

FARMINGTON PLANNING COMMISSION PROCEEDINGS
Monday, April 13, 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: Bowman, Buck, Christiansen, Crutcher, Gronbach, Ingalls, Kuiken, Scott.

Absent: Sutton.

A quorum of the Commission was present.

OTHER OFFICIALS PRESENT: Building Inspector Koncsol, City Manager Pastue, Recording Secretary Schmidt, City Attorney Schultz.

OTHERS PRESENT: Sherrin Hood, LSL Planning, Inc.

APPROVAL OF AGENDA

MOTION by Ingalls, seconded by Buck, to approve the agenda as submitted. Motion carried, all ayes.

APPROVAL OF ITEMS ON CONSENT AGENDA

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

- Regular meeting minutes of March 9, 2009
- Farmington Building Department 3rd quarter report – January 1, 2009 through March 31, 2009

Motion carried, all ayes.

PUBLIC HEARING – MASTER PLAN

Sherrin S. Hood, AICP Senior Planner, LSL Planning, Inc., provided a brief overview of the Master Plan with a power point presentation noting updates to the Plan.

Ms. Hood commented the County and MDOT had been consulted for their approval.

Ms. Hood stated the Planning Commission would be the ultimate authority in adoption of the Master Plan since the City Council advised they do not want to adopt the Master Plan, but it would help to guide them in some of their decisions.

She reviewed the Land Use and discussed future land use recommendations; Central Business District (CBD) with pedestrian elements; encourage quality site and building design; and to develop overall redevelopment readiness.

Ms. Hood noted the residential neighborhoods in the Master Plan do not have a large area for redevelopment, but wanted to see the Master Plan address the elements in the residential neighborhoods that have made Farmington a desirable place to live.

She commented they want to improve the relationship to the downtown by having more pedestrian elements, and encouraging home ownership.

She listed some of the sub-areas to take a closer look at including: the Grand River and Power and the Orchard Lake and Ten Mile areas. Ms. Hood commented they would like to allow for some mixed use in those areas by encouraging neighborhood stores. She would also like to see parking changes in the Grand River and Orchard Lake area similar to the downtown area.

Ms. Hood noted there could be apartment use in the Grand River and Drake area with more of an urban area to use.

She commented on the school bus site and discussed the potential of redevelopment into a residential neighborhood with public use on the south end of the property.

In summary, Ms. Hood presented a conceptual rendering of projected future development.

Ms. Hood stated the final steps for approval of the Master Plan includes Planning Commission discussion and adoption by resolution.

Chairperson Gronbach recommended the Commission hear discussion from Administration and suggestions from the Historical Commission.

City Manager Pastue noted the Historical Commission correspondence regarding three parcels on the northwest corner of Thomas and Warner Streets. The Historical Commission and Administration recommended these three parcels be designated as residential in the Future Land Use Plan. Currently these parcels are in the CBD. He noted in the Parking Study was no additional need for parking; these properties are not in the DDA District; the loss of historic structures is irreversible and should only be considered if they are deteriorated or unsafe; these buildings are in good repair and still serve their original purpose; residents living in the downtown are desirable and create additional daytime activity to support retail businesses.

Pastue commented: If the Planning Commission decides that the 2009 Master Plan for this sub-area should be CBD the Farmington Historical Commission recommended the properties remain residential until future development along that block for additional parking. He further noted additional correspondence from the Historical Commission suggested adding a section on preservation, a "Preservation Plan," to the proposed 2009 Master Plan with a statement of their history, goals and action plan in regards to preservation is needed.

Gronbach suggested Administration provide LSL Planning, Inc. with the recommendations from the Historical Commission for review.

In response to a question by Commissioner Kuiken, Gronbach stated LSL Planning should review the future redevelopment of the downtown area and the possibilities of revising the current Parking Study.

Commissioner Buck asked if the Historical Commission felt the streets mentioned in their first recommendation were historic. Pastue replied the Historical Commission thought they were historic, but they could provide additional information during the public hearing.

Commissioner Christiansen stated the comments made by the Historical Commission have merit and felt the Planning Commission should not overlook that. He commented the Master Plan, Page 27, discusses the Historic District and he questioned Ms. Hood if the 3 parcels in the Central Business District should be noted as Historical. He further questioned if there should be an additional section regarding goals and objectives pertaining to the historic preservation in the Master Plan.

Ms. Hood asked if the Planning Commission wanted to include it as a sub-area. Kuiken commented she did not think it would be a huge benefit. Gronbach asked that Ms. Hood consider the suggestions by Christiansen and incorporate them in her review and did not feel it should be included as a sub-area.

Chairperson Gronbach requested a motion to open the public hearing.

MOTION by Kuiken, seconded by Buck, to open the public hearing regarding the Master Plan. Motion carried, all ayes.

Laura Myers, a Shiawassee Street resident and Chairperson of the Historical Commission, reviewed the significance of the 3 buildings in question.

Mary Sue Munter, an Oakland Street resident, asked for clarification of plot 5, 33305 Oakland, whether or not it is considered residential. She stated on some maps it is shown as residential and on others not. Pastue commented it is the house located immediately east of the parking lot where Heeney Sundquist Funeral Home is and noted there have been inconsistencies in the past regarding the designation of that property. He stated it is shown as "residential" in the Master Plan and not part of the Central Business District.

Hearing no further public comment, Gronbach requested a motion to close the public hearing.

MOTION by Bowman, seconded by Buck, to close the public hearing. Motion carried, all ayes.

Christiansen verified that the eight parcels on the south side of Oakland, shown as “residential”, are consistent with the 1998 Master Plan. Pastue commented it is currently in the Master Plan as “residential” and it is contained within the Historic District boundaries. He noted there was a time where the parcel was designated for additional parking and is a concern by the Historical Commission as well as residents along Oakland.

Gronbach noted the Planning Commission would take correspondence received from the Historical Commission in consideration and LSL Planning and Administration will review it and report back on how to incorporate into the Master Plan.

Pastue asked if the Commission wanted to change those parcels to “residential” or to leave as Central Business District. Kuiken replied she would like to keep the parcels as “Central Business District”.

Christiansen voiced concern that they be consistent with the 1998 Master Plan and keep the CBD as is. He noted they have other tools to deal with redevelopment such as: Downtown guidelines; site plan review, or site changes and stated he felt comfortable not changing from CBD to residential.

Pastue stated the recommendations for additional language dealing with historic preservation needs to be addressed. He verified that LSL Planning could look into language to incorporate it into the Master Plan.

Kuiken commented that for the information of the readers of the Master Plan there should be a definition of “historic”.

Gronbach stated it would be helpful if a separate map of the section is included or update the Master Plan to define the area.

Pastue commented Administration’s motivation is to bring clarity so all parties know the intent of those parcels.

Ms. Hood thanked the Planning Commission for their meaningful comments.

SITE PLAN REVIEW-GRAND DRY CLEANSERS

Present: Vincent Cataldo, Infuse Architects; Selim and Sevdije Vllasaliu, proponents.

Gronbach stated it is the second review of the site plan and numerous items had been discussed at the last Planning Commission meeting. He noted the revised plan has been addressed by LSL Planning, Inc. and asked Sherrin Hood to review their findings.

Ms. Hood addressed the major changes to the revised site plan. She discussed the most important issues regarding the layout of the site and to make sure they are clear to the applicant before moving forward.

She commented a large part of her review applies to some of the background and the efforts that have been made by the City to make sure the intent for the downtown district. Ms. Hood stated, as in the Master Plan, they want to make sure the downtown storefront, in relation to the street, be maintained on all sites to the extent practical.

Ms. Hood noted this is an auto-oriented use as opposed to a pedestrian oriented use. She stated in order to create the favorable pedestrian use the building would have to be the most prominent feature on the site. She commented the parking needs to be on the back of the site and the bulk of the building to the front property line.

She stated the applicant has brought the building to the split line and the parking lot takes up 40% of the frontage on the revised site plan.

She noted there are problems that have to be dealt with in more than one section of the Zoning Ordinance. Ms. Hood commented it is discussed about the relationship of sidewalk to the building, the building to the parking, and the parking to the neighboring properties. She commented besides the 40/60 frontage split the ordinance states the front of the building needs to be 100% up to the zero property line and it needs to be a useable building to that front property line.

She stated the revised site plan is addressing some of the issues from the last meeting, but now they are dealing with a building that has been changed to meet the standards addressed, but not really to address what the intent of the standard was to have a fully functional building that has at least 60% of frontage of the site and parking entirely in the rear. She noted there are diagrams and language in the Zoning Ordinance requiring this. Ms. Hood stated she is going to continue to recommend that they increase the massing of the building up to the front property line, encouraging as much of that building, in both stories, up to Grand River.

She also recommended the driveway be shifted to the east in order to accommodate some shared access with the neighbor to the east and the majority of the parking would be to the rear of the building. She also recommended the applicant coordinate parking with neighboring properties or if in the downtown coordinate with other downtown municipal lots. She stated the applicant's desire to have on site parking poses a problem in that they have to make sure they have a parking lot that can serve this building since it is not a part of the city wide parking program. She commented they want to make sure the required two stories are going to be served by enough parking on the site in the future.

Ms. Hood noted a front window area that is required in the ordinance has not been met on the site plan. She stated the window area on the front needs to be increased. She suggested that if the covered entry were incorporated into the building and was a continuation of the front building line some of the area could be counted.

Ms. Hood commented they need to meet with the owner and architect of the site in an informal setting to resolve some of the details. She stated they are dealing with a site that is going to set the trend for potentially the two properties and possibly more on either side of this site.

She discussed the comfort and safety for pedestrian traffic by having a limited number of breaks in the building wall.

Ms. Hood stated more detail is needed regarding the landscaping and lighting elements.

Gronbach requested Administration to present information regarding the historical issue of the current building.

Pastue stated the Historical Commission recommended at their meeting against the demolition of present building for three reasons:

- The present building is a home in good repair and very functional
- It would have a negative impact on the property to the immediate west
- The Historical Commission would like to take a look at expanding the area for the Historic District and include elements of the south side of Grand River also

Laura Myers handed out copies of the Historical Commission's minutes of their last meeting.

Vincent Cataldo, architect for the site reviewed the revisions to the site plan for Grand Dry Cleaning. He stated they have addressed the issues of concern by bringing the front of the building across where there is only 40% frontage of the parking exposed and they pulled the building off the rear property line to accommodate future parking spaces. He stated by doing this it would avoid future problems.

He stated the intent of what they are proposing is the building on the sidewalk and the building has 4 columns that run down the front face of the building and are on the sidewalk line. He noted they want to give the front façade some character so it is not a flat two-story façade. He commented they can glass the end to give a solid building mass so parking is not seen and they would meet the glass requirement that is requested. They would lose some of the architectural feature of that space with shadow lines, but stated the applicant is willing to do that.

Mr. Cataldo asked the Commission what is needed next to proceed. He noted his client purchased the property for the sole purpose of putting a dry cleaner business on it and the delays were beginning to cost the applicant time and money by not being able to proceed.

He stated they have tried to find a location for the house currently on the property, but could not make any promises.

Commissioner Scott verified from Ms. Hood that by skirting the covered entry to the east they got more in line with the percentages.

Mr. Cataldo commented when a customer drives up with an armload of clothes there be a side entrance so they are not walking too far to get to the main entrance. He noted the ordinance requires an entrance on Grand River. He commented the covered entrance would allow the patrons to park and access the building from the rear and any potential patrons from the sidewalk to access the building.

Scott replied the ordinance does not look at the use and how the proponent incorporates the architectural features with the building.

In response to a question by Kuiken, Ms. Hood stated the space needs to be useable floor area and is the intent of the ordinance. Ms. Hood commented she would follow up with Administration and noted they are dealing with an existing building that has to be fit into the mold, but now they are dealing with a clean slate that needs to meet the requirements.

Discussion followed regarding the issue of the through way to the building, pavement and parking. Again, Ms. Hood stressed they are requiring an urban box of a building which is the form of any downtown building, a two-story building that has its foremost frontage on the zero property line. She noted there could be an entrance on Grand River and an entrance to the parking area.

Gronbach stated the proponent does not comply with the downtown site plan developments and does not comply with the downtown Master Plan. He stated the guidelines should have been reviewed before the property was purchased. Gronbach commented the revised site plan does not meet the guidelines.

Mr. Cataldo stated he is presenting 60% of the frontage will be a mass of building. Gronbach did not feel the proponent had met the design standards.

Scott commented he was looking at the 16 x 16 area as a wing wall that is sticking out because there is nothing behind it. He voiced concern regarding parking, required setback and a grading issue. Scott stated the applicant would have to show the future of the upper level of the building and be compliant with the guidelines.

Mr. Cataldo replied they are not planning on using the second story as an office. He stated the client will be using the second story to work on their books and count money and will not be leasing it out.

Attorney Schultz stated it is arguable that the building does not meet the intent and the Planning Commission has to make the decision if the ordinance is met. He commented on the ordinance language regarding the front yard setback exceptions and the rule:

- 100% of the length of the ground level streetscaping façade of the building must be built to the front lot line.
- 100% of the building required to be built to the front lot line except as approved by the Planning Commission.

Schultz explained the drawing and initial language in Section 35-104.3 contemplates the whole building not a wing wall or a portion of it to try and get to the issue. He stated what it allows is covered under Parking Provision (Section 35-104(e)).

“Parking is permitted only in the side and rear yards. When parking is located in a side yard behind a building front line, it has frontage on a public right-of-way, no more than 40% of the sites total frontage shall be occupied by parking.”

Schultz commented the Planning Commission needs to question if 60% of the actual side yard used for parking is what the ordinance contemplates or does the ordinance contemplate that this would be building. That it would be 40% for parking and 60% for building. He stated they have to look at the actual language and not just the intent.

Commissioner Crutcher commented it appears most of the building frontage is on Grand River, but it actually isn't. He questioned why the parking couldn't be in the rear and the building to the front. He noted the intent of the Commission is to have more of an urban type zero front setback. He felt the applicant's drawing was giving an illusion of what it is.

Mr. Cataldo commented clients enter a small waiting area portion of the building and if they were to do a double and rear and mandated front they have to have clients go through a large portion of the building.

Kuiken questioned Ms. Hood if 40% of the parking lot, as shown on the site plan, actually exposed to Grand River or is it considered more because of the covered entry. Ms. Hood replied that was the point to be made that the covered entry is the sticking point in terms of whether the building meets that 60%. She stated they feel the covered entry is not a useable part of the building. Ms. Hood commented the intent is to bring them to the sidewalk and can be discussed.

Attorney Schultz commented that they have to look at whether or not the applicant has built enough of the building to the front.

In response to a question by Kuiken, Hood replied they want the enclosed entry to become part of the main building.

Christiansen stated they are dealing with a lot of issues and noted Mr. Cataldo is trying to do the best for his client. He stated the commissioners try to be accommodating and that they are trying to work with the petitioners and have been fairly successful. He commented this site plan review presents a lot of challenges. He noted development and location, and the challenge involved is the location is in the Central Business District and the applicants showing intensive use. He stated the petitioner is required to show the commissioners the parking orientation, all the attributes and components of the building. He noted it is a great plan for a dry cleaner, but is unfortunately it is on the west side of Mayfield and the CBD rules and regulations come into play regardless of the intention. He commented that applies to the use. Christiansen noted the applicant's time and money, but stated their responsibility is good planning for all uses throughout the Central Business District. He stated this issue is different from the core downtown. He commented as a planner they must set the foundation with consistency.

Mr. Cataldo commented they are dealing with the intent of the ordinance. He noted wording in ordinances is not always perfect. He commented they have also been discussing the intent of practical. He stated the plan screens off the parking and that the parking gets minimized from the road.

Christiansen thanked Mr. Cataldo for his comments and noted he had done a great job on the site plan. He stated the plan has merit and if it were not in the Central Business District they would not be having an issue. He commented one of the responsibilities of buying property is to know before you buy and do your due diligence to know site conditions, deed restrictions, and what regulations are. He stated he knew Administration would first go to the Master Plan when this site plan was presented and note this location is in the Central Business District and there are design guidelines, streetscape requirements, downtown character, consistency of redevelopment, CBD zoning requirements, parking, and landscaping. He stated it is the duty of the petitioner to know what they are buying.

Christiansen also noted the petitioner needs to know intended use, other use restrictions and what the market demand is. He stated the site plan is not a CBD plan and it not only as been reviewed by the commissioners, but reviewed point by point by LSL Planning regarding the design guidelines, parking requirements, the setbacks, building façade, lighting and noted there are discrepancies they have not dealt with.

Christiansen referenced comments by Attorney Schultz and went into discussion with Mr. Cataldo regarding the requirements as noted by LSL Planning, Planning Commission and Administration and of the future intent of the second story. Christiansen noted a lift was included on the plan.

Christiansen commented that the applicant was in a spot location where they are setting the trend for what is going to happen around them; particularly down and back to the west. He stated if surrounding businesses came before the Commission for redevelopment they would be subject to the same review and current regulations.

He commented they try to be flexible regarding intent and purpose, but these standards have been in place to create a certain character.

Ms. Hood commented in their review the problem was a large part of the building is going to be for storage. She noted in dealing storage uses along side a dry cleaner, office, or any other kind of use, it is considered an accessory to the primary use. She commented that is arguable that it is an accessory. She stated since it is an entire floor of the building they have to reasonably presume it will be used. She noted there could be numerous uses for the upper floor. Ms. Hood stated they want to make sure they consider the potential of the second story with the site plan so they are not creating a situation similar to the Farmington Health Care facility where they are deficient in parking. She commented they want to plan for that potential in regards to such a large potential to change the dynamics of the use of the site and to think about parking.

Ms. Hood stated she liked the way the architect addressed the parking in terms of considering a deferred area, but deferred areas have to meet the standards of the ordinance.

In response to a question by the applicant, Ms. Hood replied occupying all of the frontage on Grand River except a driveway opening takes their vehicles behind the building to the rear of the portion of the building and wrap their parking around the back of the building is what is wanted by LSL Planning and the Planning Commission.

Responding to a question by Mr. Cataldo, Ms. Hood stated she used calculations for lowest intensity office for the storage and the low end of the parking scale. She also replied that they are addressing the second story and 1 parking space per 200 sq. ft. She requested Mr. Cataldo provide the exact area and window area details.

Gronbach commented along with the parking situation the grade issue needs to be addressed.

Ms. Hood stated the Planning Commission could make the decision on how lenient they would be regarding the rear setback. She advised Mr. Cataldo that he needs to adhere to the ordinance standards.

Ingalls questioned if the owner could function without the second floor storage area and the owner replied they could. Ms. Hood noted the requirements of the ordinance for a second story. Mr. Cataldo asked if they could have a mezzanine and asked if approval of the landscaping and lighting element would hold them up. Gronbach replied there would have to be final approval by the Commission.

Gronbach informed Mr. Cataldo they need to update their design guidelines, review the ordinances and meet with LSL Planning and Administration for their input.

Pastue commented the 40% parking issue is the first matter that needs to be resolved and the landscaping and lighting issues after that.

Gronbach stated the Commission needs completed site plans in order to give final approval.

Christiansen advised the applicant to work with LSL Planning in regards to resolving the building frontage on the street, the amount of frontage versus the parking, placing the parking in the rear, via an access onto Grand River, the number of parking spaces, the building design and materials, and the driveway is not properly aligned with the opposing driveway on the north side of Grand River. He stated he would rather compromise on the driveway alignment issue if it were not achievable.

In response to a question by Cataldo, Koncsol replied there might be an issue with MDOT if the driveway were changed.

Ms. Hood commented in the ideal situation the driveway would be moved to the east.

Christiansen asked that the petitioner try and address saving the historical building currently on the site.

Discussion followed regarding a full second story and a mezzanine.

MOTION by Christiansen, seconded by Buck, to table the site plan review for Grand Dry Cleaners. Motion carried, all ayes.

CONSIDERATION TO SCHEDULE PUBLIC HEARING FOR SPECIAL LAND USE APPLICATION FOR DRIVE-THROUGH OPERATION – SILVER DAIRY, 32323 GRAND RIVER.

Present: Tim Nichols, Rouge River Group, Gary Bernstein, and Jason Smith

Pastue stated Administration and City staff met with the architect representing the Silver Dairy regarding a drive-through window and to make a number of site improvements. He noted the applicant would submit the required site plan as part of the special land use for the Planning Commission to consider.

Tim Nichols, Architect from Rouge River Group, presented a power point presentation Showing the projected site plan for a drive-through at Silver Dairy. He noted Channel 4 nominated the Silver Dairy as one of Detroit's Best Businesses in 2008.

He showed the curb cut, paving would remain the same except for an introduction of islands to guide cars around the proposed drive-through, drive-ways would be made one-way, provide pedestrian walkway from the parking at the rear of the building to the ice cream windows in the front and pass by lane at the drive-through window.

Nichols reviewed Section 35-158 noting the special requirements for special land use and stated there is plenty of stacking capacity, by-pass lane at the drive-through window, three parking spaces in close proximity to the exit portion of the drive-through, direct vehicular access showing curb cuts, proposed clearances from the canopy, and no speakers will be used.

He discussed Section 35-171 and noted the setback is 10 ft. and stated there is not a problem regarding the setback. Nichols commented the intended floor area would be used for storage, preparation of food, bathroom and noted location of picnic tables on the site. He noted 15 parking spaces on the site plan, but they would probably use only 5 spaces.

Nichols noted 21 ft. from the edge of the site to the building, proposing a 16 ft. entrance drive, a 5 ft. pedestrian walkway, continue over time to install pavers and plant a pear tree, as located next door at AT & T.

He provided a financial analysis and noted costs for improvements would total \$15,900.

Gronbach noted the Commission needed to review the site plan and decide if it would be appropriate to schedule a public hearing for the next meeting.

In response to a question by Kuiken, Mr. Bernstein replied the east window had never been used as a drive-through.

Gronbach verified only one window would be for the drive-through and there would not be a speaker box to place orders. Mr. Bernstein replied one of the staff would take orders from vehicles if there were a line.

Commissioner Bowman inquired if Mr. Bernstein would consider putting a bicycle rack at the location and replied it could be done inside the bollards.

Christiansen voiced concern regarding existing conditions. Mr. Nichols responded they are adding some new bollards, a provision for paving, outside spigot for use to clean the outside area and water the landscaping and pear tree and the seating would be pavers.

Christiansen also commented on a stacking problem of vehicles with many orders. Mr. Bernstein replied if they would have a vehicle with a large order they would be asked to pull over to the side.

Ingalls inquired if there was enough clearance of the overhang for trucks, etc. Mr. Nichols replied there would be signage warning it is 94-inch clearance. He also commented about installing a convex mirror to show a stacking issue with vehicles. He noted the lighting would be mercury vapor security lights on each corner and commented there were no residences close to the business.

In response to a question by Gronbach, Ms. Hood responded the calculations used for parking seemed reasonable and practical.

Gronbach verified the architect was not changing the back portion of the property.

Gronbach confirmed from Koncsol that the existing sign is non-conforming. Ms. Hood commented the Commission could require that the sign be replaced.

Buck asked if there was a requirement regarding driving directly up to the drive-through window. He noted it might be difficult to approach the window the right way. Mr. Nichols replied they allowed for 3 new bollards to protect the building. Ms. Hood commented the Commission could require a bay window.

Christiansen commented the applicant could stripe the pavement to have the vehicles follow the striping up to the drive-through window.

Bowman stated she felt there was more room for the drive-through at Silver Dairy than the dry cleaners that is located 2 buildings over.

Scott stated the applicant needed a height clearance sign, eliminate a couple of parking spaces and add a guardrail to protect the corner of the building. He discussed having a pre-menu board so people can have an idea of what they want before approaching the window. Scott commented there should be guardrails or a barrier to separate a group of kids who are ordering from the cars pulling out away from the drive-through. Mr. Nichols will address that issue and the turn to the window. Discussion followed regarding how to solve these issues.

Ms. Hood commented they could change the parking to angle parking to help solve the radius problem.

Scott verified there would be directional signage.

Gronbach instructed Mr. Nichols to prepare a site plan with all of the detail included and return to the Commission.

MOTION by Kuiken, seconded by Bowman, to schedule a Public Hearing for Special Land Use Application for Drive-through operation at Silver Dairy, located at 32323 Grand River for May 11, 2009. Motion carried, all ayes.

OUTDOOR DISPLAY AND FENCING, FARMINGTON FLORIST

Pastue reviewed the request from Kimco Realty, owners of the Downtown Center, to construct a decorative fence along the east of where the Farmington Florist is located. He noted the fence would enclose the area as part of the outdoor display.

He noted it is not clear in Section 35-162 of the Zoning Code whether this requires site plan approval by the Planning Commission or can be approved administratively. The request was reviewed by the DDA Design Committee and their only concern involved the sidewalk area that would be closed off. He commented the sidewalk only connects to the existing parking lot. Pastue stated they recommended approval.

Kuiken commented it seemed appropriate.

Scott did not want them to take advantage and use the area for storage.

Christiansen inquired if they would be using wrought iron.

Gronbach recommended there be a finished top on the top of the fence instead of the spikes due to safety reasons and to put a gate at the end for an emergency exit.

Crutcher verified the fencing would be up year round and a portion of the gate would be visible.

Buck inquired if there would only be summer displays. Pastue replied there could be displays 8 months out of the year for displays; April through the end of Christmas.

Christiansen questioned if other businesses leave their fencing up all year. Pastue replied some remove them and others don't.

Gronbach asked if they could suggest a sidewalk at a later date if they see it is necessary. Attorney Schultz replied now would be the time to address the sidewalk issue. Gronbach stated if they don't extend the sidewalk they might consider installing a couple of bollards; especially at the northeast corner.

Gronbach discussed the walk ability.

Pastue stated all of the concerns should be included in the motion.

MOTION by Christiansen, seconded by Scott, to approve the outdoor display and fencing, at Farmington Florist with the following conditions: limit the points on top of the fencing and make them more rounded; have the north gate; and the ability for the City and Planning Commission to require a 5 ft. sidewalk out on the outside of this display area if deemed necessary in the future. Motion carried, all ayes.

PUBLIC COMMENT

There were no public comments.

COMMISSION COMMENTS AND ANNOUNCEMENTS

Scott stated they are receiving a lot of site plans that do not have a lot of information.

Pastue replied some site plans require more information and he would like some flexibility to be included in the Master Plan.

Christiansen felt they need to have more information in order to protect the community.

Scott discussed the seal on the site plans to enable some recourse.

Ms. Hood stated the Commission is looking at 2 preliminary site plans and not the final. She commented the final site plans should include all of the details.

Buck commented he wanted accurate information on the site plan. He verified the Design Committee would follow-up with the dry cleaners. He stated he would like to have decisions made by the Design Committee regarding issues brought before the Planning Commission included in the comments.

Gronbach also wanted comments from the Historical Commission regarding issues on a historical perspective.

Discussion followed regarding the importance of historical structures.

Attorney Schultz commented his understanding of the petitioner's request is that the Commission interpret the ordinance according to the petitioners views. Then he discussed the degree of discretion the Commission has about the interpretation of the law and its intent.

Extensive discussion followed regarding issues facing the Planning Commission in the future and present in regards to site plans, intent and the ordinances involved.

ADJOURNMENT

MOTION by Kuiken, seconded by Bowman, to adjourn the meeting. Motion carried, all ayes.

The meeting adjourned at 10:30 p.m.

Respectfully submitted,

Secretary

