

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION PUBLIC HEARING/REGULAR MEETING
FARMINGTON HILLS CITY HALL – COUNCIL CHAMBERS
DECEMBER 15, 2016, 7:30 P.M.**

Chair Rae-O'Donnell called the Planning Commission meeting to order at 7:30 p.m. on December 15, 2016.

Commissioners Present: Blizman, Fleischhacker, Mantey, McRae, Orr, Rae-O'Donnell, Schwartz

Commissioners Absent: Brickner, Stimson

Others Present: City Planner Stec, City Engineer Darnall, City Attorney Schultz, Planning Consultant Arroyo

APPROVAL OF AGENDA

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

Motion carried unanimously.

PUBLIC HEARING

A. REZONING REQUEST 4-10-2016

LOCATION:	22000 Haggerty Rd.
PARCEL I.D.:	22-23-31-101-020
PROPOSAL:	Rezone parcel currently zoned RA-1, One Family Residential District to OS-4, Office Research District
ACTION REQUESTED:	Recommend to City Council
APPLICANT:	M2B2 LLC.
OWNER:	Vicki S. White

Mike Huszti, 555 Hill Street, Milford, MI, real estate broker for the applicant, was present on behalf of this application. He explained that the parcel was zoned residential but was surrounded by OS-4 zoning, and thus the subject parcel represented a spot-zoning situation. They were requesting that the zoning be changed to the same zoning that was adjacent to this property.

Commissioner Schwartz asked how this property would be used. Mr. Huszti said the applicant wished to construct a hotel on the site. The historic home located there would be moved, either on or off site. However, the big goal was to keep the home on site and perhaps add a trailhead for the bike path on I-275 and also add a pocket park. The applicant was currently looking at designing these features.

In response to a question from Commissioner Schwartz, City Attorney Schultz said that with the proposed rezoning, the home could be used for office space.

Chair Rae-O'Donnell opened the public hearing. Seeing that no one came forward to speak, Chair Rae-O'Donnell closed the public hearing.

Utilizing overhead slides and referring to the October 27, 2016 Giffels Webster letter, Planning Consultant Arroyo gave the background for this application, which was a request to rezone a parcel

currently zoned RA-1, One Family Residential District to OS-4, Office Research District. The Master Plan for Future Land Use designated the subject property as Large Office. Surrounding properties to the north and south maintained their current land use of Large Office, with private recreation to the east across I-275.

The property was the site of the David Simmons House, built in 1843.

Planning Consultant Arroyo reviewed *Items to Consider for Zoning Map Amendment*. This request was consistent with the Master Plan for Future Land Use. Because the site was narrow, it might be difficult to meet side yard setback requirements unless parking could be shared with one of the properties to the north or south. As explained this evening by the applicant, the property was intended to be used for the construction of a hotel, with the historic home being relocated either on or off site.

Commissioner McRae asked what the OS-4 District required for side yard setbacks. Planning Consultant Arroyo explained that the side yard setbacks were based on a formula that used the height of the structure to determine the actual setback.

Commissioner McRae noted that the property lines shown on the aerial did not match the property lines shown in the survey. City Planner Stec said that the boundaries as shown on the aerial did not constitute a legal representation; the default was always to a registered survey.

In response to further questions from Commissioner McRae and Blizman, City Planner Stec explained that the property owners had been before the Planning Commission recently in order to request the declassification of this property as historical. However, they had not moved the request to City Council. The house could not be demolished without appropriate approvals. The Historic District Commission's recommendation was to either use the home on site or move it. The owners now had a purchaser who was interested in saving the historical portion of the home.

Commissioner Schwartz believed that at this location, it would be better to use the historic structure as an office rather than living quarters. The request to change this parcel to OS-4 made good sense, in light of OS districts that surrounded this property. The historic home would still be protected.

MOTION by Schwartz, support by Orr that the Planning Commission recommend to the City Council that Zoning Request No. 4-10-2016, petitioned by M2B2, LLC, to rezone land from the RA-1, One Family Residential District to the OS-4, Office Research District be approved because the change is in accordance with the City's Master Plan for Future Land Use.

Commissioner Mantey noted that the sidewalk was not completed on this property. City Planner Stec said sidewalks would be part of site plan approval.

Commissioner Blizman said he had been a member of the Historic District Commission when this house was made part of the Historic District. He had opposed the historic designation then and he would support declassifying this home.

City Planner Stec explained that the applicants were planning on removing all non-historic additions and preserving and restoring the original home.

Chair Rae-O'Donnell called the question.

Motion carried unanimously.

B. REZONING REQUEST 5-10-2016

LOCATION:	31215 Fourteen Mile
PARCEL I.D.:	22-23-02-101-062
PROPOSAL:	Rezone parcel currently zoned B-2, Community Business District to B-3, General Business District
ACTION REQUESTED:	Recommend to City Council
APPLICANT:	Stuart Sherr
OWNER:	14-Orchard Plaza, LLC

Stuart Sherr, 31300 Orchard Lake Road, Farmington Hills, was present on behalf of this application, which was to rezone a parcel located on the southeast corner at 14 Mile and Orchard Lake Road, zoned B-2 Community Business District to B-3 General Business District. They were the owners, developers, and managers of the property, which they acquired in 1990. This was one of the gateway parcels for the City, and they had worked with the City to put in a welcome sign at the northwest corner of the site.

Mr. Sherr said they were requesting the rezoning for 2 reasons:

1. There was better traffic circulation at the corner due to the recent roundabout construction, and their request was in line with current shopping trends. Consumers liked the ability to drive through and get the goods and services that they wanted, and the applicants wanted to construct a drive-through restaurant.
2. The Master Plan did designate the area as Shopping Center-Type Business, which was consistent with the current and proposed use. Most of the parcels that neighbored the subject site were already zoned B-3.

Chair Rae-O'Donnell asked if there was a particular business that was interested in this potential drive-through. Mr. Sherr said that they did not yet have a particular business in mind, but had spoken with several potential businesses that were interested in putting a drive-through restaurant at this location.

Commissioner McRae noted that if the applicants had control of the county-owned northwest corner of the property, it would give them more room to provide a drive-through space, thus avoiding congestion and potential traffic issues. Had the applicants talked to the County regarding that corner? Mr. Sherr said they had not talked with Oakland County about this. The applicants did not feel they needed that corner for parking or traffic flow. They would only need one lane of drive-through as opposed to the current 4 lanes for the existing bank. They had added landscaping to that corner so that it looked much more attractive as a gateway to the City.

Commissioner Orr asked if the applicants had a formal cross-access agreement with the existing oil change to the west. When the applicants came in for site plan approval, they would need to show a cross-access agreement for that area.

At this time Chair Rae-O'Donnell opened the public hearing. Seeing that no one came forward to speak, Chair Rae-O'Donnell closed the public hearing.

Chair Rae-O'Donnell invited Planning Consultant Arroyo to make his presentation.

Utilizing overhead slides and referring to the November 3, 2016 Giffels Webster review letter, Planning Consultant Arroyo gave the background to this application, which was to rezone the property from B-2 Community Business District to B-3 General Business District. Properties to the east, west and southwest were all zoned B-3. Properties to the immediate south that did not border Orchard Lake Road were zoned OS-1. The Master Plan for Future Land Use designated the property as Shopping Center-Type Business, consistent with the current and proposed use.

Planning Consultant Arroyo reviewed *Items to Consider for Zoning Map Amendment*. He noted that the Master Plan also designated this as Redevelopment Area No. 1, "Northwestern Highway and Orchard Lake Road (No. 1)." The requested rezoning appeared to be compatible with surrounding uses, and was consistent with surrounding zoning.

Commissioner Orr asked if the proposed drive through restaurant was too close to residential zoning to the south. Planning Consultant Arroyo said that there needed to be separation of 300 feet and this property would meet that requirement.

Commissioner Blizman said it made sense to rezone the property to B-3. Planning Consultant Arroyo agreed, especially because of the location along the Northwestern Highway frontage. He noted that the entire area should be discussed during the next Master Plan review.

Commissioner Fleischhacker asked about the McDonald's drive-through across the street at the Hunter's Shopping Center. City Planner Stec explained that the McDonald's was permitted through the Planned Unit Development (PUD) process.

Commissioner Orr asked about the impact of new setback requirements of the B-3 District on the existing buildings on the site. Planning Consultant Arroyo said that setback requirements would all be met, and no new nonconformities would be created.

Chair Rae-O'Donnell indicated she was ready to entertain a motion.

MOTION by Orr, support by McRae, that the Planning Commission recommend to the City Council that Zoning Request No. 5-10-2016, petitioned by Stuart Sherr, to rezone land from the B-2 Community Business District to the B-3 General Business District be approved because the change conforms with the surrounding properties and is in accordance with the City's Master Plan for Future Land Use.

Commissioner Schwartz encouraged the applicant to speak to the County regarding using the northwest corner as an active part of the site before a site plan came to the Planning Commission. Mr. Sherr said they were interested in maintaining the attractive landscaping at that corner.

Motion carried unanimously.

REGULAR HEARING:

A. REVISED LOT SPLIT 4, 2016 (Preliminary)

LOCATION:	30623 Twelve Mile Rd.
PARCEL I.D.:	22-23-14-101-012
PROPOSAL:	Split existing parcel into two (2) parcels in OS-1, Office Service District

ACTION REQUESTED: Preliminary land division approval
APPLICANT: Robert Markovs of St. Paul's Latvian Lutheran Church
OWNER: St. Paul's Lutheran Church

Utilizing overhead slides and referring to the December 6, 2016 Giffels Webster review letter, Planning Consultant Arroyo gave the background to this application, which was a request for a preliminary land division approval at 30623 Twelve Mile Road, the site of St. Paul's Latvian Lutheran Church.

Planning Consultant Arroyo noted that the applicant originally applied for a preliminary lot split on August 18, 2016. Per the applicant's request, the application was postponed to address a zoning deficiency created as a result of a covered walkway crossing over the proposed property line, thus not meeting minimum side yard setbacks. The covered walkway had been eliminated from the most recently submitted plans.

Regarding the proposed lot split, Planning Consultant Arroyo said that the lot split would probably not create land use issues if both parcels continued to be treated as one zoning lot. However, if one lot was sold or leased to a different user, the uses would have to be reviewed separately. It was his understanding that another place of worship had interest in the proposed western parcel. This immediately raised some site plan and parking issues, as the proposed lot split might result in a nonconforming situation.

After reviewing adjacent land uses, Planning Consultant Arroyo pointed out that the Master Plan designated the subject site as Large Office. The site was accessible from two driveways along 12 Mile Road: one at the north end of the property, and another drive at the northeast corner along Stansbury Street. The proposed parcels met frontage and lot area requirements. However, proposed Parcel A did not meet the front yard setback standard of the district; this was an existing condition. Additionally, due to current configurations, it was also unlikely that proposed Parcel A and Parcel B would meet the 50% front yard open space requirement.

Regarding cross access, the new property line would be drawn through the parking lot of the church campus and cross access easements must be provided in all locations where vehicular circulation required that users of one parcel crossed onto the other parcel to access public rights-of-way. Additionally the Engineering Department would like to see an easement at the rear of the property though this would be difficult with the home that was currently located at the rear. Cross-access agreements at the front of the property were challenging because it appeared the cross access was in the right-of-way.

Planning Consultant Arroyo concluded by giving a brief review of the *Standards for the Subdivision of Land*.

Planning Commissioner McRae asked if the lot split would render the residence in the rear nonconforming. Planning Consultant Arroyo explained that if the residence functioned as a parsonage, it would be accessory to the use, and would not necessarily be rendered non-conforming.

Referring to the July 27 Engineering review letter, Commissioner Blizman asked where the front of the existing building was in relation to the proposed right of way. It appeared that should 12 Mile Road be widened, it could be constructed within 3 feet of the building. City Engineer Darnall said that the likelihood of the road being widened at this location was very small.

Commissioner Mantey asked if the desired sidewalk connection should be mentioned in any approving motion. City Attorney Schultz said that the Planning Commission had authority over the requested lot split; the Engineering Department could require a sidewalk.

Commissioner Mantey said that the Master Plan called for Large Office on this property, but the proposed lot split might make Large Office impossible to achieve. He wondered if the Master Plan designation was appropriate for this site. There was no guarantee that a church would occupy the proposed western parcel.

City Attorney Schultz said the applicant should address the issues of use, parking, and the possibility that a nonconformity was being created by this lot split.

Mike Pudists, architect for this project and member of the Lutheran Latvian congregation, was present on behalf of this application. He explained that the reason for the lot split request was the drop in numbers of active church members. In the 1980s they had approximate 350 members; now they had 110 and the church building had become too large to maintain. Their intention was to use the social hall on the east parcel for church meetings. The small house was for caretakers who lived on site. The congregation wanted to market the present church for another church use, and they were in discussion with another congregation who would like to purchase the church building that would remain on the proposed western parcel.

Regarding the parking, Mr. Pudists said that according to the size of the church and the number of fixed pews, they needed parking for about 70 cars. Presently the west parcel could probably park about 52 cars. On the social hall side, there was room for 23 cars. The size of the Latvian Lutheran church's present attendance every second Sunday was about 20. When the building was used as a social hall they might have about 40.

Mr. Pudists said he didn't have an answer for the question of what would happen if a use other than a church went into the western parcel. The congregation with which they had already had discussions had agreed with cross access parking. If the parcels had to stand alone, they would be short parking on Lot B. If they did tear down the residence, they could probably accommodate another 23 cars.

Regarding access to Stansbury, Mr. Pudists said the driveway could not be put on the far rear of the property without impacting the residence there. They did have access off Stansbury.

City Attorney Schultz clarified that the current congregation would be using the eastern parcel, or the social house as a place of worship. Mr. Pudists agreed.

Commissioner Orr explained that the Commission had to ensure that the lot split would be a viable option in the long run, with enough parking for both parcels. Cross access agreements usually applied to uses that were not busy at the same time. Providing a cross access agreement for two churches that met during the same time would not serve the purpose. Perhaps parking could be arranged with the businesses to the south or east. Mr. Pudists said they had thought about this but had not approached the office buildings for this purpose.

In response to a question from Commissioner Orr, City Attorney Schultz said that the Planning Commission could place conditions on a lot split, as long as the conditions referred to issues that needed to be resolved in order for the site to comply with the Land Division Ordinance. No conditions could be added that did not directly relate to the Land Division requirements.

City Planner Stec said the applicants had provided floor plans for the existing facility. About 75 parking spaces were needed. Currently 52 spaces could be offered. One of the things the Commission should consider was whether they would be creating a nonconformity for these parcels.

City Attorney Schultz explained process. The State required a shortened time period of 45 days for a lot split request. If the process were going to take longer than that, the applicant needed to request this extension.

Commissioner Fleischhacker noted that when he came to work via Stansbury Street in the mornings, sometimes there was a traffic backup from the church lot. Mr. Pudists said this was because of the jazzercise class being held in the building. If the lot split were approved, they would make sure there would be no rentals from outside organizations.

In response to a question from Commissioner Schwartz, City Planner Stec said the main issue with the proposed split was having enough parking to sustain two churches or other uses on this site. Commissioner Schwartz said there were viable places to go to obtain shared parking, such as next-door businesses; this seemed like a solvable problem. He also wondered if a long-term lease with no purchase and no lot split would be a better solution.

Commissioner McRae thought this lot split was not ready for a decision this evening and he was hesitant to proceed. He felt the application and its explanation was tenuous. The Planning Commission was being asked to make a decision that would last into perpetuity; his feeling was that this proposal was not going to work.

Discussion followed regarding possible parking solutions for both parcels. City Attorney Schultz said that as of tonight there was not enough parking on the eastern parcel for the proposed use. Each parcel needed to stand on its own. City Planner Stec noted that this application had already been postponed once to a date uncertain. City Attorney Schultz said this application could be again postponed to a date uncertain, if the applicant so requested. City Planner Stec advised that the applicant would need to come back with a more complete plan that showed that the eastern parcel could stand on its own.

Mr. Pudists said they would like to adjourn this application to a date uncertain, thus waiving their right to a decision within 45 days of the application.

Commissioner Schwartz again spoke to the possibility of not splitting the property, but leasing one building to another congregation that perhaps met at a different time, so that single ownership remained with the entire parcel.

MOTION by Blizman, support by Fleischhacker, that Preliminary Lot Split Nor. 4, 2016, submitted by Robert Markovs of St. Paul's Latvian Lutheran Church, be adjourned to a date uncertain, in order to allow the applicant time to address zoning issues created by the resultant parcels.

Motion carried unanimously.

B. LOT SPLIT 7, 2016 (Final)

LOCATION:	33481 Leisure Lane
PARCEL I.D.:	22-23-16-427-007
PROPOSAL:	Split existing parcel into two (2) parcels in RA-1A,

ACTION REQUESTED: One Family Residential District
Approval of final land division
APPLICANT: Chris Bidigare
OWNER: Kendallwood Investments, LLC

Utilizing overhead slides and referring to the December 5, 2016 Giffels Webster review letter, Planning Consultant Arroyo gave the background to this application, which was a revision to a previous application to permit two parcels at 33481 Leisure Lane.

Planning Consultant Arroyo reviewed existing conditions for the original parcel, and noted that the proposed lot split would result in parcels that conformed to the dimensional requirements of the RA-1A Zoning District, and also met all setbacks of the District. The Planning Commission would need to determine if the proposed parcels were compatible with the surrounding neighborhood, as there were both smaller and larger lots in the area, as shown on the map on page 5 of the Giffels Webster review. Regarding how the parcels were laid out, it did not appear that the proposed division would result in an incompatible relationship with surrounding parcels in terms of the way yards aligned with each other. The orientation of the existing and proposed developments of this lot split appeared to be harmonious with the surrounding area. The Fire Marshal required that the address be on Leisure Lane.

Commissioner Schwartz addressed the possibility of this lot split beginning a domino effect for other lot splits in the area. City Planner Stec said this was always an unknown. The applicant did own the property two lots to the north, where he was building a single-family home.

Commissioner McRae asked about the access for the parcel to the east being off of Leisure Lane and not Farmington Road. City Planner Stec explained that the City Engineer would not permit another curb cut on Farmington Road. The Fire Department also wanted a Leisure Lane address. The access would be off of Leisure Lane, but the home, being a corner lot, could face either Leisure Lane or Farmington Road.

Commissioner Orr reviewed some history of Leisure Lane's development. Regarding the driveway, Commissioner Orr related another situation in which a driveway was required on a side street. City Attorney Schultz said under the Ordinance and State Statute, the Commission could only look at the case before them this evening as to whether the applicants had access to their proposed lots, which they did.

Chair Rae-O'Donnell invited the applicant to speak.

Chris Bidigare, 26545 Farmington Road, Farmington Hills MI was present on behalf of this application. He explained that he had just built the house 2 lots to the north of the subject property, and would not be changing that property. He had recently purchased the subject property, and felt that the requested lot split and subsequent development would improve the area.

MOTION by McRae, support by Blizman, that Final Lot Split 7, 2016, submitted by Chris Bidigare, be approved because it appears to meet applicable provisions of the Zoning Chapter and of Chapter 27, Subdivision of Land, of the City Code and will result in land parcels which are generally compatible with surrounding lots in the area; and that the City Assessor be so notified.

Motion carried unanimously.

C. SITE AND LANDSCAPE PLAN 69-11-2016

LOCATION: 39300 Ten Mile Rd.

PARCEL I.D.: 22-23-19-351-020
PROPOSAL: Existing auto dealership addition in a B-3,
General Business District
ACTION REQUESTED: Approval of Site and Landscape Plan
APPLICANT: Thomas R. Holzer
OWNER: Tom R. Holzer Ford

Utilizing overhead slides and referring to the December 6, 2016 Giffels Webster review letter, Planning Consultant Arroyo gave the background to this application, which was a request for an approval of a site and landscape plan for an addition to an existing auto dealership. The expansion was a modest one at the service area at the rear of the building. Dimensional standards of the zoning ordinance were met.

Outstanding site plan issues included:

- The applicant should confirm that rooftop equipment would not be a part of the proposed addition.
- The proposed addition would come right up to the existing underground 20-foot storm water detention system; the applicant should address this situation.
- No photometric plans or lighting cut sheets were included. Would the exterior lighting change?

Outstanding landscape plan issues included:

- The applicant must include the limit of disturbance and details of protective measures for existing trees on site.
- Two new canopy trees were required per Section 34-5.14.4.C.
- A landscape cost estimate needed to be provided.

Commissioner Orr asked about the punch list mentioned in the November 22, 2016 Engineering Department letter. City Engineer Darnall said he was not aware of what was included on that list. However, the Engineering Department would require any unfinished items to be completed.

Commissioner Orr asked about the easement mentioned in the Giffels Webster review letter. Did this involve a driveway? City Engineer Darnall said that it did not.

Chair Rae-O'Donnell invited the applicant to speak.

Applicant Paul Lewsley, Environmental engineers, 18620 W. 10 Mile Road, Southfield MI, was present on behalf of this application. He said the proposed small addition would have minimal impact on the site. All parking requirements were met. There would be no new rooftop equipment, no new lighting, and the proposed addition would not encroach on storm water access. They would provide the two required canopy trees.

MOTION by Fleischhacker, support by McRae, that Site Plan No. 69-11-2016, dated November 18, 2016, submitted by Thomas R. Holzer be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the following condition:

- **A revised plan be submitted for administrative review showing the inclusion of two additional parking lot canopy trees.**

Motion carried unanimously.

MOTION by Fleischhacker, support by Schwartz, that Landscape Plan No. 69-11-2016, dated November 18, 2016, submitted by Thomas R. Holzer, be approved because it appears to meet

all applicable Zoning Chapter requirements, and applicable Design Principles as adopted by the Planning Commission, subject to the following conditions:

- **Details be provided regarding the two additional parking lot canopy trees required per the above site plan approval.**
- **A cost estimate be provided.**
- **Deficiencies identified in the December 6, 2016 Giffels Webster report be resolved.**

Motion carried unanimously.

D. SITE PLAN 70-11-2016

LOCATION:	24369 Halsted Rd.
PARCEL I.D.:	22-23-19-426-044
PROPOSAL:	Addition to existing shopping center for Tomatoes A Pizza in a B-2, Community Business District
ACTION REQUESTED:	Approval of Site Plan
APPLICANT:	Michael A. Weinstein
OWNER:	Concord, LLC

Utilizing overhead slides and referring to the December 7, 2016 Giffels Webster review letter, Planning Consultant Arroyo gave the background to this application, which was for site plan approval for the addition of an outdoor, coal-fired pizza oven as well as a coal storage area located on the north side of the building.

Planning Consultant Arroyo said that the oven was actually just an extension of the building, and the required setbacks were met. The coal storage would need to be addressed. The Planning Commission should review the intent of the B-2 district and determine if this level of accessory outdoor activity was consistent with the District.

Outstanding issues included:

- A new loading zone measuring 10 x 50 feet was being provided at the rear of the building. The new loading area left a 12-foot wide travel lane in the vicinity of the pizza oven and loading area. The Fire Marshal required a minimum of 14 feet.
- The pizza oven required a chimney, which appeared as a stack chimney on the plans and which could be seen from the front and east elevations. Section 34.5-17 required that rooftop structures be screened from view, though conventional chimneys were not screened. The Planning Commission should make a decision as to whether screening was necessary.

Planning Consultant Arroyo suggested postponing action on tonight's application until the above issues could be resolved.

Commissioner McRae noted that the loading area was just striped, so that at most times a fire truck would not be blocked. Regarding the dumpster, could the location of the dumpster be moved west?

Commissioner Mantey said that any approval should be conditioned on the installation of a sidewalk. He asked how a sidewalk had not been required when the development was originally constructed.

City Planner Stec said the Engineering Department would require a sidewalk; this did not need to be added as a condition to any approving motion. Commissioner Orr said the building had been there at least since 1981.

Commissioner Blizman asked about any air pollution issues resulting from the coal oven. City Planner Stec said the oven would have air scrubbers. The applicants had a similar coal-fired oven at 14 Mile and Middlebelt, and the City had never received a complaint for odor. Additionally, odors would be addressed under the General Code.

Chair Rae-O'Donnell invited the applicant to speak.

Rob Budzeika, G.A.V. Associates, 24001 Orchard Lake Road, was present on behalf of this application. He explained that the dumpster location had been changed to be in front of the oven, and would be facing Halsted. City Planner Stec explained that the new dumpster location had not been formally reviewed, but it appeared that the location might be acceptable, as a side yard location screened by an enclosure was allowed.

Mr. Budzeika also noted that the loading area had been moved to the rear of the property.

In response to a question from Chair Rae-O'Donnell, City Planner Stec said that with these changes it appeared the Fire Marshal's requirements would be met, although full review and approval would have to come from the Fire Marshal.

Commissioner Schwartz asked about putting heat right next to a dumpster. Mr. Budzeika said the oven enclosure would be specially constructed with a 14-inch wall, and special construction on the inside. It would not radiate heat to the outside wall. There would also be scrubbers installed.

Mr. Budzeika said that a sidewalk would be constructed as requested.

In response to a question from Commissioner Mantey, Mr. Budzeika said coal was not a lightly-combustible material, and its storage on the other side of the oven should not be a problem.

Commissioner Orr asked if the oven would be loaded from the side. Mr. Budzeika said the oven would be loaded from the inside of the store. Coal delivery would be in 40-pound bags. They would turn the storage so the doors would open away from the oven.

MOTION by Orr, support by Blizman, that Site Plan No. 70-11-2016, dated November 18, 2016, submitted by Michael A. Weinstein be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the following condition:

- **Complete sets of the revised plans dated 12/14/16 presented at tonight's meeting be submitted for administrative review and approval.**
- **Fire Department review and approval.**

The Planning Commission also finds as part of this motion that the outdoor activity associated with the coal-fired pizza oven is consistent with the B-2 District.

Motion carried unanimously.

E. SITE PLAN 71-11-2016

LOCATION:	31015 Grand River Ave
PARCEL I.D.:	22-23-35-101-005
PROPOSAL:	Used Car Dealership in a B-3, General Business District
ACTION REQUESTED:	Approval of Site Plan

APPLICANT: Richard Kovanda of ARK-Tec, LLC
OWNER: Woodgate Development Company

Utilizing overhead slides and referring to the December 8, 2016 Giffels Webster review letter, Planning Consultant Arroyo gave the background to this application, which was for approval of a site plan for a used car dealership in a B-3 General Business District at 31015 Grand River Avenue.

Planning Consultant Arroyo reviewed the surrounding zoning districts and adjacent issues, and explained the configuration and access of the existing site. The applicant was proposing reuse of the existing building as a showroom, with administrative offices and a service area. Used car sales were a permitted use in this district.

Outstanding issues included:

- The applicant did not provide setbacks on their site plan, so all provided measurements were estimates based on the plan's scale. The applicant should provide setbacks on an updated site plan, as well as provide the height of the existing structure. It appeared that most of the dimensional requirements of the zoning district would be met, except for the front yard, which was an existing nonconformity.
- The applicant needed to confirm if any rooftop equipment would be installed, or how the existing equipment was housed.
- The dumpster needed to be screened from view via a permanent wall, per Section 34-5.1.3.D. The existing dumpster was currently in an exterior side yard with no screening; this needed to be resolved.
- Parking in the front yard appeared to be set back less than 8 feet; 10 feet was required. However, this was an existing nonconformity and the Planning Commission would need to decide if this condition could remain.
- Dimensions of the parking areas had not been provided. The measurements of the parking areas needed to be confirmed, including space length, width, and maneuvering land width. There were several areas where aisle widths were less than 20 feet and thus were not adequate for 2-way circulation.
- Regarding outdoor display, the applicant was proposing parallel display areas behind an existing 90-degree parking area. Unused pavement typically became a maintenance and aesthetic issue. Could the display vehicles be parked in the 90-degree spaces, which would have an appearance no different than a parking lot? Or could the 90-degree parking be converted to parallel parking with the balance closer to the intersection converted to landscaping? Also, a two-foot high hedgerow was required to be planted between all parking lots and a public thoroughfare, or a two-foot high masonry wall or berm be provided. Those deficiencies needed to be corrected.
- Exterior lighting information needed to be provided.
- No pedestrian connection had been provided.
- A Tree Protection Affidavit needed to be provided.
- Two canopy trees needed to be planted in order to meet the requirements of Section 34-5.14.4.C.
- Ground cover for all landscaped areas needed to be provided.
- The existing abandoned drive on Grand River should be removed and replaced with landscaping and sidewalk.

In response to a question from Chair Rae-O'Donnell, Planning Consultant Arroyo said that removing 3 to 4 spaces in order to provide for necessary driveway width would still leave adequate parking on the site.

Commissioner Mantey asked where the pedestrian access was to Orchard Lake Road. He noted that there were no sidewalks in this area on either side of the street on Orchard Lake Road, and he would be bringing this up during the Capital Improvements Plan discussion next month.

Commissioner McRae asked what the “asphalt spillway” referred to at the back of the property. Staff Engineer Darnall said this was a channel for storm water control, meant to prevent erosion.

Commissioner Orr asked if the rooftop screening would be required as this application was for a change in use. City Planner said Stec explained that this would be required for any new rooftop installations. Rooftop screening was part of Zoning Department enforcement.

Chair Rae-O’Donnell invited the applicant to make his presentation.

Richard Kovanda, Ark-Tec Architects, LLC, 17376 West 12 Mile Road, Southfield MI was present on behalf of this application. He explained that MLC Motors would be operating at this location under a short-term lease agreement. The building was perfect for them. They could take care of landscaping issues.

Chair Rae-O’Donnell asked about the radius turns that did not allow room for 2-way traffic. Mr. Kovanda said the one area where this was an issue would be one way only. They could eliminate the parking spots mentioned by Planning Consultant Arroyo as they did have an excess of parking on the site.

Chair Rae-O’Donnell asked about the display area where Planning Consultant Arroyo suggested removing the asphalt. Mr. Kovanda said that because this was a short-term situation he didn’t know if financially they were in a position to tear up asphalt and add landscaping, though this could be considered.

In response to a question from Commissioner McRae, Mr. Kovanda said the lease would be for 3 years.

Mr. Kovanda said the dumpster was currently shielded with slats through a chain link fence. They could create something more permanent to hide the dumpster.

Commissioner Schwartz asked if the technical requirements to take out asphalt, put in landscaping, move the dumpster and put in a dumpster enclosure were the responsibility of the landowner or tenant. City Attorney Schultz said this was a matter of negotiation between the two.

Commissioner McRae said the pedestrian connection from Grand River to the sidewalk on Grand River would only be a short distance as the building was set close to the road. Mr. Kovanda said there was currently a sidewalk that connected the front entrance to the Grand River sidewalk and there was a similar situation on the north side of the building.

As there was no further discussion Chair Rae-O’Donnell indicated she was ready for a motion.

MOTION by Orr, support by Schwartz, that Site Plan No. 71-11-2016, dated November 18, 2016, submitted by Richard Kovanda of Ark-Tec, LLC, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the submittal of revised site and landscape plans for administrative review, addressing the following items:

- **The dumpster enclosure be relocated so as not to encroach into the exterior side yard.**

- **The easternmost approach into the site from Grand River be removed and replaced with a new curb, sidewalk and lawn area.**
- **The asphalt area between the vehicle display areas fronting both Grand River and Orchard Lake be removed and landscape areas installed.**
- **A pedestrian connection to the main building entrance from the public sidewalk along Grand River be added.**
- **All deficiencies identified in the December 8, 2016 Giffels Webster review report be reviewed for administrative approval.**

Motion carried unanimously.

APPROVAL OF MINUTES: November 17, 2016

MOTION by Fleishhacker, support by McRae, to approve the November 17, 2016 minutes as presented.

MOTION carried unanimously.

PUBLIC COMMENT: None.

COMMISSIONERS' COMMENTS:

Commissioner Mantey spoke about runners in the community who ran during all kinds of weather, and he also commented about the amount of pedestrian and bicycle traffic he recently observed in European communities. While the City would never be Europe, if the City wanted to attract and retain young people, it would have to find some way to accommodate travel that was not car-dependent.

Commissioner Fleischhacker asked about need for a sidewalk along 12 Mile Road in front of the Lutheran church discussed earlier this evening. Why weren't sidewalks a requirement when it was built in 2000? Had the City collected money for a sidewalk at that time? People who worked on Stansbury Street and used the bus found the bus connection difficult in heavy snow and no sidewalk. City Planner Stec said he would look into this situation.

Commissioner Schwartz said that runners found running difficult in the winter because the sidewalks were not shoveled, forcing them to move into the street, causing a dangerous situation.

Commissioner Schwartz asked that the Planning Commission have the ability to provide input to road plans for Orchard Lake Road. He was surprised to read in the newspaper that the City Council was discussing this with no Planning Commission input.

Commissioner Orr said he would be gone until April. He especially thanked Commissioner Blizman for his service on the Commission, which would be ending soon.

Commissioner McRae asked about the process for enforcement regarding the new strip lighting ordinance. City Planner Stec said this was being enforced through the Zoning Department. Enforcement officers were visiting businesses that had strip lighting, providing the ordinance and instructing that the lights needed to be brought into compliance.

Commissioner Orr asked that someone look at the lighting at Eddie's Coney Island on Halsted Road north

of 10 Mile Road, where wires and connections were exposed outdoors.

January meeting dates were scheduled:

- January 19 regular meeting
- January 26 Capital Improvements Plan (beginning at 5:30 pm)

Commissioners Fleischhacker and Blizman said they would be absent January 26.

February meeting dates were scheduled:

- February 9 study session (if necessary)
- February 16 regular meeting

Commissioner Blizman said that January 19 would probably be his final meeting on the Commission. He had been serving 30 years, and felt it was time to step down at the end of his term, which would end in February.

Chair Rae-O'Donnell thanked Commissioner Blizman for his service.

ADJOURNMENT:

Seeing that there was no further discussion, Chair Rae-O'Donnell adjourned the meeting at 10:03 p.m.

Respectfully submitted,
Steven J. Stimson
Planning Commission Secretary

/cem