

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION REGULAR MEETING
CITY COUNCIL CHAMBER
31555 11 MILE ROAD, FARMINGTON HILLS MI
MARCH 13, 2014 – 7:30 p.m.**

The Planning Commission meeting was called to order by Chair McRae at 7:33 p.m. on March 13, 2014.

Commissioners Present: Blizman, Fleischhacker, Mantey, McRae, Rae-O'Donnell, Schwartz, Stimson and Topper

Commissioners Absent: Orr

Others Present: Staff Planner Stec; City Attorney Schultz and Planning Consultant Arroyo

APPROVAL OF AGENDA

Chair McRae noted that Item A. was withdrawn from the agenda by the Applicant.

Planner Stec said that Applicant has requested a date uncertain for Item A.

MOTION by Rae-O'Donnell, support by Fleischhacker, to adjourn Item A., to a date uncertain.

MOTION carried unanimously.

MOTION by Topper, support by Fleischhacker, to approve the agenda as amended.

MOTION carried unanimously.

REGULAR MEETING

A. REVISED SITE AND LANDSCAPE PLAN 54-1-2014

LOCATION:	Northwest corner of Twelve Mile and Orchard Lake Roads
PARCEL I.D.:	22-23-10-476-051
PROPOSAL:	Site and Landscape Plan for renovations to existing shopping center including a retail building and drive-in restaurant in B-4, Planned General Business District and B-3, General Business District
ACTION REQUESTED	Approval of Site and Landscape Plan
APPLICANT:	Susan Friedlaender
OWNER:	Orchard 12, LLC

(Item withdrawn by Applicant)

B. RECONSIDERATION OF ZONING TEXT AMENDMENT 1, 2014

CHAPTER OF CODE: 34, Zoning Chapter
REQUEST: Amend Zoning Chapter 34, Sections 34-2.2 Definitions, 34-4.20.4 Special Land Uses not otherwise permitted, 34-7.14.6.E Temporary Uses, and Section 34-4.56 Seasonal Outdoor Sales, for the purposes of clarifying and revising the Zoning regulations applicable to Seasonal Outdoor Sales
ACTION REQUESTED: Reconsideration of 2/20/14 motion to recommend approval to City Council
SECTIONS: 34-2.2, 34-4.20.4, 34-7.14.6.E and adding 34-4.56

MOTION by Blizman, support by Rae-O'Donnell, to reconsider Zoning Text Amendment 1, 2014.

MOTION carried unanimously.

Planning Consultant Arroyo explained that following the previous Planning Commission meeting, slight modifications and minor language adjustments were made to provide more clarity and to address some concerns of the Planning Commission.

Mr. Arroyo spoke about the intent of the minor changes to the document. He referred to page four, under Section 34-4.56; which referred to the key regulations for outdoor sales. He said the primary change would now specify that seasonal outdoor sales take place no more than two times per calendar year; and the total duration shall not exceed 30 days; under all conditions. There will be at least 15 days between any two seasonal sales events on a lot, to clarify that this is to be something independent as a temporary outdoor sale. He said it has to be a sale of agricultural products and other goods associated with a national holiday and or Halloween.

Mr. Arroyo spoke about other uses that are temporary, but not permanent; and not associated with a national holiday or Halloween, e.g. flower sales. He referred to page six, and the previous provision for the subject type of sale. He said potentially an Applicant could have two seasonal sales associated with a holiday; and they could also request permission for sales for something different. He said this clarifies concerns, and provides flexibility.

Chair McRae clarified that if the request followed these guidelines, it could be handled administratively; and anything different would come before the Planning Commission and there would be a Public Hearing.

City Attorney Schultz said as a result of discussions regarding this matter, the difference was acknowledged and expanded to cover holidays; and reflects the intent and is clearer.

It was confirmed that an Applicant could request approval for a longer period through the Planning Commission. Page 6 was referred to, under Special Land Use, B, IV, which provides for the stipulation as to length of time, which could potentially permit it for several years before the Applicant must reapply—with the appropriate caveat that if there was a violation or complaint, it would return to the Planning Commission.

MOTION by Fleischhacker, support by Topper, to recommend Zoning Text Amendment 1, 2014, as amended.

MOTION carried unanimously.

C. RECONSIDERATION OF CITY CODE AMENDMENT 1, 2014

CHAPTER OF CODE: 22, Sales, Article III
REQUEST: Amend City Code, Section 22, Article III, 22-76
Definitions, 22-91 Required license, 22-92 Application,
22-93 Conditions for issuance, 22-94 Timely setup and
cleanup, and 22-95 Exemptions, for the purposes of
clarifying and revising the City's licensing regulations.
ACTION REQUESTED: Reconsideration of 2/20/14 motion to recommend
approval to City Council
SECTIONS: 22-76, 91, 92, 93, 94, & 95

**MOTION by Rae-O'Donnell, support by Blizman, to reconsider City Code
Amendment 1, 2014.**

MOTION carried unanimously.

City Attorney Schultz said flower sales were removed from the City Code and placed it in the Zoning Ordinance. He explained that two separate actions were required because one is the Zoning Ordinance and other is the City Code.

**MOTION by Mantey, support by Stimson, to recommend City Code Amendment 1,
2014, as amended.**

MOTION carried unanimously.

D. GRAND RIVER CORRIDOR CIA VISION PLAN

Planning Consultant Arroyo said on February 24, 2014, the City Council held a study session to review overlay and mixed-use zoning principles and discuss the Grand River Vision Area and Orchard / 13 Mile study areas. The City Council has requested that the Planning Commission set Grand River as a priority for Zoning Ordinance amendments, followed by revisiting the 13 Mile / Orchard Lake area amendments.

Mr. Arroyo said in light of this new information and based on the general discussion with the City Council, he recommended that the Planning Commission address the Botsford focus area first; and noted that many of the Orchard Lake / 13 Mile ordinance concepts could apply. He said based on this direction, the Planning Commission may wish to consider if it still wants to move forward with a PUD amendment as an interim measure. For example, the creation of a draft Botsford Area Overlay amendment to the PC for discussion in April and attempt to fast-track this ordinance for a public hearing as early as June. He said then the Planning Commission could move on to the other Grand River areas so that they could be wrapped up this summer. This may make the PUD amendments unnecessary.

Commissioner Schwartz commented that it was clear that four focus areas identified were most significant; and the Botsford focus area should be a top priority since Botsford Hospital has a Master Plan for their campus and expansion in order to continue to succeed as an independent hospital, especially in light of the Affordable Care Act and the increase in the need for patient

care. He said the other three areas were in limbo, one area was in bankruptcy. He said the Botsford area has the greatest likelihood for a positive impact. He said the overlay would provide more flexibility for Botsford. He said he was in full support of Mr. Arroyo's report, and said expansion of the Botsford area could inspire development in other areas.

Commissioner Stimson expressed concern regarding the Target property being in bankruptcy; and the possible delay in any potential development.

The Planning Commission expressed a consensus that the Botsford focus area should be the first priority and that the Target area would be the next priority.

Mr. Arroyo said the first priority would be the Botsford area; followed by the Target area. He said he would provide a draft amendment to the April meeting.

Discussion took place regarding the focus on a specific new overlay district for each area, to address them and potentially the areas between the focus areas.

Regarding the approval process, Mr. Arroyo said his recommendation would be to roll that into the PUD process, to help streamline the pre-approval process. He suggested an Applicant could potentially come forward with a PUD, a site plan and a landscape plan all together and take that to City Council.

Discussion took place regarding how that process used to be in place for smaller pieces of property. It was noted that with the Botsford area, there was one property owner, and that staff should provide meeting notices to the public.

Chair McRae recognized Spencer Brown, chair of the Corridor Improvement Authority, who was present at the meeting.

Mr. Brown said it was a good decision for the plan to begin with the Botsford focus area. He said they have started some renovation on the corridor in the main hospital. He said an overlay versus a PUD points to both approaches; and maybe it could be done on a case by case basis.

Mr. Arroyo suggested that with the overlay, they would have to go through the PUD process, and it would be treated the same way.

Discussion took place regarding the process and pre-qualification with a PUD plan; and if a variance or modification was needed, it would be asked at that time and City Council would approve it after a recommendation of the plan.

Discussion ensued regarding the marketing of the plan so that everyone involved is engaged and action can follow. Discussion took place regarding the status of the Tax Increment Financing (TIF) legislation. Currently, the funding available is seed money from the cities.

Discussion took place regarding the overlay district having its own set of regulations. If the Planning Commission elects to go with an overlay approval, and go through the PUD process, those regulations will supersede the underlying requirements, so the setbacks and maximum height will be different, the uses permitted will be different, as well as other site-related design issues.

Discussion took place regarding pre-qualification, the Public Hearing process, and the recommendation procedure from the Planning Commission to City Council.

The Planning Commission affirmed the consensus that the Botsford focus area should be the first priority.

Mr. Arroyo reviewed a key feature relative to all the buildings being pulled up to the Grand River right-of-way, and suggested they include a build-to zone. Regarding land uses, he said specific uses were called out, (medical office, hotel, senior living and senior care, and mixed use buildings.) He said he would provide a draft amendment that would allow for all those uses in the subject area.

Regarding maximum height, Mr. Arroyo said the conceptual images were arranged as two to three stories, and some were higher. He said something in the range of four stories was probably in keeping with the vision plan. He requested Planning Commission input.

Chair McRae suggested the Ordinance be crafted to allow hotel use, but not motel use.

Mr. Arroyo said that was possible, and there was a distinction in the Ordinance.

Chair McRae referred to the area map on the south end. He noted an area that was wooded and contained a river. He said there was room for flexibility in that location. Discussion took place regarding that area.

Mr. Arroyo clarified allowing greater height on the south side, and maybe three to four stories on the north side. The Planning Commission concurred.

Chair McRae clarified that Grand River Avenue was at its ultimate right-of-way.

Discussion took place regarding the variety of existing setbacks in the subject area on Grand River Avenue. It was stated that this area could be less problematic than Orchard Lake Road because there is less disparity. It was noted that the tallest building on the Botsford Hospital complex was the main hospital, and that it was four stories high.

Chair McRae said the Botsford Hospital Master Plan might include some additional height and that may need to be considered if that was needed to enable their success.

Commissioner Mantey noted the economics associated with the height of a building accommodating amenities such as an elevator.

Planner Stec pointed out that Botsford Hospital was tightly landlocked, and to expand they may need to build higher and possibly include a parking structure.

Mr. Arroyo noted that if the height on the north side of Grand River was kept at a maximum of four stories, then nothing could be taller; but it could be amended at a later time. He said on the south side, perhaps additional height could be considered since there is more room on that side.

The Planning Commission concurred that this was a good start.

Mr. Arroyo said he would incorporate positive pedestrian access and connecting support uses so it is walkable, particularly between the buildings.

Discussion took place regarding exploring urban walkways and natural areas near the river.

Commissioner Blizman said it seemed to be more consistent to allow greater height in an overlay district with a PUD opportunity; and there was also the opportunity for housing for medical staff etc. He said this would help to generate investment in the area.

Discussion took place regarding meeting dates.

PUBLIC COMMENTS

None

COMMISSIONER'S COMMENTS

Commissioner Fleischhacker reported to staff the area of Kendallwood Subdivision, off 12 Mile Road, and a section of concrete that requires attention.

Regarding the Zoning Text Amendments, Chair McRae suggested that following the related changes, if approved by City Council, that staff communicates same to the traditional users so they are notified and can be included.

Discussion took place regarding the idea of having meetings start at 7 p.m. instead of 7:30 p.m. There was mixed interest on the part of the Planning Commissioners.

Chair McRae recognized Cindy Gray, who resigned from her role a Planning Commission Recording Secretary after nine years; this was Ms. Gray's last Planning Commission meeting. The Commissioners said she'd be greatly missed and thanked her for her service.

ADJOURNMENT

There being no further comments, Chair McRae adjourned the meeting at 8:23 p.m.

Respectfully submitted,

Beth Rae-O'Donnell
Planning Commission Secretary

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