

## DISCUSSION

2014-0099 Introduction of the Regional Employment Center (REC) district, James Breuckman, Manager of Planning

*(Reference: Memo from James Breuckman, dated April 10, 2014 had been placed on file and by reference became part of the record thereof).*

*Mr. Anzek recalled that when the Zoning Ordinance was updated in 2009, Staff wanted to address the Regional Employment Center (REC) identified in the 2007 Master Land Use Plan to try to deal with that area as one large, strategic district. Subsequent to that, the M-59 Corridor Plan was completed, which gave a harder look at the targeted area. Staff would present what had been drafted to date, keeping in mind all the policy statements made with the M-59 Corridor Plan, to keep it flexible, simple and responsive to evolving needs as they moved forward with industrial, office and R&D changes and structure. They did not want to lump areas into something too specific. He advised that Mr. Breuckman would walk the members through it, and they could study it prior to the next meeting.*

*Mr. Breuckman referred to the colored development plan from the M-59 Corridor Plan that he had placed on an easel, which he noted formed the basis for a lot of the recommendations. There were more detailed recommendations for each area in the Ordinance. The first he noted was the Crooks/M-59 interchange, which was called the interchange area. There was a technology and office image corridor, and on the perimeter of the district was the work place area, which were mostly the industrial parks. There was the corridor mixed-use area, located along the main thoroughfares around the perimeter of the district, and last was the regional commercial, which was the Adams Marketplace retail development along Adams Rd.*

*Regarding the proposed amendments, he wanted to go through it page by page without getting into a lot of detail. Rather than creating a separate and detailed set of standards like there were for the Flex Business Overlay districts, Staff tried to incorporate the districts into the Ordinance as seamlessly as possible to make everything flow. Most of the development in the area had been operating as industrial for a long time and would continue. It was an evolution, but there was not a real dramatic change proposed. They wanted to keep as much continuity with the development standards as they could.*

*Mr. Breuckman referenced page 17, which showed the type of site plan*

*review required. Staff got a lot of requests for expansions for new users coming into buildings. Staff was proposing to allow an increase of up to 25% of the existing floor area in an office building or up to 20% of any other building to be approved administratively. All other codes and ordinances would still apply, such as engineering standards and building and fire codes. It would just give Staff the ability to approve additions and expansions more easily. They would get rid of the middle ground sketch plan review, which in the past was for an addition of up to 10% when certain conditions were met. They had not used that in the past five years, and it had not panned out as a useful tool.*

*Mr. Kaltsounis asked if the increase for approving something would be just for the REC district or for everything. Mr. Breuckman said that it would be for everything in general. Mr. Kaltsounis asked if they were talking about other amendments besides the REC district. Mr. Breuckman said that they would be taking their experience with the Ordinance over the past five years and making changes they felt were better. Mr. Kaltsounis said that he just wanted to make sure they were talking about things outside the REC scope as well. Mr. Breuckman agreed that Staff was taking the opportunity to look at a few City-wide issues. He read, "An increase of 25% of the existing floor area of industrial or office or 20% for other uses would come to the Planning Commission for site plan review."*

*Mr. Breuckman referred to page 18, parking areas. In the past, if there was an increase of up to 10% or 6,000 square feet, whichever was less, it could be approved administratively. They found that those numbers were rarely even close to each other, particularly for office and industrial, which was where the parking increase requests had come. Staff felt that a 15% cutoff without the 6,000 square feet or less would be more appropriate based on the requests they had seen. Anything above 15% would come to the Planning Commission with a sketch plan review.*

*On page 20, given that the design guidelines had been adopted and given that the flexibility for when those applied or not was built into the guidelines, Mr. Breuckman felt it would be appropriate to change item G. at the bottom to say, "Proposed buildings shall comply with the City's design guidelines" rather than "should also." There were "shoulds" in the design guidelines, so it was covered. They wanted to make sure the design guidelines had the support of the Ordinance. He pointed out that the building design guidelines did not apply to industrial development. If they were talking about facilitating and encouraging evolution in the industrial districts, those would not come into play.*

*Moving on to page 41, it showed that four new REC districts were added to the table of zoning districts. Those corresponded with the work place (REC-W), the technology and office corridor mixed-use areas (REC-M), the M-59 corridor (REC-C) and the interchange around the Crooks Rd. area (REC-I). There would be no new REC zoning district for the regional commercial shown on the development plan, because that was under a consent judgment. On page 46, purpose statements were added for each of the new zoning districts. He encouraged the members to read through those, and if there were any issues, they could talk about them next month. Page 52 had a new table of permitted uses. It looked exactly the same as the permitted use table in the current Ordinance, except that Section 138-4.302 was a new section. He indicated that adding the four districts to the existing table from a formatting standpoint would be unworkable. Instead, they duplicated the land use table for the REC districts. There would be two land use tables; one for all the other districts and one for the REC districts. He noted that the uses in the table were the same uses in the other table, except that some of those uses had been deleted, because not all uses permitted elsewhere in the City were permitted in the REC districts. They added a clause at the top of page 52: "Any use not listed in the following table is not permitted in the REC district."*

*In a lot of cases, in the REC-C and the REC-W, the list of uses was exactly the same as what was permitted in the industrial district. The REC-C and REC-W were predominately where the City's industrial parks were. The REC-I and REC-M were more geared towards the potential for mixed-uses and a wider range of uses.*

*Mr. Breuckman referred to page 70, Section 138-4.430 which listed outdoor storage standards. He recalled that they were just updated and amended. With the REC districts, they added a new clause, item A.3., which addressed outdoor storage in the REC districts.*

*In the Schedule of Regulations on page 81, existing table 7 for non-residential districts showed a little different development requirement in the REC districts that did not quite fit in that table neatly, so they created a new Article 6, Chapter 6 for REC district regulation. It was how they were handling the C-I district, the RCD, Cluster Housing and the MH, Manufactured Housing districts. All those districts had more specific standards that applied. Page 111 was where a new Chapter 6 was added with the specific development standards for the REC district. Table 8 was the new Schedule of Regulations with setbacks and height standards,*

*which came straight from the recommendations of the M-59 Corridor Plan. There were notes to Table 8 which had some exceptions and additional explanatory standards. There was a section on street layout and design on the development plan. There was a framework for the continued evolution of the street system within the REC district. Currently, it was very fragmented and did not connect over time. They wanted to connect, particularly east-west connectivity south of M-59. The street layout and design referred to the street plan so if they did get any major redevelopment, there was something to stand on to require that new streets be provided.*

*Mr. Breuckman explained that cross reference standards were a convenience for anyone who might be reviewing the Ordinance and trying to figure out what standards applied in the REC district. There would be an approval process, purpose statements, permitted uses, supplemental provisions, general provisions, parking and loading and landscaping. He commented that it was a convenience item more than anything.*

*Page 190 referred to off-street parking and loading, and in order to weave the RECs into the current fabric of the Ordinance as seamlessly as possible, they had to clarify some standards where parking setbacks fell. They treated the REC-W and REC-C like they would industrial districts, in terms of parking setbacks, and for the REC-I and REC-M, they treated those as they did the business, commercial improvement, office and ORT districts. Page 194 showed the parking requirements table. They did not have to change any of the uses under industrial and manufacturing, because they applied to all of the uses in the REC use table. They found that the parking requirements were a little bit on the high side for the industrial district. The City had some building re-occupancies, and the parking requirements required more parking than existed in a lot of cases, which was a problem, because there was no space to find new parking. It would change from one space per 400 square feet of floor area to one space per 500 square feet of floor area and one space per 350 square feet for office, as opposed to 300 square feet. He was not sure why, but every other place where there was office parking requirements, it showed one space per 350 square feet, except in the industrial districts, which was one per 300 square feet. He felt that it should be consistent.*

*Mr. Kaltsounis mentioned that he was at one of the City's local tire establishments on Rochester Road north of Barnes and Noble, and he noticed that they had 44 parking spots that were used that day. He wondered if they needed to look at the number of spaces needed for a tire*

*service center. The spaces were probably being used by employees and cars being worked on.*

*Mr. Anzek said that some of those problems were self-correcting, or that establishment would lose business. Regarding that operation, he also got tires there, and he pre-bought the tires. He had a 9:00 a.m. appointment, and they got to him at 11 a.m. It was 1:00 p.m. before they were completely finished. A 45-minute visit became a four-hour visit, and that was why they ran out of parking spaces. The waiting room was full of people, and they were not keeping on top of their game. Other tire shops did not have that problem. Mr. Kaltsounis indicated that they had to consider if it was just this one establishment. Mr. Anzek said that it was hard to write a rule to govern one operation that did not seem to make it work. By design, when the building was laid out, they said there was ample parking, but that was apparently not true.*

*Mr. Breuckman remembered that in 2009, they made the choice to move away from a system where the City said it knew better than the business owners about parking. The conscience choice was to set the parking requirements very low, and if people needed more, they would provide it. Staff was trusting people to know their business. He thought that they could find examples in any category of businesses that generated more parking than other users, but he did not want to punish the operators that did not generate as much parking. Mr. Kaltsounis felt that it was a discussion they could have.*

*Regarding off street loading, Mr. Breuckman said that they had to weave the REC districts in, so for the REC-I and REC-M, which were more akin to business districts, they added loading spaces required for all buildings over 20,000 square feet in floor area. The REC-W and REC-C were woven in with the existing I (Industrial) and SP (Special Purpose) district loading space requirements. The standards said that they had to be laid out in a dimension of at least 10 x 50 or 500 square feet in area. They would delete the "or 500 square feet in area" clause, and they upped the minimum building size. In the past, a loading dock had to be provided for any building that was 2,000 square feet or more, but at that size, the loading dock would take up more space than the building. That was upped to 5,000 square feet of floor area before a loading zone was required. Also, in the past, a minimum of five loading spaces plus one for every 40,000 square feet for a 100,000 square-foot building was required. There were only one or two buildings in the City that exceeded 100,000 square feet. That was a requirement where Staff was presuming that a loading dock might be necessary. The requirements were reduced to*

*40,000 square feet for the increment for additional spaces over 20,000 square feet with a minimum of three spaces for buildings over 100,000 square feet.*

*Regarding pavement striping on page 199, Mr. Breuckman noted that the City required double striping in those districts which were more retail or office, and where the uses dealt with the general public more. The REC-M district was the only one that had a real chance of accommodating those kinds of uses, so parking space striping requirements were added to that. On page 210, landscape standards, he added the REC-M and REC-I in with B-2 for purposes of buffering requirements. They added REC-W and REC-C in with the Industrial district for buffering requirements, as those were the most similar.*

*Mr. Breuckman concluded the run through of the background and how the district was established. He asked the members to look through everything, and Staff would bring it back at a future meeting that was not packed. Staff requested a special meeting on June 3 because he had a stack of site plans on his desk that he had not seen the likes of since 2005. Depending on how things shook out in the review process and when they were ready, most of them required a public hearing notice, and Staff needed extra lead time to get them ready. They might or might not have a meeting on June 3, but he asked the members to reserve it.*

*Mr. Kaltsounis referred to page one, building improvements, and he said that Mr. Breuckman talked about different steps that could be done before a project went to the Planning Commission, and one of them was demolition. Under minor modifications to a building, it talked about the façade or architectural features that significantly altered the appearance of a building or increased the height. Mr. Kaltsounis noted that Kroger on Livernois was administratively approved, and a section of the building was demolished. He asked if the façade would be similar to what was there.*

*Mr. Anzek advised that it would match the existing Kroger. Mr. Kaltsounis asked if the height would be increased. Mr. Anzek asked if he meant the parapet. Mr. Kaltsounis said that it was taller and stepped down. Mr. Anzek replied that it did in the middle, and then it stepped down as it went out from the main entrance. Mr. Kaltsounis wondered about the reasoning behind administrative approvals. He remembered that Target brought out a wall a couple of feet and added a pharmacy, and it looked the same. He thought that there would be a lot more done to the Kroger store, and he wondered how Staff determined if it should or should not go*

*to the Planning Commission.*

*Mr. Anzek said that because they were matching what they had, he did not feel there was a big enough issue to bring it to the Planning Commission. The additional square-footage was way below the amount that would trigger that threshold. They were adding 3,000 feet to the back of the building, as well, but it was still below the requirement for Planning Commission review. Mr. Anzek said that it would be an upgrade; a lot of Krogers were investing in their stores. Mr. Kaltsounis said that he was not questioning the size, it was just the façade. He wondered, with regards to minor modifications and the look of the building, how they decided if something should go to the Planning Commission. Mr. Anzek said that it was a subjective call. If he thought something was offensive, it would go to the Planning Commission. Mr. Kaltsounis agreed that it was subjective, but he did not see any guidelines regarding the design or changing a façade under minor modifications.*

*Mr. Breuckman responded that specific to design, when there was a flat roof, the height was actually the roof surface. The parapets could change, and it would not be an increase in height by Ordinance definition. The parapets in the Target center had gotten taller as the tenants got bigger. When that came through, Staff went through a whole process of working it out with the property owner. Mr. Kaltsounis wondered if they should outline that in the Ordinance. Mr. Anzek did not think they should tie Staff's hands. Mr. Kaltsounis wondered about saying "no" to someone but giving it to someone else. Mr. Breuckman explained that it was incumbent on Staff to be able to reason why they made a decision. If they started becoming arbitrary and capricious, it would be a problem, but he felt they had been very even-handed and reasoned in the way they enforced things. He felt that putting more specificity in the Ordinance, particularly now that they had adopted architectural design guidelines, was not really a path they wanted to go down.*

**2014-0098**

Introduction of a zoning amendment for the Commercial Improvement (C-I) district, James Breuckman, Manager of Planning

*(Reference: Memo prepared by James Breuckman, dated April 10, 2014 and proposed ordinance amendment had been placed on file and by reference became part of the record thereof).*

*Mr. Breuckman explained that the proposed amendments to the C-I district were spurred by recent events. The proposed changes were basically for the Olde Towne area along Auburn Rd. between John R and*