

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

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

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

Commissioners Absent: Blizman, Schwartz

Others Present: City Planner Stec, City Engineer Darnall, City Attorney Schultz, Planning
Consultants Arroyo and Tangari

APPROVAL OF AGENDA

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

Motion carried unanimously.

PUBLIC HEARING

A. SPECIAL APPROVAL PLAN 61-5-2016

LOCATION:	26811 & 26789 Orchard Lake Rd.
PARCEL I.D.:	22-23-15-429-080 & 81
PROPOSAL:	Addition to existing MI School of Professional Psychology in a RA-2, One Family Residential District
ACTION REQUESTED:	Special land use and site plan approval
APPLICANT:	Steven Schneemann, S3 Architecture
OWNER:	Ted T. Selever

Diane Blau, President of the Michigan School of Professional Psychology, 26811 Orchard Lake Road, Farmington Hills, was present on behalf of this application. Hanna Matievich, S3 Architecture, 23629 Liberty Street #200, Farmington MI was also present.

Ms. Blau thanked the Commission for working with them to move this proposal forward. They were here tonight to discuss changes they had made to the proposed site plan and to report on their due diligence in terms of contacting Oakland Community College (OCC) regarding parking on that property. They were seeking approval of the requested special land use and also site plan approval.

Ms. Blau further explained that the Planning Commission had asked them to contact OCC regarding parking on that property. They had done this, and because there was no sidewalk and the resultant liability it would present for OCC, and because of the high cost the Michigan School of Professional Psychology would have to pay to park at OCC, parking there was not a viable option. Their own insurance company also felt the liability was too great to pursue that option.

Ms. Matievich addressed the following points in the Giffels Webster/Clearzoning review letter dated September 7, revised September 14, 2016:

- Comment #10: The applicants were removing the 3 parking spaces from the front yard. Since the building was barrier free everywhere, they would be able to relocate those spaces.

- Comment #22: The applicant's intent was to leave as much as the natural landscape as possible. There were already mature trees in the front; they would provide infill/extra planting where necessary. They were proposing a small retaining wall along the east side drive aisle so they didn't have to cut away from the land so that no trees would be removed from the front yard.
- Similarly, along the south side they had proposed a 30-inch berm with additional plantings, as well as the same retaining wall that would allow them to not cut away from the land and not remove more trees.

Ms. Matievich said if there were other issues, they were open to receiving a conditional approval, and they were open to including a masonry wall as well.

Chair Rae-O'Donnell asked if the applicants had received a copy of the August 4, 2018 letter from Mr. and Mrs. Wright. Ms. Blau said they had received this.

Utilizing overhead slides and referring to the review letter already referenced (September 7, 2016, revised September 14, 2016) Planning Consultant Arroyo gave the review for this application, which was for a special land use approval and site plan approval for the repurposing of an existing building with outdoor seating and parking lot improvements.

Planning Consultant Arroyo noted that all parking would now be in the side and rear yards. Setback requirements were met. There would be no direct access from Orchard Lake Road.

Special Approval Uses in the RA-2 District were subject to the regulations of Section 34-4.10; these were met. Also Section 34-6.3 Special Land Use and Special Approval Use Standards had to be met.

Outstanding issues included:

- The ordinance did not have a specific parking requirement for this use. A total of 42 proposed parking spaces had been provided, including 2 accessible spaces. The Planning Commission should make a finding regarding whether or not the parking was adequate.
- A hedgerow, wall or berm (2 feet) and additional greenbelt screening were required along Orchard Lake Road.
- The plan note regarding a 30-inch berm proposed along perimeter areas should be reflected in a topo plan showing grades that reflected the location of the berm. It was possible that this berm could satisfy the 2-foot screening requirement in the front yard, but some supplemental plantings might be necessary.
- The site plan did not provide for the required 6' high wall or berm adjacent to a residential use to the west and south. The ordinance did allow the Commission to make a determination that vegetation met this 6-foot screening requirement. As already noted, a 30-inch high berm with plantings was proposed. Also, some vegetation existed. The white spruce trees proposed to the south of the parking area should provide good screening. The residential area to the west was partially screened by existing vegetation, but additional documentation was required to demonstrate that a screen equivalent to a 6-foot high wall would be provided. Supplemental plantings would probably be necessary.

Commissioner Orr initiated a discussion regarding the requirement for a wall and whether a retaining wall would meet the requirement. Planning Consultant Arroyo read from Section 34-5.15 *Walls and berms*, which gave the criteria for permitting a wall less than 6 feet.

Commissioner McRae asked if the screening wall to the west would be at the property line. Planning Consultant Arroyo said the screening wall would be closer to the parking lot, though the Planning Commission should determine whether or not they accepted this. In this case, the topography would place the wall lower than the parking lot if it were located at the property line.

Commissioner Fleischhacker asked if the Commission had the ability to approve the location of the wall other than at the property line, since the ordinance required the wall to be located along the lot line. City Attorney Schultz said that the City had moved walls in the past, when placing the wall at the property line was an inferior option.

Chair Rae-O'Donnell opened the public hearing.

Adam Wright, 26722 Holly Hill Drive, Farmington Hills, MI said that he wanted to make sure the neighborhood behind the subject property was taken into consideration. He did not want to see a 6-foot wall at the rear property line. He noted that the property to the south bordered the main entrance to their subdivision.

Commissioner Fleischhacker responded to a concern in Mr. Wright's August 4, 2016 letter concerning changing the zoning to commercial. Commissioner Fleischhacker explained that the zoning would remain residential, and there were no plans to change the zoning to the south from residential to anything else. A special approval allowed this use in a residential neighborhood, but did not change the zoning.

Planning Consulting Arroyo suggested that along the western property line, a 36" berm with a 3-foot wall atop would meet the 6 foot screening requirement and would be less imposing than a 6-foot wall.

Commissioner Fleischhacker said that they had also approved 30" berms with trees planted atop.

Chair Rae-O'Donnell closed the public hearing.

Ms. Blau said they supported the idea of the berm with plantings atop. They wanted to preserve the natural environment as much as possible. They were fine with the location of the berm as discussed this evening.

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

MOTION by Fleischhacker, support by Orr, that Special Approval No. 61-5-2016 submitted by Steven Schneemann of S3 Architecture, be approved, subject to all applicable provisions of the Zoning Chapter, for the following reasons:

- 1. The use would not be injurious to the district and environs.**
- 2. The effects of the use would not be contrary to the spirit and intent of the Zoning Chapter.**
- 3. The use would be compatible with existing uses in the area.**
- 4. The use will not interfere with orderly development of the area and will not change the residential zoning of the area.**
- 5. The use will not be detrimental to the safety or convenience of vehicular or pedestrian traffic.**

And with the following conditions, all of which are subject to final administrative approval:

- The southern side of the parking lot be screened with existing trees supplemented with additional evergreen plantings along the edge of the parking lot.**
- A 30" berm with evergreens of a minimum height of 42" be installed along the western edge of the rear parking lot.**
- If, however, a 30" berm will result in the destruction of existing healthy trees at the northwestern corner of the parking lot, then minimum 6' tall evergreens be planted in the area to provide parking lot screening.**

MOTION approved unanimously.

MOTION by Fleischhacker, support by McRae, that Site Plan No. 61-5-2016, dated August 18, 2016, submitted by Steven Schneemann of S3 Architecture, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the following conditions to be addressed in a revised plan subject to final administrative review:

- **The 3 parking spaces located within the minimum front yard setback be removed.**
- **The southern side of the parking lot be screened with existing trees supplemented with additional evergreen plantings along the edge of the parking lot.**
- **The required parking lot screening along the western side of the rear parking lot be located at the edge of the parking lot as opposed to the western property line.**
- **The plan shall be revised as indicated by the conditions of the special use approval.**

MOTION carried unanimously.

MOTION by Fleischhacker, support by Orr, that Landscape Plan No. 61-5-2016, dated August 18, 2016, submitted by Steven Schneemann of S3 Architecture, 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 condition:

- **The landscape plan be revised to address the Special Approval and Site Plan approval conditions, so that the parking lot to the south will be appropriately screened, and so that residences to the west/northwest will be shielded from car headlights.**

MOTION carried unanimously.

In response to a question from Commissioner McRae, City Planner Stec said the City was responsible for the paper street to the west of this property. City Attorney Schultz said that this was the case as long as ownership was clear.

REGULAR HEARING:

A. REZONING REQUEST 3-8-2016

LOCATION:	29150 Twelve Mile Rd.
PARCEL I.D.:	22-23-12-376-035
PROPOSAL:	Rezone parcel currently zoned RA-1A, One Family Residential District to SP-1, Special Purpose District
ACTION REQUESTED:	Set for Planning Commission Public Hearing
APPLICANT:	Pioneer Health Care Management
OWNER:	Mike Yousif

Utilizing overhead slides and referring to the September 1, 2016 Giffels Webster/Clearzoning letter, Planning Consultant Arroyo gave the background for this application, which was to set the rezoning request for public hearing. The applicant was requesting a change in zoning from RA-1A to SP-1. The only use permitted in the SP-1 District was senior housing.

In response to a question from Commissioner Orr, Planning Consultant Arroyo confirmed that if the rezoning were approved, only senior housing would be permitted on the property.

Commissioner McRae commented that if for some reason the senior housing development did not go through, the property would not revert to single-family housing.

As the applicant was not present, Chair Rae-O'Donnell indicated she was ready for a motion.

MOTION by McRae, support by Stimson, that zoning Request No. 3-8-2016, petitioned by Pioneer Health Care Management, be set for Public Hearing on October 20, 2016.

MOTION carried unanimously.

B. SITE CONDOMINIUM 2, 2016

LOCATION:	South side of Folsom Rd., between Parker St. and Lundy Dr.
PARCEL I.D.:	22-23-34-252-019 to 036 and 043
PROPOSAL:	Subdivision of Land-Site Condominium plan (29 detached single-family homes) in RA-3, One-Family Residential District
ACTION REQUESTED:	Set for Planning Commission Public Hearing
APPLICANT:	Richard A. Golden
OWNER:	Richard A. Golden

The applicant had submitted a letter asking for this matter to be continued. However, as the applicant was present and wished to speak, Chair Rae-O'Donnell invited him to do so.

Richard A. Golden, 9437 Wooded Glen Avenue, Burke, VA, said that he had owned this property since the mid-1970s, and was trying to come up with a workable site plan. The property was heavily wooded, and approximately 1,600 trees would be disturbed. As a result the requirement was for \$274,000 to be placed in the City's tree fund. This was a devastating amount. They were working with staff in an attempt to moderate this amount. He hoped to return with a workable site plan for approval. They might consider asking for a cluster development.

Based on his experience in other cities, Commissioner Orr commented that the amount did not seem out of line to him.

Commissioner McRae indicated he was ready to make a motion.

MOTION by McRae, support by Mantey, that Site Condominium 2, 2016, petitioned by Richard A. Golden, be postponed to a date uncertain at the request of the applicant.

MOTION carried unanimously.

Commissioner Fleischhacker noted that the applicant had mentioned the cluster option, and he reviewed the process for that type of development. Commissioner Mantey added that if the applicant wanted to pursue the cluster option, one of the things he should demonstrate is that use of that option would save trees.

C. SITE AND LANDSCAPE PLAN 68-8-2016

LOCATION:	24730 Haggerty Rd.
PARCEL I.D.:	22-23-19-326-058
PROPOSAL:	Building additions and parking lot improvements to a Volvo automotive dealership in B-3, General Business District
ACTION REQUESTED:	Approval of site and landscape plan
APPLICANT:	Gary Laundroche of LaFontaine Automotive Group
OWNER:	MRL Farmington Hills, LLC

Utilizing overhead slides and referring to the September 7, 2016 Giffels Webster/Clearzoning review letter, Planning Consultant Tangari gave the background to this application. He reviewed existing conditions on the site. Outstanding issues included:

- The Planning Commission should discuss how and where loading and unloading was currently managed on the site and determine whether the lack of dedicated loading/unloading space on the site plan was an acceptable continuation of an existing condition.
- A pedestrian connection was not provided from the sidewalk along Haggerty Road.
- Regarding lighting, the applicant should confirm that the D-Series Size 2 lamps would be mounted as full cut-offs rather than at an angle. The average to minimum ratio was 4:1.1, slightly higher than the required 4:1 ratio.
- No dumpster was on site.
- No information on rooftop screening had been provided.
- No information regarding the appearance or height of the building additions had been provided.
- Missing notes on the tree survey must be included, as listed on page 2 of the review letter.

Vic Habersmith, Bloom General Contracting, 25601 W. Eight Mile Road, Redford MI was present on behalf of this application. Jason Longhurst, Nowak & Fraus Engineers, 46777 Woodward, Pontiac MI was also present.

Mr. Habersmith provided elevations to the Commission, as requested by Planning Consultant Tangari. Mr. Habersmith explained that they were proposing two small additions to the existing building and some minor parking lot improvements.

Regarding circulation and loading/unloading, they only received one vehicle delivery per week. Historically they did not have a dedicated loading site. There was room to circulate on the site, and they could provide a dedicated loading space if necessary.

Regarding other items, they did have a dumpster enclosure but no gates. Lighting would conform to ordinance standards. There was no new rooftop equipment being proposed, and rooftop equipment was not visible from Haggerty Road.

Commissioner Orr asked the location of the dumpster enclosure. Mr. Longhurst said this was in the northeast corner of the site.

Commissioner Orr asked if there would be a body shop on the premises. Mr. Habersmith said there was no body shop. There were 2 service bays.

Commissioner Orr asked if rooftop screening would be added to the new additions. Mr. Longhurst said they would be relocating one rooftop unit, and it would still be unseen from Haggerty Road. Commissioner Orr noted that the ordinance specified rooftop equipment had to be screened from all sides.

Chair Rae-O'Donnell asked about a pedestrian connection to the sidewalk along Haggerty. Mr. Longhurst said currently there was no connection. If required they could put a connection in.

Chair Rae-O'Donnell asked if the applicant had seen the review letter. Mr. Longhurst said they had seen the letter. They were looking for the Commission's agreement that this was not a full site redevelopment and asked that they not be asked to bring the entire site into full ordinance compliance.

Commissioner Fleischhacker explained that when this site was first approved for Saturn, the landscape trees were permitted to be placed around the perimeter rather than in parking islands, because at that time it was argued that sap from the trees would fall onto the new cars.

Commissioner Orr confirmed that there were no lot coverage issues with this proposal.

Chair Rae-O'Donnell confirmed that the Commission could find that the existing landscaping was acceptable. Commissioner Orr suggested that the property should be brought into conformance with the original landscaping plan. Some of the landscaping had deteriorated and was not acceptable.

MOTION by Orr, support by Fleischhacker, that Site Plan No. 68-8-2016, dated August 19, 2016, submitted by Gary Laundroche of LaFontaine Automotive Group, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the following determinations and conditions:

- **The screening of existing rooftop equipment is acceptable.**
- **The screening of any new rooftop units be reviewed administratively.**
- **All existing landscaping not impacted by the new plan be restored to the previously approved landscape plan.**
- **The provided elevation drawings are acceptable.**
- **A revised plan addressing the following items be submitted for administrative review:**
 - **Details showing that all new lighting will comply with ordinance requirements**
 - **A loading zone be shown on the plan**
 - **A pedestrian connection from the public right-of-way be provided**
 - **Opaque gates be installed on the existing dumpster enclosure**
 - **Elevation drawing of the proposed new additions be provided verifying that the additions are within the 40' height limit**

MOTION carried unanimously.

MOTION by Orr, support by Stimson, that Landscape Plan No. 68-8-2016, dated August 19, 2016, submitted by Gary Laundroche of La Fontaine Automotive Group, 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 determinations and conditions:

- **All existing landscaping not impacted by the new plan be restored to the previously approved landscape plan**
- **Previous approval to permit parking lot canopy trees to be located around the perimeter of the parking lot is still in effect.**

MOTION carried unanimously.

D. LOT SPLIT 6, 2016 (Final)

LOCATION:	21365 Goldsmith Rd.
PARCEL I.D.:	22-23-32-301-008
PROPOSAL:	Split existing parcel into two (2) parcels in RA-1, One Family Residential District
ACTION REQUESTED:	Approval of final land division
APPLICANT:	Toma Stanaj
OWNER:	Toma Stanaj

Utilizing overhead slides and referring to the September 8, 2016 Giffels Webster/Clearzoning review letter, Planning Consultant Arroyo gave the background for this proposal, which was to split a single lot into two parcels.

Planning Consultant Arroyo noted that the depth to width ratio of proposed parcel II was 6.6 to 1, which exceeded the 4:1 maximum in the Land Division Act 560.109(1)(b). Therefore the Planning Commission could not approve this lot split.

Planning Consultant Arroyo reviewed other aspects of this proposal. Outstanding issues included:

- Front yard setbacks would not be met by Parcel I. However, this was a nonconformity of an existing development.
- Soils in the western portion of Parcel II were hydric, meaning the area was substantially saturated by water, either seasonally or permanently.
- The southern end of the circular drive of Parcel I crossed into Parcel II as it reconnected to Goldsmith Road. Cross access easements must be provided in all locations where vehicular circulation required that users of one parcel must cross onto the other parcel to access public rights-of-way, and the easements must be shown on the plan. The encroachment of the existing drive onto the new parcel would need to be resolved.

Commissioner Mantey asked if the proposed lot line could be moved further south to avoid the issue with the driveway. Planning Consultant Arroyo said doing that would make the depth to width issue even worse.

In response to a question from Commissioner Orr, Planning Consultant Arroyo said that the lot line was measured at the property line, which was set back 40 feet.

Commissioner Orr confirmed with City Attorney Schultz that the Commission could not approve this lot split. City Attorney Schultz further explained that variance requests from the City Code were made to the City Council.

Jawad Defouni, J.A.D. Services, 5119 Highland Road, Waterford MI, was present on behalf of this application. Owner Tony Stanaj, 28315 Goldsmith, was also present.

Mr. Defouni spoke briefly about the proposal, saying that Mr. Stanaj wished to split the parcel. They had met with Engineering Manager Cubera regarding this request, and they hoped for a favorable outcome.

Chair Rae-O'Donnell explained that the Planning Commission could not approve this lot split request because it did not meet the depth to width ratio as required by State law.

MOTION by Stimson, support by Orr, that approval of Final Lot Split No. 6, 2016, submitted by Toma Stanaj, be denied because the proposed newly created lot exceeds the maximum lot width to depth ratio of 4:1 as required by state law.

MOTION carried unanimously.

E. COMMERCIAL BUILDING EXTERIOR LIGHTING REGULATIONS

Staff Planner Stec introduced this agenda item. The Commission had before them new proposed language based on discussion at last week's study session. This item, first heard by City Council at a public hearing on August 22, 2016, would return to the City Council agenda on October 24.

Planning Consultant Arroyo explained the new proposed language, including the new definition of Strip Lighting, which called out – though not exclusively – LED lights or neon tubes. Language was also added that *This definition shall not include any devices classified as a sign by the definitions and regulations in the Zoning Ordinance. Temporary lights otherwise regulated by this ordinance and deemed reasonable and appropriate by the City of Farmington Hills Building Official are also excluded from this definition.*

Last, 17-106.B.a was changed to read: *No direct light source shall be visible from any street or adjacent residential property unless the direct source is obscured or softened in appearance by use of a diffusing material.*

Roundtable discussion included:

- Examples similar to the presentation made to the Planning Commission at an earlier meeting would be shown to City Council.
- 17-106.B.d. needed to be changed from “~~window lighting~~ to *strip lighting*.”
- The last sentence of 17-106.A.(15) should be changed to read: “Temporary lights otherwise regulated by this ordinance ~~and deemed reasonable and appropriate by the City of Farmington Hills Building Official~~ are also excluded from this definition.” This wording would apply to holiday lighting.

Commissioner Fleischhacker noted that the new boutique across from Gordon Foods had flashing lights.

MOTION by McRae, support by Fleischhacker, to recommend to City Council the changes made this evening to the proposed language to amend the Farmington Hills Code of Ordinances by Amending Chapter 17, “Nuisances,” Article VII, “Performance Standards,” Section 17-106, “Lighting,” to address and define strip lighting and to regulate commercial building exterior lighting. These changes were for Council’s further review at the October 24, 2016 meeting, as requested.

MOTION carried unanimously.

APPROVAL OF MINUTES: August 11, 2016 and August 18, 2016

MOTION by McRae, support by Brickner, to approve the August 11, 2016 and August 18, 2016 minutes as presented.

MOTION carried unanimously.

PUBLIC COMMENT: None.

COMMISSIONERS’ COMMENTS:

Commissioner Mantey noted that the Harvest Moon Festival was happening this weekend in downtown Farmington.

Commissioner Orr asked if Gorman’s Warehouse could have retail warehouse sales. City Planner Stec said this was a permitted use.

Chair Rae-O’Donnell asked Staff to tabulate how many requests for senior housing had come before the Planning Commission in the last year.

City Planner Stec commented on the Evangelical Homes development at the old Sarah Fisher property. Evangelical Homes was already active in the Farmington Hills community and had come to the City with a solid plan for the

development.

ADJOURNMENT:

Seeing that there was no further discussion, Chair Rae-O'Donnell adjourned the meeting at 9:10 p.m.

Respectfully submitted,
Steven J. Stimson
Planning Commission Secretary

/cem