there are goals and objectives, how are those implemented, so we can look at it that way. So, having the Zoning Ordinance, having this index with us, and having the Master Plan, we can scroll through the Master Plan and look at each section, particularly the goals and objectives and the implementation section of the Master

Plan, to then ask questions, well, how do we again implement this and is there anything we need to do. But if you look again what I gave you and you get past Article 2, Article 3 starts your Zoning Districts and is actually establishment of the Zoning Districts, and Article 4 is the first district. Just real quick. Article 4 is all the single families. Article 5 is the two-family and three-family residential, actually it's all the multiple family from R-2 all the way up to the cluster districts, so it's our multiple family provisions in 5. So, in there the uses permitted, the lot and yard requirements, the setbacks, other sorts of things, physical standards. Then Article 6 is the Office District, Office Service. Article 7 is probably as significant a district as there is in the community aside from Article 4 which is the single family and that is all of our Commercial District Regulations, the CBD, Central Business District, the C-2, C-3, Community and General Commercial, and the RO, Redevelopment Overlay District. So, they have all the standards in there. And then Article 8 is Industrial and then Article 9 is the Single Family Parking District. Article 10 is very important, not that any of the others aren't, but it's the planning and development regulations. And you know that in your work a lot of the redevelopment projects that are of significant size and scale, more than just a site plan change, are following the standards in the Planned Unit Development section of the Ordinance, so that's very important to note. You'll note Article 11 is the Grand River Corridor Overlay District, 12 is Special Land Uses, 13 Site Plan Review, 14 Off-Street loading and unloading, and then there's other sections that deal with other sorts of areas of responsibility dealing with nonconforming uses, the Zoning Board of Appeals, Administration and Enforcement, Amendment Procedure, and then the last section is Definitions, so very important. So, keep this with you, if that's okay, Mr. Chair, as a reference tool, because it's easier I would think when you look through this and then if it's okay as Beth as suggested, maybe what our next step could be as we move forward now is for you to take a look at the Master Plan, and then keeping that in mind we'll make sure we have that available to us, so going through the Master Plan and then referencing the implementation, how that's achieved through the Zoning Ordinance and if there's anything that's deficient or we need to address or make adjustment to in the Zoning Ordinance, to implement our Master Plan. And our Master Plan, which was just recently updated in 2019 and came on line at the beginning of 2020, so we really wanted to do this last year and I know we had talked about it and we put it in the schedule, and in light of the Covid pandemic and no meetings and virtual everything, we put it off for right now and so I'm really glad we're having a chance to do that. My thought would be to combine the Master Plan together with the Zoning Ordinance and have this index with us in this next step.

Saarela said we're going to have a lot more discussion about the Zoning Districts, the General Provisions, some of these provisions are statutory and not going to change likely, you might want to take a look at a little bit of adjustment in nonconforming uses. But a lot of things, you're not going to see much change in 19 and 20, so we may want to look at all of those at one meeting and we can put some of those sections together that are not

going to have a lot of changes. But then I think when we get into the Definitions section, looking to the Zoning Districts, we may want to do just one or two of those at a particular meeting, so you can have a full discussion. So I think maybe from a timing perspective the way we end up breaking these down, cover the administrative sections at certain meetings.

Christiansen stated if appropriate, Mr. Chair, Beth and I talked about this extensively and again, tonight really is a kick off for us to this, having this dialogue, that's why it's review and discussion right now. What might be appropriate, if you find it reasonable, is for Beth and I working together then with the Agenda, is to identify the sections of what we're going to focus on in the Audit at a particular meeting. So, at our next meeting as scheduled, we'll identify what areas we're going to focus on so that then you're prepared for that and know what we're going to talk about, so we're not looking at the whole thing and even look at areas, like Beth said, things can be combined and we can look at the particular areas and probably have a very reasonable okay, that is still good, still valid and get through it. It's really going to be the sections of the ordinance that drives development, redevelopment, uses and some procedures that really are going to be important.

Commissioner Kmetzo asked if that information would be provided way in advance of the next meeting and Christiansen replied we'll give you a memo as to what we're going to look at so you're prepared a long way out, a couple weeks out if we can do it.

Kmetzo asked so we can assume this will be a part of every Planning Commission Agenda and Christiansen replied maybe four to six meetings for this, we really planned out a half a year if that's necessary. Now, as we're talking and once you do that, if there's not changes that are significant to the point that need a lot of preparation of amendments to the Zoning Ordinance, then that's probably a good timeframe, review of four to six months. If we get to a point where we've identified changes, then that comes with the next phase of this whole audit and that's preparation, so know that. But we'll make sure that you have certainly lead time so you know what we're going to look at, we'll communicate that to you so you can be prepared, and then we'll have it on the agenda that way.

Kmetzo stated so we should study the Master Plan so it's already in our head so we're not looking at two different things.

Christiansen said it's interesting because again, the simple way that I in my capacity, my time in what I do professionally, I'm always making sure that the Master Plan serves the purpose its intended to under Statute which is the Michigan Planning Enabling Act, and that is a guide, it is the roadmap for the community, and it has very general, broad brush strokes but specificity in terms of goals, objectives, direction, now and into the future and

it serves in that capacity, it's a flexible tool. It serves to give the community then that reference tool for the interest of the community as it is and moving forward. The Zoning Ordinance is totally separate but linked because it, under the Michigan Enabling Act, implements that plan. So, it's all your vision and your goals and objectives and how are you going to get there, how are you going to achieve it. So I try to be simple like that but it's not as easy as it sounds because there's a lot to be aware of but I know you know that because you as Planning Commissioners put together the Master Plan so I know you know everything about it and so this will be a refresher for you. I think this is a good exercise because it does keep us current, it does keep us focused with the Master Plan and it's perfect in the tool that it is and certainly the implementation of it, get a little more intimate with that. Any questions you can always call any time and we can certainly exchange information. I think it's really important that the Commission is comfortable with everything we're doing in the process of the steps and if we need to do things a little different, we can always make adjustments, too. So, if that makes sense, Mr. Chair, we'll proceed.

Vice Chairperson Perrot said good, especially with the lead time to prepare as we all have family and careers. So we can expect within the next couple weeks to watch our inboxes.

Commissioner Crutcher asked if we should look at the Zoning Board of Appeals cases to see what's come up and Christiansen said that's a good point. The Zoning Board of Appeals is provided for as a Municipal body with the authority that it's given under the Michigan Zoning Enabling Act and that is also in structure spelled out in the Zoning Ordinance. So, you as a Commission have a relationship to the Zoning Board of Appeals, because there is one member of the Planning Commission that by Statute serves on the Zoning Board of Appeals, but you have very specific responsibilities under the Statute that don't relate together in terms of engagement or involvement in decision making but do because you have to look at what the ZBA does in terms of granting any sort of relief they are asked to consider and that's handed off to you sometimes in plan form with site plans. So, yes, we take a look at those things and those are pretty well spelled out and how we relate together with actions, motions and how that information is conveyed to you.

Saarela said if you're seeing one type of appeal over and over again, are you seeing one type of setback that's problematic, we need to look at that

Crutcher said for example, people looking for a variance to add on to the front of their house, so it's a setback issue.

Christiansen replied and that's why we changed the Ordinance back in 2015, to reflect the flexibility, and that's what that graphic showed earlier. Another one that comes up

often are fences, double fences, more so in the last year than ever before, it's been a very popular permit. You know if your Ordinance has a specific type of consistent

Saarela said or something that's changed over time, like other communities are looking at uses of accessory structure for reasons other than a shed, so I don't know if that's happening here.

Christiansen replied it is and we're going to talk about them. There's a change in the interest of the use of traditional detached single family properties from one family per dwelling that consists of a certain make-up by definition in your ordinance. There was a traditional approach, a traditional definition of family, and then single family regulations in many communities had specificity in terms of the occupants of detached single family homes, that has changed significantly. There is also the demand for the use of accessory structures for residential use, for living, I would say for lack of a better term, a lot of time families will have other family members and they want to be able to have them together as well and they want to convert their garage to a dwelling facility or other accessory structures, attached or detached.

Crutcher said accessory dwelling use and Christiansen replied yes, the other is the type of use in in single family districts from the traditional use of a single family home by one family living together and acting as a single family unit. Bed and breakfast, Air bnb, short term rentals, these are all things that are at the forefront of many communities for their consideration to adjust their ordinance to address, to permit and provide in some way. These are the kind of things we're going to take a look at and there's other things. That's a great question, Mr. Crutcher, and the single family nature of this community being first and foremost and predominant and then of course the nonresidential support of the commercial based and other nonresidential uses of the community, the downtown and other areas. So, our use district is primarily going to be the focus I think as we move forward.

Kmetzo said I think we can go into the whole nitty gritty of the Zoning Ordinance and find something that needs to be changed but I think we also need to remember we're thinking of the Master Plan and really will not have the time to go into the details of should we do this or that, I think if we prioritize them first, then we can go down them with more specificity.

Christiansen said you made a good point with the nitty gritty, so we don't get bogged down and between Beth and all her experience we certainly don't want you to get bogged down. And we would certainly bring to you if there were issues that the ordinance as its currently structured adequately provides in order to accomplish something. We're going to have to take a look at the uses because they're being talked about or there's interest

in them to allow for these things. One of the things is that these have been in place for a while and have been very effective and so we have that history and where change is necessary, we've made them. The last comprehensive change to the Zoning Ordinance was in 2010 when the City's law firm was involved at that time, I think Article 7 was totally changed at that time and we are also looking at other sections as well. So, sometimes this comes about because of current circumstances or legal circumstances, there's changes at the legal level through the courts and there's case law that effectuates change, so some of that is going to come up in our discussion, too.

Perrot said I think as we go through section by section, the way that we address the concerns that we have, some are going to be more in depth than others, and some sections will be reviewed much faster than others, it's going to be a very fluid process month to month.

Christiansen said I agree. I think most of this in my experience is going to be uses and standards and procedures, that's just my experience with doing this over time in my capacity and here and on a daily basis, so we'll make sure you're prepared.

Perrot said we will look at our inboxes in the coming weeks.

UPDATE – CURRENT DEVELOPMENT PROJECTS

Vice Chairperson Perrot introduced this item and turned it over to Director Christiansen.

Christiansen stated that September 2021 there are orange barrels in Farmington, quite a bit going on in various locations. Certainly you have been engaged in so much of that. You might note that if we go west on Grand River that all of your efforts for redevelopment of the World Wide Center and the improvements that were approved through the site plan process with respect to the new building, Tropical Smoothie building, and the façade modifications. There were various considerations and approvals through the Zoning Board of Appeals and conditions on granting that and then that was handed off to you and through your efforts with site plan review, what was achieved was a new look to that center, new site elements and a brand new building and I can tell you from everything I see on a daily basis things seem to be going well. They just have finalized all their final permits and everything else related to that project and they're doing really great, so I appreciated all of your efforts on that. I don't know if anybody has any questions but that has moved forward.

Currently the Nine Mile gas station right now, they're getting closer as they move along. They have some of their site elements now that are being put in place, they're finishing their building and with all their efforts and work I know they're looking forward to getting

finished and getting up and running, so hopefully sometime within the next short while they can get completed and that will certainly be a nice development there at the south entrance into the community coming up Farmington Road.

Chairperson Crutcher asked if there was going to be a "Welcome to Farmington" sign on the back of their building and Christiansen replied you asked about that one, I'm not sure if we're doing that graphic yet, but that's something that hasn't gone away, there's some opportunities there and with the property next door, something to talk about. And that's interesting, too, because in your Master Plan Update there was the identification of five focus areas in the community and this is one of the focus areas now realizing redevelopment and I will tell you in our discussion on current development projects, there's quite a bit of interest in the vacant TCF Bank property across the street which has its own wall and identification and etc., etc., we refer to that as the southern gateway is really what we've been talking with interest about with the gas station's repurpose, with the opportunity for a little freeway action, Mr. Crutcher, and with this other opportunity on the northeast corner of Nine Mile and Farmington, certainly looking to realize the implementation of what you've put in the Master Plan in those focus areas, what we're moving forward with right now that you set in motion as a Commission with your Master Plan Update. That's going on there. As you go up Farmington Road and coming into downtown, the GLP Financial, and all of the work at the Farmington State Savings Bank, and if you're watching them, you might think what's going on, they took the windows out, when are they going back in? They're rebuilding all of that, they're lowering those windows, they're going down, they're reframing and structuring. Today I can't tell you how many workers were in that building, they're bringing concrete into the building right now downstairs, there's a lot of area work. Thursday there is going to be closure of streets in morning prior to Harvest Moon, which is this weekend, I'm looking very forward to that. But they're in that building doing a lot of work and a lot of materials are going to be delivered on Thursday morning for inside that building. So, just take a look on a daily basis, you'll see a lot of work progressing and it's very exciting to see that level of activity here in the community.

You'll note that Krazy Crab, your site plan approval, the precon and everything else, they're going. There's iron on site, the footing foundations for the building addition have been put in, they're doing work on the site right now, and so that's moving forward. A little bit of a delay but the Covid pandemic had some challenges for the food and beverage businesses in particular, and so they've had to work through some of their financing but were able to do that and came out the other side, so they're moving forward with that right now.

Liberty Hill, you'll note that three basements have been dug, three permits have been issued, infrastructure is in, flat work is in, they've got some things to do to adjust but

they're moving forward as well. And again, the impact on the housing industry, the cost of materials, the cost of lumber, everything else, so they've had to deal with that, too. So, these circumstances all were certainly very impactful on what's going but these redevelopment projects continue to move forward and we're really pleased for that.

The Maxfield Training Center is moving forward. There was a meeting last week with the developer, Robertson Brothers Homes, City management, City administration, and the purchase agreement has been executed and we are now working with them in due diligence and assume we will be moving down the pathway of development process which will be a PUD process which is going to engage the various boards and commission in the City that are going to be part of the process which will involve the Downtown Development Authority, the Downtown Development Design Committee, the Planning Commission, the City Council, and the Brownfield Redevelopment Authority, and so that is moving forward right now, the schedule has been laid out, we're kind of working on dates right now but you can anticipate between now and probably early, mid Spring that the Planning Commission will be engaged in various elements of the development review and approval process including the PUD process with various types of meetings. So, that's very, very exciting to move forward with that and we'll keep you updated there.

Other than that you see a few vacancies and some new tenants and then there are a few more vacancies, circumstances being what they are but we're trying to work with the property owners and assist them as much as possible, so it's a very busy time, there's a lot going on, there's a lot of improvements to our residential community, a lot of improvements, area modifications improvements, some other things right now, so we're keeping pretty busy with all of that besides of all the redevelopment that is going on as well and all the work that we're doing here. So that's the update right now; any questions?

Perrot said you mentioned the Krazy Crab earlier and that property basically we signed off on that one and gave them the thumbs up quite some time ago and that's one that I get an earful on very regularly because it's ugly. You know we were concerned back during Founder's Festival what that was going to look like, all through summer, you know people are outside and they're paying a little closer attention to things around the downtown because they're tired of being cooped up inside and like I said that's one that people that within the last two months, at least a half a dozen residents have asked me what on earth is going on behind the ugly green fence. And now this week the backhoe arrived and it looked like they were doing some digging, so it's good to hear but it's one thing to drop a piece of equipment there to appease the City for a little while.

Christiansen replied they didn't necessarily drop the equipment as a delay, they set it there because there's a cost to all of that, they started moving. It just took them more time than I think they planned originally due to all of the circumstances. Last year was

not kind at all to the food and beverage industry and they had some challenges with financing but they've been worked through like I said. Your concerns and probably those expressed to you are the same thing we get, too. Some projects are able to move forward fairly expeditiously; other projects take the time that they do and you know it would be nice to have everything done as soon as it's approved but it doesn't always work that way. The challenge for us is making sure it doesn't fall apart and that it also doesn't create any sort of concern as far as public health and welfare, so that's a challenge in itself, but yes, very glad to see them move forward, it just took a longer time than we anticipated.

Perrot said with all the talk of the Master Plan tonight and like we do every year, that disclosed a few opportunities that we've had to just expand the downtown which has been a huge part of the Master Plan all along. So, it's like we want to do what we can as a city to say get going, get going.

Christiansen said it will be interesting because the downtown and everything about it and its long range planning, the Downtown Master Plan, the City Master Plan, the Vision, the goals, you see the redevelopment going on in is one piece of it. Next year is the Farmington Road Streetscape Project and that's going to be very significant to the downtown. And then anything and everything that comes from that, with all of those properties along Farmington Road and an interest in upgrade and redevelopment. So, it's a constant give and take and it's a constant ebb and flow with the changes that happen. Sometimes they happen quickly but other times they don't so much. I would say we just have to stay the course and focus on the plans and if the plans are the one we want, we affirm that and continue to move forward, we certainly have done that. I will tell you there is probably as much or more activity now that I've seen here in Farmington in all locations, in downtown and not downtown, in quite a period of time and that's good to know because we have a lot of interest here in the community, various elements of it, for a variety of different reasons and that's really a great thing. Anyway that's the update and I don't know if there are any questions on other projects or the status of things.

PUBLIC COMMENT

Brianna Marble, a student at Wayne State going for her Master's in urban planning, stated she is moving to Farmington October 1st and she stopped in the meeting to familiarize herself with her new community.

PLANNING COMMISSION COMMENT

Commissioner Mantey inquired about the parking along Grand River that ends at Mayfield and asked if the last spot for that parking could be identified as "compact car" parking only to prevent possible accidents as she was almost T-boned there.

Director Christiansen stated that is probably something that should be communicated by written correspondence to the City Manager and that that might be able to be considered by the Parking Committee, they are the ones that put together the standards and the restrictions for parking throughout the City, the three-hour parking limitation and things like that. That parking there was put there after a consideration for road diet and the road diet was a pilot program and then after the pilot program those spaces were formally put in place and they were put in place as just general parking spaces with no limitations and certainly something like this should be brought up to the Administration with a copy to Public Safety and the DDA Executive Director.

Commissioner Waun stated Harvest Moon is this weekend, Thursday, Friday and Saturday, and that she hopes to see everyone there and that volunteers are still needed.

Christiansen commented that it's nice to have all the events come back to Farmington after the pandemic.

ADJOURNMENT

MOTION by Kmetzo, supported by Waun, to adjourn the meeting.
Motion carried, all ayes.

The meeting was adjourned at 8:33 p.m.

Respectfully submitted,

Secretary