

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION REGULAR MEETING
FARMINGTON HILLS CITY HALL – COMMUNITY ROOM
JUNE 8, 2017, 7:30 P.M.**

Chair Rae-O'Donnell called the Planning Commission meeting to order at 7:30 p.m. on June 8, 2017.

Commissioners Present: Brickner, Mantey, Orr, Rae-O'Donnell, Schwartz, Stimson

Commissioners Absent: Countegan, Fleischhacker, McRae

Others Present: City Planner Stec, Director of Economic Development Stephens, City Attorney Schultz, Planning Consultants Arroyo and Tangari

APPROVAL OF AGENDA

MOTION by Orr, support by Stimson, to approve the agenda as published.

Motion carried unanimously.

REGULAR MEETING:

A. CIA GRAND RIVER NORTH FOCUS AREA

City Planner Stec said tonight's discussion would center on the West River Shopping Center, also known as the Grand River North Focus Area of the Corridor Improvement Authority (CIA) Plan. The goal was to eventually draft an ordinance that would help implement the Plan. The Planning Commission had directed staff to focus on an overlay zoning similar to what was done for the Botsford Redevelopment Area.

Utilizing a PowerPoint presentation entitled *Grand River Corridor Vision Plan North Focus Area*, Planning Consultants Arroyo and Tangari led tonight's discussion. Planning Consultant Arroyo explained that they were hoping to establish a framework for a zoning amendment that would include such things as uses, spacing, building form, height, etc. Economic Development Director Stephens would also offer some background perspective for this site.

In response to a question from Commissioner Orr, City Planner Stec said Steppingstone School was included in the CIA plan and would be part of tonight's discussion.

Commissioner Mantey asked if the entire site had a single owner. City Planner Stec said the parcel that was for sale included everything from Grand River Avenue to 9 Mile Road, including the movie theater and the office supply store. It did not include Steppingstone.

Discussion included:

- The surrounding zoning included RC-3 to the north and west, with the remainder being B-3. The Master Plan envisioned commercial and multi-family.
- The City was getting close to amending the Master Plan to incorporate the Corridor Improvement Authority Plan.

- The CIA Plan showed first floor commercial with residential above. The vision of that plan assumed that Target would stay, with everything else disappearing in favor of multi-family, except for a couple of commercial buildings. Steppingstone School remained as an institutional use. Overall, the CIA had a vision of mixed use, with some commercial at the southern end.

Commissioner Schwartz said he did not remember ever having detailed discussion regarding Target remaining at this location. The CIA's focus had been multi-use in order to get housing on the site.

- Target was the clear anchor of the existing site. The smaller storefronts were about 60% occupied, although by square footage that percentage changed to about 75%.
- There were about 741 excess parking spaces under current zoning requirements. Excess parking took up about 3 acres of land; if drive lanes and other incidental areas of parking were included the area grew to 6 acres.
- Access was from Grand River and 9 Mile. Visibility from the street was fairly poor from both directions. The site was served by the SMART bus and there were some bike racks, trash bins and benches.
- At the north end, the Office Max fronted on 9 Mile but faced away. The recently renovated Riviera Theater was the second anchor after Target. There was a gap between the theater and the vacant Kohl's that provided some potential. The theater was surrounded by parking and it seemed to have enough parking for big opening weekends.
- Regarding landscaping, there was quite a bit of overgrowth, including some that impeded site distances. While the landscaping had limited species diversity, there was good screening for the homes to the east.
- Plant choices by the storefronts obscured the tenants from eye height in the travel lane. The storefronts needed to be opened up and made more visible.
- The neighbors were mostly multi-family and single-family residential. There was an excellent wall/tree buffer to the east, with some commercial along 9 Mile. Multi-family might be constructed in the large paved area, which would change the view for the houses to the east.
- The Center was largely isolated from other commercial uses on Grand River.
- M-5 would change configuration in some way, but probably not substantially. The new configuration might be a little friendlier to people on foot and the configuration of the traffic would be different.

Planning Consultant Tangari said there were 5 areas of interest:

1. Approximately 3 acres of excess parking on the east, plus a very wide internal road. This could potentially be multi-family housing. The screening of homes to the east was mature and thorough.
2. Approximately 1 acre, southeast outlot, which was vacant. This would probably represent commercial redevelopment.
3. Approximately 75,000 square feet (2 acres), vacant Kohl's store. One option would be another retail tenant, or perhaps reimagine the building completely, with first floor commercial/restaurant uses and 2nd floor residential, and perhaps 1st floor parking.
4. Approximately 1 acre to the southwest of the entry drive, prospective outlot use that could improve the site's profile and visibility from Grand River, and provide a bridge between the shopping center and Area 2.
5. Approximately 4.8 acres, Steppingstone School, which currently housed a small school. This had redevelopment potential, but required willing owner and investors.

Commissioner Mantey mentioned that the wide internal road had deep potholes, and needed maintenance.

Commissioner Schwartz suggested that the area was probably not viable long term as a retail-only site. Planning Consultant Arroyo thought the door should be left open for a retail user, but the overlay ordinance should envision other potential uses. In terms of competition this center had the disadvantage of being perpendicular to and not very visible from the flow of traffic.

The current financial condition of the center was discussed, including possible impacts of stores moving in and out of the center. Planning Consultant Arroyo reiterated that this was a tough retail site that could be re-imagined as multiple-family with single-family townhouses facing a new internal roadway, with retail and theater uses also remaining on the site.

Further discussion included:

- The site was in the Farmington School District.
- Dining options including outdoor patios would complement the movie theater.
- Potential developers had expressed interest in this site.
- Economic Development Director Stephens thought the site remained economically viable. The Planning Commission could help by setting out a soft vision that encouraged creative options by potential developers.
- Commissioner Orr was concerned about putting developers “in a box.” He suggested offering the option of a PUD for 80% redevelopment, and leaving it up to developers to come in with their own ideas.
- There might still be trickle-down activity from Beaumont Hospital, including medical offices, housing for Beaumont employees, interns, etc., as well as retail that served that population. Housing in that area could offer a short commute for people who worked very long shifts. Moderately priced condos would sell quickly. Medical residents with families could especially benefit by a close living situation, especially if that were enhanced by nearby preschools.
- Major redevelopment might require moving the detention to underground. If M-5 were reconfigured so that all traffic was directed immediately in front of this site, storm water improvements might be possible.
- Tax increment financing was possible for this area.
- A transportation plan was being studied – it was still in early stages. MDOT was not always open to local suggestions.

Planning Consultant Tangari offered the following suggestions for regulatory framework for the area:

- Overlay district that permitted a mix of uses.
- PUD process would be required. Site would be pre-qualified.
- Consider permitted density (5-8 units/acre was a likely range).
- Consider maximum height (2 or 3 stories).
- Consider space between residential and other uses.
- Site circulation was now at perimeter; redevelopment called for a central road that moved traffic away from eastern single-family neighbors.
- Overlay’s effectiveness relied on buy-in from property owners.

Further discussion included:

- Allowing a 3-story height for brownstone walk-ups with a garage underneath. This would require moving the development further from the east wall, which was doable on this site.

- Commissioner Orr thought the City should prequalify the area for a PUD and ask a potential developer to come in with ideas. City Attorney Schultz explained that prequalification for PUD would require some kind of development framework, including an underlying zoning district.
- Perhaps 5 stories should be considered on the west side. First floor could be commercial, with residential above.
- Regarding requiring an 80% redevelopment standard for PUD prequalification, perhaps providing a bonus for that much development would be the better way to go.
- Commissioner Brickner thought multiple zoning or overlay zoning could be an alternative to the PUD process. Planning Consultant Arroyo explained that a PUD offered flexibility regarding dimensional standards and allowed for discretionary decision-making. Without a PUD, the City would need to offer a form-based code requiring a more detailed plan. On the other hand, a developer could simply develop the site using the underlying zoning district.
- Without the City developing an ordinance for the area, a developer could come in right now with a PUD proposal that might not match what the City envisioned for the area. PUD prequalification would offer a framework as a guide for a successful PUD.
- This particular PUD prequalification could be loosely regulated, encouraging developmental creativity. Still, there needed to be enough of a framework to demonstrate the City's vision. Without this, if a developer came in and met all the City's requirements for a PUD the City was obligated to approve it, whether the potential development met the City's vision or not.
- A PUD overlay district could build in assurances to the neighboring residents, limiting the eastern property boundary use by creating a good buffer there.

Chair Rae-O'Donnell asked Planning Consultants Arroyo and Tangari if they had enough direction from the Commission to go forward. They said they did have enough direction, and they would draft an ordinance for an overlay district encouraging the use of the PUD process for the redevelopment of the site with mixed uses, and bring that back to the Commission for further discussion.

B. FUTURE ORDINANCE AMENDMENTS

Cellular Tower and Cellular Antenna

City Planner Stec said Distributed Antenna Systems (DAS) were becoming very popular for data transmission for cellular phones. These involved putting antenna systems on top of existing utility poles or building new towers, particularly in the rights of way. City Council had directed the Commission to develop some regulation regarding these systems.

Planning Consultant Arroyo explained that one goal was to address placing DAS in rights of way, which currently was not allowed by ordinance. There seemed to be some support in City Council to allow DAS on existing utility poles, but not new poles in rights of way for thoroughfares, and not at all in residential streets or subdivisions.

At the same time there was a need to update current wireless regulations to conform to changes in both federal and state laws and rules. There also appeared to be some support from Council to make it easier to attach antennas to existing buildings in stealth mode to help meet increasing demand.

Utilizing a power point presentation entitled *The Internet of Things*, Planning Consultant Arroyo said that change was being driven by what was called The Internet of Things. As society became more and more connected, wireless facilities would also be used more to provide a network between objects for such industries as energy, consumer and home appliances, industrial, transportation, retail, public safety, IT

networks and hospitals. This growth demanded infrastructure. Since 2008 there were more connected devices than there were people, and as of 2013 there were 7.1 billion people in the world and 10 billion connected devices. That was expected to grow to 50 billion connected devices by 2020. All those things had to find access.

City Attorney Schultz commented that companies were seeking the right to put towers in the rights-of-way so they didn't have to lease the rights or the land.

Discussion included:

- Would DAS on top of utility poles become height extensions by right under the Metro Act?
- Commissioner Brickner said he had been involved with the National League of Cities where this growth had been the acknowledged; wireless companies were writing many of the new laws.
- City Council wanted Farmington Hills to come up with a reasonable ordinance before the City was forced to accommodate DAS without local input. Proposed regulations were already before the FCC that would limit local control.
- The Engineering Division was concerned that rights of way were already overloaded.
- The City already had distance regulations in terms of tower placement close to residential areas.
- With the growth of demand, the City should help direct placement of DAS.
- Licensing fees could be assessed.
- ITC had its own easements along major thoroughfares. The City would prefer that towers in ITC easements be used, so new poles didn't have to be constructed in the City rights of way.
- Right now DAS companies had to get permission to put anything in the right of way. Currently the ordinance prohibited right of way use.
- The draft ordinance would be a combination of City Code and Zoning Ordinance regulations, enabling the City to manage its own rights of way. Right now the Metro Act did not include antennas, and now was the time to act.
- Typically DAS did not use generator shacks or cabinets, but if they did need those it was uncertain that the City could regulate them.

One Family Construction Review Standards

City Planner Stec said City Council had directed that, if possible, the Construction Review Board should be eliminated. This Board had actually never met. They were suggesting moving One Family Construction Design Standards from the Code to the Zoning Ordinance, so that anyone who had an issue with the Design Standards could seek relief from the Zoning Board of Appeals.

Planning Consultant Arroyo explained that many communities had standards that were intended to preserve the character of single-family neighborhoods. Those generally included such things as roof pitch, having at least 2 doors with one door on another side of the facade from the first door, minimum width, etc. This prohibited such things as singlewide manufactured homes, shipping containers, etc., without modification to conform to the residential standards.

City Planner Stec pointed out that the City probably didn't want to limit architectural styles in most instances. It was probably fine to have a Frank Lloyd Wright inspired home next to an historic Tudor, for instance. What the City did want to do was regulate size.

Commissioner Orr said he supported giving the City some control over Design Standards through the Zoning Ordinance, and gave some history of past developments where the City required certain materials on the homes.

Planning Consultant Arroyo explained that the City could have more control when a development was built under the cluster option, for instance. With Design Standards, the City could require a similarity of building materials or types. For instance, if a street had all brick homes, a new home would also be required to be brick. In other words, a grossly dissimilar home could not be constructed. He quoted from Section 21-80(2) of the City Code: *The type, quality and proportional area coverage of materials used in the exterior facade in the proposed dwelling are not substantially dissimilar to the type, quality and proportional area coverage of materials used in one-family dwellings constructed within the surrounding area.*

Commissioner Orr suggested developing language that required similarity, rather than prohibiting dissimilarity.

Discussion followed as to when it was appropriate to preserve similarity and when it was not. Homeowners associations sometimes had their own deed restrictions regarding what type of home could be constructed.

City Attorney Schultz pointed out that there was a very general standard that already existed in the City Code and now they were receiving direction from Council to bring that into the Zoning Ordinance, so that people could seek relief from the ZBA and the Review Board could be eliminated.

Sign ordinance

City Planner Stec said the new sign ordinance needed a few clean up changes. The regulations were not being changed but some wording was being changed to provide clarity.

City Planner Stec said that the three ordinances discussed this evening would be brought back to the Commission as ordinance amendments for discussion and action.

COMMISSIONERS' COMMENTS:

Commissioner Stimson asked why the next meeting on July 15 was not going to be a public hearing. City Planner Stec explained that the items requiring a public hearing for that meeting had been withdrawn.

ADJOURNMENT:

Seeing that there was no further discussion, Chair Rae-O'Donnell adjourned the meeting at 9:01 p.m.

Respectfully submitted,
Steven J. Stimson
Planning Commission Secretary

/cem