

FARMINGTON PLANNING COMMISSION PROCEEDINGS
Monday, May 10, 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, Crutcher, Gronbach, Kuiken, Scott, Sutton.

Absent: Christiansen, Wiggins.

A quorum of the Commission was present.

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

APPROVAL OF AGENDA

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

APPROVAL OF ITEMS ON CONSENT AGENDA

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

- Regular Meeting Minutes of April 12, 2010

Motion tabled as all members did not have full copy of minutes provided.

MOTION revised by Sutton, seconded by Kuiken, to approve Item B only on the consent agenda as follows:

- Acceptance of Farmington Building Department 3rd Quarter Report - January 1, 2010 through March 31, 2010

Motion carried, all ayes.

CONSIDERATION OF OUTSIDE SALES FOR BIG LOTS – 31550 GRAND RIVER

Proponent: None present

Pastue advised Commission of his knowledge of request by Big Lots to utilize most of the frontage of building for outdoor displays year-round, and his concerns of it being accessory as opposed to expanding floor area for sales purposes. He commented that

more details are needed for request to be entertained as far as defining dimensions of proposed pallets, separation from sidewalk, etc.

Koncsol replied in response to question by Gronbach as to what they actually have approval for in outdoor displays; that they have approval for eight pallets just to the right of entrance doors; and that when he was out there in the last month they were in violation of approval as well as ACO Hardware and a warning was issued. Data was provided to both establishments as to the guidelines of the approval and neither facility complied with same so they were issued tickets. Subsequently ACO Hardware appeared in Court in compliance with approval and was fined minimally for violation. Big Lots did not show up in Court so they were found responsible and fined \$150 for violation.

Gronbach inquired if approval was year-round and Koncsol responded it was seasonal for nine months.

Discussion was held concerning whether year-round displays have ever been approved and Pastue commented that their approval may have preceded the update in the ordinance 4-5 years ago and that now the guidelines are more clearly defined.

Gronbach clarified approval and request by Big Lots and Pastue responded and further discussion was held on current condition of premises.

Gronbach inquired if in light of the current condition of the center, if requests could be contingent on landlord's upkeep of same and Pastue responded that it would probably be proportionate to the tenant according to what Mr. Schultz indicated to him.

Sutton and Kuiken commented on organization of merchandise currently and expressed concern over tenant opting to pay fines rather than be in compliance.

Scott inquired if there were requirements for full time outdoor displays that are different than seasonal that fall into zoning variance and Pastue replied regarding variance by reading same (7).

Further discussion was held regarding measurements of sidewalk and pedestrian walkway requirements.

Sutton questioned whether this section of ordinance regarding outdoor displays really fits this matter in regard to sidewalk area and Crutcher expressed concerns regarding securing the items stored outside.

Scott inquired if center had sprinklers and Koncsol responded in the negative. Scott further commented that it could be construed as a fire hazard in light of the items stored under the canopy making it a building code issue.

Pastue responded on inquiry from Gronbach whether Commission should make a

recommendation for concept or to table it, saying that applicant should be made aware that request is not detailed enough to contemplate it, and that year-round standards must be met and more detailed.

Gronbach stated that Big Lots should be reminded they have not been in compliance with what was approved previously, had been warned, ticketed, and sanctioned by Court, which makes it very difficult for the Planning Commission to approve or recommend anything.

Pastue suggested that pending submittal of additional information by applicant to be brought before the Commission within a specified time period, that request shall be deemed denied by Planning Commission.

Discussion was held regarding continuing violations to current approved use and that a Court order rescinding same may be a way to remedy that therefore forcing them to start over with their request to the Planning Commission.

Further discussion was held regarding 7(d) of ordinance pertaining to displayed and/or stored items for sale and outdoor displays.

MOTION by Kuiken, supported by Scott to table consideration to approve outdoor display requests for Big Lots at 33550 Grand River until Commission is provided sufficient information to consider outdoor displays.

Gronbach entertained discussion on motion.

Crutcher indicated motion should be amended to read 31550 Grand River.

Pastue commented that a time limit should be made a part of motion so that it would not be held indefinitely and if Commission does not receive it, the application would be denied.

MOTION amended by Kuiken, supported by Scott to table consideration to approve outdoor display requests for Big Lots at 31550 Grand River, until Commission is provided sufficient information to consider outdoor displays by July, 2010; and if not received, deemed denied on part of Planning Commission.

Motion carries; all ayes.

PUBLIC COMMENT

Discussion was held concerning passing of Ernie Harwell, his tribute and funeral.

COMMISSION COMMENTS AND ANNOUNCEMENTS

Ingalls commented that this would be his last meeting on Planning Commission after 30 years. He was commended for his service and longevity on the commission.

Kuiken indicated that when her term is up in June, she will not be renewing but enjoyed her time serving on the commission.

ADJOURNMENT

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

The meeting adjourned at 7:40 p.m.

Respectfully submitted,

Secretary