

FARMINGTON PLANNING COMMISSION PROCEEDINGS
Monday, September 13, 2010

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, Christiansen, Gronbach, Scott, Sutton,
Absent: Crutcher, Wiggins.

A quorum of the Commission was present.

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

OTHERS PRESENT: Sherrin Hood, LSL Planning, Inc.

APPROVAL OF AGENDA

MOTION by Sutton, seconded by Scott, to approve the agenda as submitted. Motion carried, all ayes.

APPROVAL OF ITEMS ON CONSENT AGENDA

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

- Regular meeting minutes of June 14, 2010
- Acceptance of Building Department 4th Quarter Report - April through June 2010

Sutton pointed out under Public Comment section of June 14, 2010 minutes that Mr. Koncsol's name was spelled incorrectly and asked for that amendment to be made.

Motion carried, all ayes.

REVIEW OF PROPOSED ADULT DAY CARE TEXT AMENDMENT AND CONSIDERATION TO SCHEDULE A PUBLIC HEARING

Pastue indicated that this came out of inquiry received through schools for potential company with an interest in Flanders School, in particular an adult day care operation. This was a day program and run only in daytime. The question of whether this was an allowable use permitted or special use in residential was raised and Pastue indicated it probably was not but begged the question of whether consideration should be given of something of that nature given the fact that there's a very, very limited use of a closed elementary school in a residential area.

He indicated discussion was held with Sherrin Hood, John Koncsol, Kevin Gushman, and the city attorney and they felt there may be some appropriateness associated with considering some sort of adult day care type use.

Ms. Hood indicated that it's a pretty simple amendment, adult day care uses in residential districts are addressed by saying they're allowed as an accessory to anything over and above a residential day care home, is considered a special land use as an accessory to a church or a school that might already be in that residential district and indicated reuse would not be an accessory to any institutional use but its own use.

CONCERNS

- Insuring day care use and not social club/senior center
- No providing over and above medical services
- Number of care providers/staff ratio

Gronbach inquired if office use were proposed for a former school facility would it be under special land use and Pastue responded that it has not been allowed in residential zoning.

Pastue further indicated that all uses are pretty much defined on sheet provided with table and type of uses.

Christiansen explained that use variances are pretty tough to substantiate and a hard challenge.

Hood explained that under a variance it could be conditioned by the DDA and agreed that the provisions are not simple but there is reason that is in the law as the need has been seen in certain cases.

Sutton reiterated that bottom line to Commission Gronbach's statement is office use is not permitted in residential, not permitted as special land use, it's just not permitted. She indicated favoring the idea that was presented, that it is closest thing to school as you can get but expressed concern over issue of employee/client ratio and language in Footnote 5 (a), "adult and child care uses" should be adult day care use, not adult so there's no confusion and asked for clarification to be included.

Further discussion was held with regard to parking and other issues and it was agreed that paragraph (c) would be excluded.

Christiansen inquired if it was Hood's position to parallel adult day care similar to child day care per se, and the requirements by the state and Hood responded in the affirmative.

Further discussion was ongoing as to concerns on issue.

Pastue summarized discussion by indicating that paragraph (c) would be excluded dealing with employee/parking ratio and add another line dealing with 1 to 6 as a permitted use and that public hearing can be scheduled. He also asked Planning Commission to look at land uses for that specific site as it is unlikely it would return to its use as elementary school.

Hood indicated Master Plan provides a lot more support for any decision that might be made in future.

Scott indicated that planning ahead with a vision of what these properties could be would be a good thing for the Planning Commission to give thought to.

Further discussion was held on topic.

MOTION by Sutton, seconded by Christiansen to schedule a public hearing on review of Proposed Adult Day Care for the next available time slot.

All ayes, motion carried unanimously.

UPDATE AND DISCUSSION FROM JUNE 2010 MEETING WITH DOWNTOWN DEVELOPMENT AUTHORITY

Pastue indicated that Planning Commission met with members of DDA at June meeting and talked about different things such as sidewalk vendors and contemplating downtown signage and sidewalk management within downtown area.

Administratively speaking it was felt that a stronger approach should be taken regarding regulations concerning sidewalk usage, i.e. vendors, sandwich board signs, plantings, compatibility with streetscape, promote commerce.

Hood then gave a brief power point presentation on the do's and don'ts of what the City and the DDA considers appropriate for the downtown area. Discussion followed during and after presentation on concerns of vendors, their effect on downtown businesses, licensing and background checks.

Sutton cited city of Holland and that Thursdays are open to street artists there and that she would look into it further.

Pastue indicated that the city attorney wants to run permitting through Planning Commission as to what's allowed through Central Business District.

Sutton inquired if sidewalk regulating would be handled administratively only and Pastue responded in the affirmative.

Pastue also stated that permits may be rescinded if there are violations in compliance.

Scott indicated that store owners should be apprised of sign requirements so as not to offend them and give them direction as to criteria.

Hood indicated that hopefully reformatting of the zoning ordinance would be done in the future and put on website so if somebody in downtown area is looking at zoning for Central Business District, there would be design guidelines links and permit application for vendor or signage all in one place to make it more user friendly.

Greg Cowley indicated that the DDA has a sign program to help pay for cost of signage and are looking at ways to make that more known.

He addressed the issue of street vendors and his concern that there be some sort of control over independent street vendors just showing up and would like to see some sort of ordinance covering same and suggested an "incubation" period where they be allowed to test drive at a specified DDA sponsored event and indicated a strong need for rules and regulations for vendors.

Pastue responded in the negative to Gronbach's inquiry that as it stands now a vendor can not just come in and start doing business and he further stated that it is run through DDA.

Mayor Buck also expressed concern over vendors and competition they pose to businesses but commented that he did like the idea that Sutton presented as to Holland's practices and Sutton indicated she would further explore that.

PUBLIC COMMENT

Gronbach commented that public comments were already put forth in discussion on the prior topic.

COMMISSIONS COMMENTS AND ANNOUNCEMENTS

Sutton inquired as to status of adult business amendment and if it had gone into effect and Pastue responded in the affirmative.

ADJOURNMENT

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

The meeting adjourned at 8:40 p.m.

Respectfully submitted,

Secretary