



CITY OF FENTON

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FENTON PLANNING COMMISSION MINUTES City Hall Council Chambers Thursday, August 27, 2015 7:00 P.M.

Commissioner Sprague called the meeting to order at 7:01 pm.

ROLL CALL

Present: Stickel, Kasper, Bancroft, Thompson, Grossmeyer, Sprague,
Riggs, Farella, Steffey
Absent: No One
Others Present: Mike Reilly, Building/Zoning Administrator, Carmine
Avantini, CIB Planning

MINUTES

Motion by Stickel, supported by Grossmeyer to approve the minutes from the July 25, 2015 meeting.

MOTION CARRIED, ALL AYES

OLD BUSINESS

Randy Wise GMC, amendment to Site Plan approved at the March, 2015 Planning Commission meeting – keeping existing mansard roof.

At this time, Mr. Chris Enright, architect for this project, stated the main reason they wanted to go back to the existing mansard roof is due to cost. When the building permit was submitted and approved, he assumed the city was ok with the existing roof. It wasn't discovered until after the

work had begun that the dealership was supposed to go back to the Planning Commission for approval to keep the existing mansard roof.

The Planning Commission members were not happy that this has happened especially when the other dealerships were required to make the appropriate changes to their dealerships. After much discussion it was decided that Mr. Enright work with the city planner and the building official to administratively approve something similar to what was approved but less costly.

The following motion was made:

Commissioner Grossmeyer made a motion, supported by Commissioner Bancroft to allow for lesser costly materials to be used for the esthetics of the facade around the sides of the Randy Wise building and for this to be approved administratively. If no reasonable decision can be made, it would come back to the Planning Commission.

MOTION CARRIED (9-0) – Stickel-aye, Bancroft-aye, Kasper-aye, Grossmeyer-aye, Thompson-aye, Farella-aye, Riggs-aye, Steffey-aye, Sprague-aye.

NEW BUSINESS

- 1. PUBLIC HEARING:** To consider text amendments to Section 36-2.36, Outdoor Seating for Restaurants and Cafes and Section 22.05, Specific Sign Standards, footnote (c), Changeable message signs. These amendments are being proposed to provide for administrative approval of outdoor seating areas for restaurants/cafes and to allow the use of multi-color changeable electronic message signs, with conditions.

Mr. Avantini stated the main reason for the outdoor seating section to be changed is to make the process a little more simplified and be approved administratively by the Building & Zoning Administration. If Mr. Reilly is uncomfortable making the decision, he can always send it to the Planning Commission for review.

With regards to the changeable message signs, the area of a changeable message sign or gasoline price sign shall not exceed one-third (1/3) the total allowable area of the sign for that zoning district. Electronic messages or gasoline prices shall be displayed for at least 30 seconds, and changes shall take less than one (1) second. Electronic changeable message signs and gasoline price signs shall use only one (1) color of lighting or bulbs to prevent nuisances and distractions upon adjoining properties and thoroughfares. Multi-color signs may be permitted with certification from the manufacturer that the sign has been rendered incapable of motion displays.

At this time the public hearing was opened. There being no speakers, the hearing was closed.

2. Recommendation To City Council For Approval of Zoning Ordinance Amendments: Outdoor Seating; Changeable Message Signs

After some brief discussion, the following motion was made;

Commissioner Grossmeyer made a motion, supported by Commissioner Steffey, to recommend to City Council, the approval of these two amendments as presented.

MOTION CARRIED (9-0) – Stickel-aye, Bancroft-aye, Kasper-aye, Grossmeyer-aye, Thompson-aye, Farella-aye, Riggs-aye, Steffey-aye, Sprague-aye.

3. PUD #15-0002, Red Fox Outfitters, 234 N. Leroy St. is requesting a sign Approval as part of PUD approved Site Plan. Section 36-22.05. Wall, canopy, or projecting signs are allowed to be ten percent of the front façade.

Mr. Avantini has completed our review of the sign waiver request for Red Fox Outfitters, to be located in the former Beanery Building. Site plan approval was granted at the 6/25/15 Planning Commission meeting, with all signs to be reviewed and approved administratively unless Planning Commission approval is needed. The subject building has frontage on two (2) public streets, including N. Leroy Street and Main Street. The ordinance allows two (2) wall signs for a corner lot and the applicant is requesting use of both allowable signs. One of the proposed signs is a projecting wall sign, to be located at the southwest corner of the building, facing N. Leroy and the railroad tracks. With the proposed location, this sign will be visible from both N. Leroy Street and Silver Lake Road.

The applicant is requesting use of a projecting marquis sign, similar in appearance to the one on the Fenton Hotel Building. It projects out approximately twelve (12) feet from the building; has red internally-illuminated, individual channel letters and logo; and has white and red LED outlining, similar to neon. All signs in the CBD/PUD District must meet the City of Fenton Downtown Design Guidelines, which were approved as part of the Planned Unit Development. In addition, the maximum allowable area for a projecting sign is 32 square feet while the proposed sign is approximately 168 square feet. Waivers are therefore needed to allow for the requested sign projection from the building, the LED outlining, and the sign area of 168 square feet.

The opinions in this report are based on a review of the sign request submitted by the applicant and conformance to City plans and ordinance standards. Please note that the applicant and their design professionals shall be responsible for the accuracy and validity of information presented with the application. In reaching a decision on the application, the Planning Commission should consider our comments along with those from other staff and consultants, additional information provided by the applicant, and your own findings based on ordinance standards as part of your deliberation.

REVIEW COMMENTS

Article XXII, Signs, of the City of Fenton Zoning Ordinance lists the submission requirements and standards for all identification signs. Based on our review of the

proposal, discussions with the applicant, and a review of the above ordinance, along with the *City of Fenton Downtown Design Guidelines*, we offer the following comments for your consideration:

1. Downtown Design Guidelines. The subject property is located in the *Rail Development District* of the Downtown Master Plan, and is covered by the corresponding Design Guidelines. Some of the applicable District Objectives are to “Take advantage of the unique historic architecture of the Depot, Bean Company and the Fenton Hotel buildings”; to “Provide visual and safe pedestrian and vehicular linkages across the railroad tracks”; and to “Allow innovative street signage, graphics and lighting.” Neon sign lettering already exists in the Rail Development District, on the sign for the Fenton Hotel. Although the proposed sign utilizes LED instead of neon, it should have a similar characteristic when illuminated. The continuation of an historic-themed sign, similar to the Fenton Hotel, will add uniqueness to this area of Downtown, provide needed visibility for the business, and help take advantage of the “unique historic architecture” of the “Bean Company”.

2. Sign Illumination. *Section 36-22.04(d), General standards for permitted signs*, of the ordinance states that “Signs shall be illuminated only by steady, stationary, shielded light sources directed solely at the sign or internal to it.” The subject sign will utilize unshielded, LED outline lights, which is contrary to the above section of the ordinance. This ordinance standard was created to prevent glare to passing motorists and negatively impact the night-time aesthetics being sought throughout the city. We are of the opinion that the proposed sign will not create glare and will actually enhance the specialized aesthetics being sought for the traditional downtown area. More specifically, illumination of this sign, and that currently on the Fenton Hotel sign, will help give the Rail Development District a look that is unique from the rest of the city, and even the remainder of the Downtown PUD. A Planning Commission waiver is needed for this request.

3. Projecting Sign Extension. *Section 36-22.05, Specific sign standards, footnote (c)(6)*, states that “A projecting sign shall not extend for more than two feet from the building to which it is attached.” The proposed sign extends approximately twelve (12) feet from the building, but is still located below the roofline of the structure. Only the top portion of the sign extends out well beyond the maximum allowed under the ordinance and it adds a unique character to both the sign and the building. The extension will also allow the sign to be seen in all directions, which is important because the building is set on an angle. Nor does the building have the same zero lot line setback as other existing or planned multi-story buildings in the downtown area. A Planning Commission waiver is needed for this request.

4. Allowable Sign Area. *Section 36-22.05, Specific sign standards, footnote (d)(c)*, states that “Projecting signs shall not exceed 32 square feet in area.” The proposed projecting sign is approximately 168 square feet in area, since the ordinance requires measurement from “the outermost points of the copy.” A waiver of 136 feet will therefore be necessary for the sign to be constructed as proposed. This section of the ordinance was written primarily for a traditional projecting sign that is in addition to a wall sign. Projecting signs are also targeted toward pedestrian traffic while the wall sign provides identification for motorists. The proposed sign will identify the building to both forms of travelers and eliminate the need for a separate wall sign. This is a challenging location due to the presence of the railroad tracks and configuration of Silver Lake Road, which was relocated

to allow through-traffic to avoid the Rail Development District. A larger sign is needed to provide adequate visibility in all directions, and will help eliminate the need for wall signs on each side of the building; thereby preventing a cluttered look on an attractive historic building. A Planning Commission waiver is needed for this request.

RECOMMENDATION

Based upon the above analysis, **we recommend approval of the requested projecting sign for Red Fox Outfitters at 234 N. Leroy St., since it meets the City of Fenton Downtown Design Guidelines, along with the following waivers from the zoning ordinance:**

1. A waiver from *Section 36-22.04(d)*, of the ordinance, to allow the use of unshielded, LED outline lights;
2. A waiver from *Section 36-22.05, Specific sign standards, footnote (c)(6)*, of the ordinance, to allow the proposed sign to extend approximately twelve (12) feet from the building when a two (2) foot maximum is permitted; and
3. A waiver from *Section 36-22.05, Specific sign standards, footnote (d)(c)*, to allow a sign area of approximately 168 square feet when a maximum of 32 square feet is allowed under the ordinance.

Mr. Avantini further stated a lot of care was taken with this because we wanted to make sure that what we are doing here is specific to this particular district of the downtown. Each district of the downtown has its own unique character.

After some brief discussion the following motion was made:

Commissioner Steffey made a motion, supported by Commissioner Grossmeyer, to approve the projecting sign for Red Fox Outfitters since it meets the downtown design guidelines, along with the waivers from the zoning ordinance listed in the CIB letter dated August 23, 2015.

MOTION CARRIED (9-0) – Stickel-aye, Bancroft-aye, Kasper-aye, Grossmeyer-aye, Thompson-aye, Farella-aye, Riggs-aye, Steffey-aye, Sprague-aye.

4. PSPR15-0011, 113 Mill Street, Tax ID #53-36-501-018, Renovation of existing building and adding parking spaces.

At this time Mr. Avantini stated he has completed our review of the above *revised* site plan for renovation of the existing commercial building at 113 Mill Street and the construction of a 27 space parking lot to the east and south. An existing shed (garage) to the southeast of the building is to remain as part of the development. Proposed improvements include: a new front façade with a brick veneer exterior; new windows; a metal-faced canopy with hangers; a new front door; new doors on the east and west elevations; painted existing concrete block on the east, west, and south elevations; and the installation of a parking lot on the east side of the building. This building will supposedly house a barber shop,

although the use is not specifically identified in the application. The property is zoned CBD, Central Business District/PUD, Planned Unit Development where personal service establishments and retail uses up to 18,000 square feet GLA are permitted land uses in that District.

REVIEW COMMENTS

Section 36-16.05 of the City of Fenton Zoning Ordinance lists the submittal requirements for site plan review. Based on our review of the proposal, discussions with Mr. Mike Reilly, Building Official/Zoning Administrator, and a visit to the site, we offer the following comments for your consideration:

- 1. Façade Improvements.** The proposed brick façade and canopy will greatly improve the appearance of the existing building while retaining the large front windows and vestibule entry door. A material sample must be provided for the brick veneer, to be reviewed and approved administratively.
- 2. Parking.** The ordinance requires 1.0 space per 300 sq. ft. of GFA plus 1.0 space per employee for business and personal service establishments and 1.0 space per 1,500 sq. ft. of GFA for warehousing (storage). Since the specific uses are not indicated we will have to use the above standard for business and storage uses. Please note that if alternate uses are proposed, the ordinance parking requirements must be met. At 1,585 sq. ft. GFA of business and 1,500 sq. ft. GFA of storage (85% usable space), a total of six (6) parking spaces are required and 27 are provided. *Section 36-19.02(g), parking lot deferment*, of the ordinance states that "To minimize excessive areas of pavement which depreciate aesthetic standards and contribute to high rates of storm water runoff, the number of spaces provided shall not exceed ten percent beyond the number required by this article, except as approved by the planning commission. In granting such additional space, the planning commission shall determine that such parking will be required, based on documented evidence of actual use and demand provided by the applicant." The site plan exceeds the number of spaces permitted by seventeen (21) and the applicant will have to provide the Planning Commission with evidence of need for the spaces.
- 3. Parking Lot Layout.** The City traffic consultant, Pete LaMourie, has reviewed the proposed parking lot layout and recommends that the four (4) parallel spaces along the east property line be removed to improve site circulation. In addition, the parking spaces immediately behind the building must be angled, per the ordinance, since the drive is one-way at that location.
- 4. Parking Lot Setbacks.** The ordinance requires a minimum ten (10) foot parking lot setback from side and rear property lines. Since this property is in the CBD and the site abuts other commercial and office uses, separation screening will compensate for the lesser setbacks provided. An existing wood fence is located along the south property line and the east property line will abut a decorative masonry wall on the Iconic site.
- 5. Parking Lot Screening.** To better screen the parking lot from Mill Street, we recommend that the setback from the sidewalk be increased to five (5) feet and that a decorative wrought iron fence (tubular aluminum) be added to the landscaped area.
- 6. Parking Lot Surface.** The site plan indicates that the parking lot on the east side of the building will be paved and that the existing paving on the west side of the building will

remain. The concrete immediately west of the shed building, where parking spaces are proposed, is broken, must be replaced, and needs to be shown on the site plan.

7. Easement. Since the drive to the west of the building is shared with the abutting property, a cross-access easement must be provided. This easement will also allow continued access to the dumpster enclosure.

8. Sidewalk. The site plan must indicate that the sidewalk on the east side of the building will be raised.

9. Light Fixtures. A lighting plan has been submitted, indicating the use of a single, pole-mounted light fixture. This will not adequately light the entire parking lot and we recommend the submission of a photometric grid with enough fixtures to properly light the entire lot. In addition, consideration should be given to using the same light poles/fixtures as the downtown streetscape project.

10. Signs. Although approval for signs is granted under a separate permit, the site plan/building elevation should indicate the proposed location of all signs.

11. Dumpster Enclosure. The site plan shows a dumpster at the southwest corner of the site but a detail meeting the requirements of *Section 36-2.35, Waste receptacles and enclosures*, of the ordinance, must be provided.

12. Other Approvals. The proposed site plan must be reviewed and approved by the appropriate city departments, consultants, and agencies.

RECOMMENDATION

Based upon the above comments, we recommend approval of the site plan for 113 Mill Street, conditioned upon the following:

1. A material sample must be provided for the brick veneer, to be reviewed and approved administratively;
2. The applicant providing the Planning Commission with evidence of need for the number of parking space;
3. That the four (4) parallel spaces along the east property line be removed to improve site circulation and the spaces behind the building be angled, since this is a one-way drive;
4. That the setback from the sidewalk be increased to five (5) feet and that a decorative wrought iron fence (tubular aluminum) be added to the landscaped area;
5. That the concrete immediately west of the shed building, where parking spaces are proposed, be replaced;
6. That a cross-access easement be provided for the drive to the west of the building;
7. That the sidewalk on the east side of the building be raised;

8. The submission of a photometric grid with enough fixtures to properly light the entire lot. In addition, use of the same light poles/fixtures as the downtown streetscape project;
9. Submission of a detail meeting the requirements of *Section 36-2.35, Waste receptacles and enclosures*, of the ordinance; and
10. Review and approval by the appropriate city departments, consultants, and agencies.

Commissioner Grossmeyer added that the cross-access easement agreement is already in place and has been for quite some time. Mr. Avantini added that we should have a copy of the easement agreement in the file for future reference.

Mr. Kim Procnier, architect for this project stated they will be using reclaimed brick that is similar to the Melrose property that is directly across from The Laundry. As far as what will be going into the building, negotiations with the barber are still on-going. They prefer not to lose the parallel parking and they do meet the requirements in regards to the back-in space for this type of parking. The entire lot will be repaved and stripped along with adding another light. There will be parking lot screening and the dumpster enclosure will be similar to what Crust Bakery has.

The Planning Commission did not have a problem with the amount of parking or the parallel parking. The following motion was made;

Commissioner Stickel made a motion, supported by Commissioner Grossmeyer, to approve the site plan for 113 Mill Street subject to the conditions in the CIB Letter dated August 18, 2015, except that the four parallel spaces will be included and the applicant will have opportunity choose the parking lot screening.

MOTION CARRIED (9-0) – Stickel-aye, Bancroft-aye, Kasper-aye, Grossmeyer-aye, Thompson-aye, Farella-aye, Riggs-aye, Steffey-aye, Sprague-aye.

DISCUSSION ITEMS

Planning Commission Appointments – (4) Vacancies

The applicants at this time were Michael D. Morey, David M. Ogger, Susan Yeotis, and John Carpenter. The Planning Commission members stated that all the applicants are very well qualified and recommended all four to City Council for consideration.

CALL TO THE AUDIENCE – No one at this time

ADMINISTRATIVE ITEMS – Mr. O'Reilly informed the Commission that the seminary will be coming down by the 22 of September. The property will be reseeded after everything is removed and will be owned by the City. The Lajoice Properties should be in front of the Commission late this fall.

CIB ITEMS – Mr. Avantini invited members to the Michigan Association of Planning Conferences that will be held at the Renaissance Center in Detroit, October 7 – 9th. He, along with Lynn Markland and Mike Burns will be doing a seminar on Downtown Development through Collaboration. He also said it was a pleasure working with the outgoing members. He hopes to see them back on the Commission again in the future.

COMMISSION MEMBER ITEMS

ADJOURNMENT

The meeting was adjourned at 8:35 p.m.

Respectfully submitted by,

Linda Davis

Recording Secretary