

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION PUBLIC HEARING/REGULAR MEETING
FARMINGTON HILLS CITY HALL – COUNCIL CHAMBERS
January 21, 2016, 7:30 P.M.**

Chair Topper called the Planning Commission meeting to order at 7:30 p.m. on January 21, 2016.

Commissioners Present: Blizman, Fleischhacker, Mantey, Schwartz, Stimson, Topper

Commissioners Absent: McRae, Orr, Rae-O'Donnell

Others Present: Staff Planner Stec, Staff Engineers Darnall and Nelson, City Attorney Schultz, Planning Consultant Arroyo

APPROVAL OF AGENDA

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

Motion carried unanimously 6-0.

PUBLIC HEARING:

A. SPECIAL APPROVAL AND SITE PLAN 75-12-2015

LOCATION:	34605 Twelve Mile Rd.
PARCEL I.D.:	22-23-16-104-014
PROPOSAL:	Addition of new accessory building for research and testing in OS-4, Office Research District and OS-2, Planned Office District
ACTION REQUESTED:	Special land use and site plan approval
APPLICANT:	Arboretum III, LLC
OWNER:	Arboretum III, LLC

Stanley Finsilver, Friedman Integrated Real Estate Solutions, 34975 W 12 Mile Road, Farmington Hills MI 48331, was present on behalf of this application. Utilizing overhead slides, Mr. Finsilver said they had a tenant, ZF TRW, who was proposing to take the entire Building 3. They were asking for Special Use approval for this tenant, and additionally they were asking for site plan approval for an additional building which was a garage that would have 8 lifts, and would be used for testing for units that displayed tire pressure and related technology. An open area in the garage would be left empty and would be used for testing radar around vehicles. There would be no truck loads or deliveries. The garage would be finished to match the existing building to maintain visual continuity in the Arboretum Office Park. There would be no additional dumpsters.

Regarding parking, the construction of the additional building would result in a loss of 57 parking spaces. Previously they had been approved for land-banked parking spaces. They would use some of these land-banked spaces in order to create an additional 66 spaces, thus increasing the parking spaces by 9.

Mr. Finsilver further explained that TRW would move their Global Electronics corporate offices and electronics testing facilities to the Office Park. This would result in approximately 100 additional employees in Farmington Hills.

Mr. Finsilver concluded his presentation.

Referring to the consultant's letter of December 16, 2015, and utilizing overhead slides, Planning Consultant Arroyo reviewed this request. He described the overall location, pointing out that there was split zoning on the

property, with a portion of the surface parking area that was adjacent to W12 Mile Road zoned OS-2, Planned Office District, and the remainder of the site which included the subject building and the proposed new garage zoned OS-4, Office Research District.

Planning Consultant Arroyo reviewed the criteria and specific standards for Special Approval Uses, noting that the ordinance did allow for research, testing, design, technical training or experimental product development with the special approval process in the OS-4 District. The Special Approval Use standards were met.

Regarding site plan review, Planning Consultant Arroyo said the applicants should provide a cut sheet of proposed wall pack lighting to verify that they were full cut-off. This could be reviewed and approved administratively.

Regarding the landscape plan, Planning Consultant Arroyo said that evergreen planting within a parking area required Planning Commission approval. The applicant was proposing to plant evergreens west of the garage, to shield the overhead doors.

Planning Consultant Arroyo concluded his review.

Commissioner Schwartz wondered what would happen to the parking garage – especially the large open area within it – when the current research was complete. What would it then be used for? Planning Consultant Arroyo said that if there were a substantial change in use, a new user or the current applicants would have to return to the Planning Commission for a site plan change approval. If the garage was ever converted to office use, they did have banked parking for the additional parking that would then be necessary.

Staff Planner Stec said that TRW could continue to use the garage for other prototype testing as long as they needed to do so. TRW was not limited to the prototype testing presented this evening.

Chair Topper opened the public hearing. As no one came forward to speak, Chair Topper closed the public hearing. No correspondence was received regarding this case.

MOTION by Fleischhacker, support by Blizman, that Special Approval request 75-12-2015, submitted by Arboretum III, LLC, be approved, subject to all applicable provision of the Zoning Chapter and that the proposed use is not contrary to the standards for approval as outlined in section 34-6.3 of Chapter 34, Zoning, 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.**
- 5. The use will not be detrimental to the safety or convenience of vehicular or pedestrian traffic.**

Subject to:

- Truck wells will not be added to the new building.**

MOTION carried 6-0.

MOTION by Fleischhacker, support by Blizman, that associated Site Plan 75-12-2015, submitted by Arboretum III, LLC, be approved subject to the following conditions:

- A revised plan be submitted for administrative review showing that all new wall mounted lighting is compliant with zoning requirements.**

- **The motion acknowledges the Planning Commission determines the proposed new trees in the parking lot are acceptable.**

Motion carried 6-0.

REGULAR MEETING:

A. PUD PLAN 3, 2015

LOCATION:	27400 Inkster Rd.
PARCEL I.D.:	22-23-12-476-008
PROPOSAL:	Planned Unit Development for assisted senior living in RA-1B, One-Family Residential District
ACTION REQUESTED:	Set for Planning Commission Public Hearing
APPLICANT:	Sarah Fisher Holding, LLC
OWNER:	St. John Health, DBA St. John Providence Health Systems

Utilizing overhead slides and referring to the January 14, 2016 review letter, Planning Consultant Arroyo reviewed this request, which was to set PUD Plan 3, 2015 for a public hearing next month. Planning Consultant Arroyo reviewed the location of this request and noted that the property was zoned RA-1B. The Planning Commission had previously reviewed this application on October 15, 2015. Since then the application had changed slightly, and the applicants were now seeking a final determination, which included a public hearing.

The applicant was proposing to construct a senior living community with independent living and assisted living options. The development would have 3 phases.

After giving a review of the PUD application generally, Planning Consultant Arroyo called out the only requested deviation so far, which involved building height: a maximum building height of 45 feet was proposed for several buildings not adjacent to the single family district to the west. The RA-1B District had a maximum building height of 30 feet.

Planning Consultant Arroyo pointed out that the applicant would also need to request a deviation in order to construct a senior care facility in an RA-1B District.

Planning Consultant Arroyo reviewed Request for Final Determination Process as outlined on page 3 of the review letter. After the public hearing the Planning Commission would make a recommendation to City Council, which was the approving body for a PUD. This PUD did not have site plan or landscape plan associated with it.

Planning Consultant Arroyo reviewed the Summary of Findings that began on page 4 of the review letter. He especially noted that one of the benefits the applicant was offering in this PUD was the restoration of 3 historic buildings; the applicant had received a Notice to Proceed from the Historic District Commission.

Planning Consultant Arroyo also noted that the applicants were providing fairly substantial open spaces as part of the development, including preservation of the way the creek ran through the property. There would be considerable improvements to infrastructure, including improvements to the sanitary sewer system. A storm water detention area would filter the release of storm water runoff. Pedestrian walkways and trails were also proposed.

The applicant's plan indicated that the proposed development would cover 14% of the lot, which was below the maximum of 35%.

Page 6 of the review letter noted that the property was identified in the Master Plan as Special Planning Area 3, with the narrative regarding this area in the Master Plan quoted on page 7. Especially the Master Plan stated that *it is ideal for the PUD option that could provide flexibility to accomplish the objectives of preserving the historic buildings, establishing residential use of most of the property and protecting some of the open space and the flood plain.*

Planning Consultant Arroyo reviewed the goals of the Special Planning Area (p. 7), including compatibility with the abutting residential uses, and traffic control because of the intersection, topography of the roads and the proximity of the bridge on Twelve Mile Road. The applicant had provided a traffic impact study with modified curb cuts, location of drives, and reconfiguration and design of all drives. Acceleration/deceleration and passing lanes would be required. The Engineering Division was still reviewing the changes in the access drives as shown from the previous submission.

Planning Consultant Arroyo reviewed the policies as outlined in the Special Planning Area, including using the PUD option as a means to accommodate the complexities of the site, with specific components of the site outlined.

Under the tree removal permit, Planning Consultant Arroyo said that 25 regulated and 37 landmark trees would be removed. Total required replacement would be 86 trees (25 regulated and 61 for the landmark trees). While this was not a landscape plan review, tree replacement locations had been conceptually shown and these had been included in the Commissioners' packets. Planning Consultant Arroyo was confident this standard could be met.

Planning Consultant Arroyo concluded his review.

Commissioner Schwartz asked for clarification/location of the proposed curb cuts. Planning Consultant Arroyo said there were 5 driveways on Inkster currently serving this property. These were being reduced to two curb cuts on Inkster, with one curb cut on 12 Mile Road. No curb cut was proposed for Cheswick Drive.

Commissioner Schwartz asked if the Planning Commission would be able to approve a site plan if the Commission recommended the PUD for approval. Commissioner Fleischhacker explained that the Commission would review the site plan after PUD approval.

Commissioner Blizman was concerned that the access off of 12 Mile Road was too close to the intersection of Inkster and 12 Mile Road. Staff Engineer Nelson said the Engineering Division had not yet approved this access; the Division also had concerns regarding the access on 12 Mile Road.

Staff Planner Stec said that there was an entryway sign for Sara Fisher at the corner of 12 Mile and Inkster Road. This was an historic marker and would remain.

Chair Topper invited the applicant to present.

James T. Pappas, Fusco, Schaffer & Pappas Architects, 550 E. Nine Mile Rd, Ferndale, MI was present on behalf of this application, as well as other members of the PUD team. He explained that they were still in the planning process but felt this PUD application was ready to move to a public hearing. Regarding the access on 12 Mile Road, this was necessary in order to allow access to contiguous buildings, better access to and view of historic buildings, etc. The 2nd drive on Inkster was a service drive only. They felt adding the access from 12 Mile was a significant benefit to residents and visitors. They would work with the Engineering Division to resolve any issues.

Commissioner Blizman said he was not opposed to the access on 12 Mile Road; he just wanted to know how it would work.

In response to a question from Commissioner Blizman, Mr. Pappas said the 45-foot height of the buildings was to the midpoint; the actual height of the pitched roofs would be 4-5 feet more than that. Mr. Pappas explained the height of the buildings as presented, explaining different height requirements due to undulations in the grade changes, etc.

Chair Topper asked about heights of nearby buildings, including the Providence Building and the buildings across Inkster in Southfield. Planning Commissioner Stec said he could have this information for the public hearing.

Seeing that there was no further discussion, Chair Topper brought the matter back to the Commission.

MOTION by Schwartz, support by Stimson, that P.U.D. Plan No. 3, 2015, submitted on December 18, 2015 by Sara Fisher Holding, LLC be set for Public Hearing by the Planning Commission on February 18, 2016.

Motion carried 6-0.

**B. AMENDMENT TO PUD PLAN 1, 2011 AND SITE PLAN 76-12-2015
(PREVIOUSLY: PUD PLAN 4, 2015 AND SITE PLAN 76-12-2015)**

LOCATION:	28975, 29199, & 29221 Orchard Lake Rd.
PARCEL I.D.:	22-23-10-227-039, 041, 042
PROPOSAL:	Amend PUD Plan 1, 2011 to include 28975 Orchard Lake for the construction of a new self-storage and retail building in B-3, General Business District; LI-1, Light Industrial; and P-1, Vehicular Parking Districts
ACTION REQUESTED:	Set for Planning Commission Public Hearing
APPLICANT:	Nolan Real Estate Investments, LLC
OWNER:	U.S. Tool and Cutter Co.

Utilizing overhead slides and referring to the January 11, 2016 review letter, Planning Consultant Arroyo reviewed this request, which was to set Amendment to PUD Plan 1, 2011 and Site Plan 76-12-2015 for a public hearing next month. Planning Consultant Arroyo explained this application was an amendment to a previous PUD Application (PUD Plan 4, 2015 and Site plan 76-12-2015). The present application was adding property at the south end to the previous PUD, in order to construct a similar storage facility as the EZ storage facility to the north.

Planning Consultant Arroyo reviewed general information regarding this project, as outlined on pages 1-2 of his review letter. He noted that there was split zoning on the property: LI-1, Light Industrial District and P-1 Vehicular Parking District. This was the only LI-1 District in this area. He reviewed surrounding zoning districts of RA-2 to the west, B-3 to the north and south, and B-4 across Orchard Lake Road.

Planning Consultant Arroyo said that there was an option on the plan to remove an existing curb cut at the very southern end of the property, replacing it with landscaping and parking. The curb cut to the north utilized by ABC Warehouse would also be used for the proposed storage facility. The Fire Marshall would require the existing driveway be stubbed to the south. Right now there was curb at the southern neighbor's property. If a similar curb was put at the southern end of the subject property, Fire Department vehicles could drive over the

curb if an emergency occurred. Planning Consultant Arroyo suggested that this solution be put forward for consideration as part of the public hearing.

Planning Consultant Arroyo reviewed the minimum requirements a PUD must meet, as set forth on page 3 of his review letter. In order to meet the requirement *dedication or set aside open space areas in perpetuity*, perhaps an open area to the west and southwest of the proposed building, in the area zoned P-1, could be landscaped, thus providing a less intense use than P-1 and improving the site.

Also, removing the curb cut as previously described did provide a public benefit in terms of safety and public welfare.

Planning Consultant Arroyo noted that this area was part of a study area in the Master Plan. The proposal was generally consistent with the goals and objectives of the Master Plan. The proposed development could meet two of the goals of the Master Plan: enabling the consolidation of current unrelated sites and implementation of the PUD option. The sharing of access and parking between the existing ABC warehouse and the proposed development could be considered a consolidation. The proposal incorporated the policies of sharing driveways and eliminating vehicular separation between uses. The Planning Commission should determine if the proposed development was sufficient in meeting the goals and objectives of the Master Plan for this area.

Regarding site plan review, the proposed PUD would require a deviation approval in order to allow retail uses in LI-1 and P-1 Districts. Also an essentially obsolete building would be demolished. There were some dimensional requirement issues, somewhat caused by the unique zoning in this area. Minimum rear yard and minimum side yard setbacks were not met. However, the resultant structure would be similar to the storage unit to the north and would match the pattern and rhythm of what was already going on there.

Planning Consultant Arroyo said that new calculations regarding front yard open space needed to be submitted before the Public Hearing.

Regarding lighting, Planning Consultant Arroyo said that not all the lighting standards were met and more information regarding lighting was needed. The applicant should provide catalog cut sheets of fixtures to verify that all were full cut-off. He was particularly concerned that the light levels at the west property line might exceed the one-third foot candle standard. The applicant should review #13 on page 8 and revise the lighting plan to show full compliance. Where appropriate, notes should be added to the plan to indicate full compliance.

Wall details were also not provided. The ordinance required a 6-foot high wall or berm.

Regarding landscape plan review, landscape requirements did appear to be met, with the following exceptions:

- A tree planted in the parking lot island must be provided with an open area not less than 180 square feet with a minimum radius of three feet at the trunk of the tree. The applicant should verify that this standard had been met.
- A landscape cost estimate must be provided for administrative review.

Regarding the tree removal permit, Planning Consultant Arroyo said that the standards were met. With this, Planning Consultant Arroyo concluded his review.

Commissioner Fleischhacker expressed concern that the home to the immediate west of the proposed storage facility was as close as it was. When the Commission approved the storage facility to the north, it was noted that the home to the immediate west of that facility was set further away than in the current instance. The applicants were asking to move the proposed building closer to the residential property line than the ABC Warehouse was.

Chair Topper disclosed that she rented storage in the existing EZ Storage warehouse. She affirmed this would not affect her neutrality.

Commissioner Stimson asked the height of the ABC Warehouse and the existing EZ Storage facility. Staff Planner Stec said that while he did not remember the exact height, he thought EZ storage was close to 40 feet tall. ABC Warehouse was shorter.

In response to a question from Chair Topper, Planning Consultant Arroyo said that there was room to move the proposed building forward without encroaching on the front yard setback. This would impact parking, however.

In response to a question from Commissioner Blizman, Planning Consultant Arroyo said that he felt the setback deviations required would result in a positive for the neighborhood, as the resulting use would minimize the LI-1 use in the area, and the proposed structure/use would be more in line with what was desired along Orchard Lake Road.

Staff Planner Stec said that if the proposal were built under the standards for an LI-1 District, the applicants could build to 50 feet high. The applicants were choosing to build a lesser height in order to better fit in with the B-3 District and the overall massing of the area.

Commissioner Stimson asked if an easement might be a better solution than the curbs along the south property line. Planning Consultant Arroyo said this would be a question for the applicant.

In response to a comment from Commissioner Mantey, Staff Engineer Darnell said any reduction of curb cuts along Orchard Lake Road reduced safety hazards.

Chair Topper invited the applicant to speak.

Bill Bowman, Great Northern Consulting Group, Nolan Real Estate Investments, 1785 W. Stadium, Suite 202, Ann Arbor, MI, was present on behalf of his application. He said if they moved the building forward, they would lose front parking, which would make first floor retail impractical. If required to do this, they would be better off just constructing a storage building in the LI-1 District. They were trying to provide something much better than that. He spoke about the benefits of partnering with ABC Warehouse, with whom they had a great relationship, and the benefits provided by constructing the new building under a PUD, including lengthening the service road, eliminating a curb cut, providing more green space than what was there now, cleaning up and beautifying the rear of the existing LI-1 property, and providing shared parking. He did explain that by putting in the access road they would not be able to meet the 50-foot setback and 50% open space requirement. He felt this was more than offset by the benefits of continuing the service drive and extending the connection among businesses there. They could develop the property without applying for a PUD as a use by right; however, the PUD was to everyone's benefit. There would be green space behind the building and they would have no problem dedicating the green space into perpetuity, as mentioned by Planning Consultant Arroyo. The marginal access road made the whole property more functional.

Seeing that there were no further comments, Chair Topper brought the matter back to the Commission.

Commissioner Blizman asked if the issue of the curb cut and the stub at the south end of the marginal access road had been resolved. Mr. Bowman said they would be able to remove the southern curb cut and provide the stub street as requested.

Commissioner Stimson asked the applicant to reach out to the southern property owner to see if an easement there was possible. Mr. Bowman said he was willing to do this; however an easement would require the

southern property owner to lose parking spaces. Mr. Bowman confirmed that emergency vehicles would be able to go over the curbs, but this ability did not require an exact line up between the 2 properties.

MOTION by Schwartz, support by Blizman, that revised P.U.D. Plan No. 1, 2011, including Site and Landscape Plan 76-12-2015, submitted on December 18, 2015 by Nolan Real Estate Investments, LLC, be set for Public Hearing by the Planning Commission on February 25, 2016.

Motion carried 6-0.

C. SITE AND LANDSCAPE PLAN 70-9-2015

LOCATION:	29036 & 29024 Grand River Ave.
PARCEL I.D.:	22-23-36-304-016 & 022
PROPOSAL:	Convenience store and gas station in B-3, General Business District.
ACTION REQUESTED:	Approval of Site and Landscape Plan
APPLICANT:	Mohamed Nassar of MDN Real Estate Investment, LLC
OWNER:	MDN Real Estate Investment, LLC; Mohamed Nassar

Utilizing overhead slides and referring to his review letter of December 14, 2016, Planning Consultant Arroyo gave the background for this application, which was for site improvements for the expansion of an existing gas station and convenience store. The applicants had purchased the property to the west and were now proposing the entire site as a single development.

Planning Consultant Arroyo explained that on November 19, 2002 the ZBA had granted variances for the eastern half of the site. These included (1) a 19.33 foot variance to the required 25 foot setback to Grand River in order to erect a canopy, (2) a 534 square foot variance to the required 1,450.5 square foot landscape area adjacent to Jacksonville, (3) a variance from the required 10 foot parking setback from Grand River and from a portion of Jacksonville, and (4) a variance from the requirement that there be a landscaped area not less than 10 feet deep abutting Grand River and a portion of Jacksonville.

The building that existed on the west had a zero foot setback, which meant that when the properties were combined there was no front yard and two exterior side yards.

The proposed use was a gas station, convenience store and tenant space. The B-3 District did permit gas stations.

Planning Consultant Arroyo said that the applicant should include a note on the plans stating that there should be no motor vehicle storage on the property.

Planning Consultant Arroyo noted that off street loading could be permitted in an interior side yard. However, the combination of the properties basically created 3 street frontages and no interior side yards.

Regarding landscaping adjacent to the street, the applicant had not provided this requirement along the western portion of Grand River Avenue, but in their letter dated November 30, 2015 had alluded to an expansion of the landscaping to this area.

Regarding front yard open space, the 50% open space requirement was not met. However, the applicant was increasing the open space, going from 18.7% to 23.8%.

Regarding parking, 18 spaces were required; 17 were provided.

Requirements for screening between the public right-of-way and parking, and screening between uses had been met.

Regarding the location of a dumpster enclosure, the applicants did not have an interior side yard for correct placement.

Regarding exterior lighting, the pole-mounted fixture located near Jefferson along Grand River on the corner of the site appeared to be encroaching on the public right-of-way. This situation should be addressed.

Regarding exterior lighting levels of illumination, it looked like the lights along Grand River exceeded ordinance standards. Lighting requirements were met regarding the standards for existing residential. The lighting was existing; the Planning Commission should determine whether a waiver of lighting requirements was warranted.

Planning Consultant Arroyo concluded his report.

Mohamed Nassar, MDN Real Estate Investment, LLC, 29036 and 29024 Grand River Avenue, Farmington Hills MI was present on behalf of this application. He spoke to the changes being made and said they were waiting for city approvals to make the appropriate improvements to the site. Mr. Nassar pointed out that the dumpster had been located in the exact same spot in the past, before the properties were combined. He would prefer not to have to go to the ZBA.

In response to comments from Commissioner Schwarz and Commissioner Fleischhacker, Planning Consultant Arroyo said the Commission did not have authority to grant this request without variances being granted by the ZBA for loading in an exterior side yard and parking space relief (1 space). The Commission could determine that the dumpster loading space and the front yard open space did not need variances, based upon longtime existing use (dumpster space) and reducing a nonconformity (open space).

In response to a question from Chair Topper, Planning Consultant Arroyo said that he felt the landscaping was acceptable as proposed. If the Planning Commission was also comfortable with the landscaping as proposed, the Commission could approve this without a ZBA variance.

In response to a question from Chair Topper regarding lighting, and after brief discussion, Mr. Nassar said that lighting would meet City standards. The two light poles on Grand River would not be used. Planning Consultant Arroyo said that these two lights should be removed from the lighting plan and the poles and fixtures removed from the site.

MOTION by Fleischhacker, support by Blizman, that Site Plan No. 70-9-2015, dated November 30, 2015 submitted by Mohamed Nassar be approved because it appears to meet all applicable requirements of the Zoning Chapter, noting that the location of the dumpster in an exterior side yard can remain as an existing condition and that while still deficient, the increase of the front yard open space from 18.7 to 23.8% is an improvement to an existing non-conformity, subject to the following conditions:

- **A variance permitting the loading area in an exterior side yard is granted by the ZBA.**
- **A variance for the 1 parking space deficiency is granted by the ZBA.**
- **A revised site plan is submitted for administrative review showing that the two light poles with fixtures along Grand River on parcel 23-36-304-022 will be removed.**

Motion carried 6-0.

MOTION by Fleischhacker, support by Schwartz, that Landscape Plan No. 70-90-2015, dated November 30, 2015, submitted by Mohamed Nassar be approved because it appears to meet all applicable Zoning Chapter requirements and applicable Design Principles as adopted by the Planning Commission.

Motion carried 6-0.

Chair Topper called a brief break at 9:05 p.m.
Chair Topper reconvened the meeting at 9:13 p.m.

D. SITE AND LANDSCAPE PLAN 73-12-2015

LOCATION:	24400 Drake Rd,
PARCEL I.D.:	22-23-21-351-024
PROPOSAL:	Parking addition to existing site (Enterprise Rent a Car) in B-3, General Business District
ACTION REQUESTED:	Approval of Site and Landscape Plan
APPLICANT:	Melissa Degen, Enterprise Rent a Car
OWNER:	F.R.E.P. Farmington Hills, LLC

Utilizing overhead slides and referring to the January 12, 2016 review letter, Planning Consultant Arroyo gave the background for this request, which was an application for a parking lot expansion for an existing vehicle rental establishment located at 24400 Drake Road. The property was zoned B-3 General Business.

Planning Consultant Arroyo said this was a principal permitted use. He reviewed standards for the B-3 District on page 2 of the review letter, and noted that standards for the parking area were met. No new building was proposed. The parking setback was met, as it was set back 14 feet from the edge of the driveway; 10 feet were required. There was a discrepancy on the plan in that 48 spaces were provided but 43 were shown on Sheet C1.1 – this should be corrected. 26 spaces were required.

Regarding the landscape plan, tree and shrub plantings appeared to meet City standards. There were some landscape plan notes and details that needed to be reviewed administratively, including changing plastic snow fencing to wood. Plastic fencing around trees was not permitted and must be wood fencing or similar materials.

Planning Consultant Arroyo concluded his review.

Melissa Degen, Enterprise Rent a Car, 29301 Grand River Avenue, Farmington Hills MI was present on behalf of this application. She explained that they were requesting additional parking to the south of their building. The correct number of spaces was 45, two of which were barrier free spaces. The spaces would be shared between their two lots. They would be removing the existing driveway and then creating a cut-through from their existing parking lot as well as a stub connection to the new Mirage Theater further south. They would be keeping the existing trees and add three more trees along with burning bushes as shown on the plan. The landscape notes would be corrected.

Seeing that there was no further discussion, Chair Topper brought the matter back to the Commission.

MOTION by Blizman, support by Stimson, that Site Plan 73-12-2015, dated December 18, 2015, submitted by Melissa Degen, Enterprise Rent a Car be approved because it appears to meet all applicable requirements of the Zoning Chapter.

Motion carried 6-0.

MOTION by Blizman, support by Stimson, that Landscape Plan 73-12-2015, dated December 18, 2015, submitted by Melissa Degen, Enterprise Rent a Car be approved because it appears to meet all applicable Zoning Chapter requirements and applicable Design Principles as adopted by the Planning Commission, subject to:

- 1. A revised plan be submitted for administrative review addressing the items in the January 12, 2016 Clearzoning review letter.**

Motion carried 6-0.

E. SITE PLAN 74-12-2015

LOCATION:	35700 Twelve Mile Rd.
PARCEL I.D.:	22-23-08-400-012
PROPOSAL:	New accessory building (gymnasium) to existing place of worship, in RA-1, One-Family Residential District
APPLICANT:	Dr. Mohammad Bitar
OWNER:	Islamic Cultural Association

Utilizing overhead slides and referring to the January 13, 2016 review letter, Planning Consultant Arroyo gave the background for this application, which was a request for the construction of an accessory structure to be used as a gym in conjunction with an existing place of worship and community building, as part of the Islamic Cultural Association's Muslim Community Mosque.

Planning Consultant Arroyo explained that if the gymnasium were connected to the original building by a breezeway, it would be treated as part of the principal building. The applicant should clarify that this link between the two buildings was planned, and provide design details of the breezeway structure.

Regarding parking, the applicants had explained that no additional parking would be needed as this building would be essentially used by children.

Planning Consultant Arroyo said that item C on page 3 of the review letter had called out a need to calculate the height of the new structure. Staff Planner Stec had worked with the applicant and that calculation was now on the plan in the Commissioners' packets.

Staff Planner Stec explained that using the standard calculations at the midpoint, the height of the building was 21.75 feet tall, with the height from the ground to the peak at 31.4 feet.

Hakim Shakir, Engineering Services, Inc., 32332 Schoolcraft Road, Livonia MI was present on behalf of this application. He explained that the height was necessary as this building would have a basketball court.

In response to a question from Commissioner Fleischhacker, Mr. Shakir said the breezeway would connect the main building to the new building.

In response to a question from Chair Topper, Mr. Shakir said the gymnasium would be constructed with a steel framework, similar to a golf or tennis bubble.

Commissioner Blizman asked if the applicant would have to submit plans regarding the new building and the breezeway. Staff Planner Stec said that plans would need to be submitted.

MOTION by Blizman, support by Fleischhacker, that Site Plan 74-12-2015, dated December 15, 2015, submitted by Dr. Mohammad Bitar, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the following condition:

- 1. A revised plan be submitted showing the details of the proposed breezeway connecting the new gymnasium to the main building.**

Motion carried 6-0.

F. LOT SPLIT 6, 2015 (Final)

LOCATION:	East side of Tuck Rd., north of 21160 Tuck Rd.
PARCEL I.D.:	22-23-35-402-001
PROPOSAL:	One lot into three lots, RA-3, One-family Residential District
ACTION REQUESTED:	Approval of final land division
APPLICANT:	Terry Sever
OWNER:	Crosswind Court Corp., Leo Soave

Utilizing overhead slides and referring to the January 13, 2016 review letter, Planning Consultant Arroyo gave the background for this application, as well as the following 3 applications (Lot Split 7, 2015, Lot Split 8, 2015 and Lot Split 9, 2015). This application asked to split one lot into three lots. There were some structures on the original parcel. The existing home on new parcel B would remain.

Planning Consultant Arroyo explained that with the four lot split requests, pieces of the newly split lots needed to be attached to other lots. This would become clear moving forward.

Planning Consultant Arroyo said there was a paper street along the north side, along with a proposed new cul-de-sac bulb. Part of this proposal was to construct the new street on the north, along with the cul-de-sac bulb. The lot that was furthest to the east had a wetland. There was some encroachment on the wetland into the road area. MDEQ might require a permit in order to construct the cul-de-sac.

City Attorney Schultz said that he would like to research further the cul-de-sac, which was being laid over a couple of platted lots. While he thought this was probably okay, he did want some time to research all possible issues. However, the Planning Commission had a responsibility to give a decision regarding these lot split requests within 45 days of receipt of the request, which was December 18, 2015. Also, apparently a previous request for a land division had come before the Planning Commission in 2005.

City Attorney Schultz described the four different lot splits requested this evening. Lot splits 6 and 7 seemed relatively straightforward. However, Lot Splits 7 and 8 were a little more problematic. The application that had come before the Planning Commission in 2005 contained the area where the cul-de-sac bulb was proposed. It was not clear that that split had been approved, and City Attorney Schultz wanted more time to look at that. At this point the Commission had two options:

1. If the lot splits were approved this evening, Splits 8 and 9 would need to be conditioned on (a) that they were previously approved and (b) that the cul-de-sac could be overlaid on the existing platted lots.
- or-
2. Consideration of the lot splits could be held over until the next Planning Commission meeting.

Chair Topper said she would like to have all the information before making a decision.

Commissioner Mantey confirmed that environmental permitting had to happen for the cul-de-sac construction. Any approving motion could include a condition requiring MDEQ approval. City Attorney Schultz explained this would automatically be a part of any Engineering Division approval.

Commissioner Schwartz confirmed that the paper road to the north had to be constructed in order for this development to work.

City Attorney Schultz said DEQ approval and the construction of the paper road (Kentfield) would be things the Commission normally discussed but would not normally stop an application from going forward. The Engineering Division would take care of those things. The Planning Commission was only approving the divisions of the parcels. The only reason he had spoken as he had was because he needed to make sure the cul-de-sac could be overlaid on existing platted lots. He wanted to confirm that (a) the City had done this once before and (b) it was not an issue. An approving motion could be made that conditioned any approval on the appropriateness of the cul-de-sac.

Commissioner Stimson wondered if this should go through a condo plan. City Attorney Schultz explained that any lot split into more than 4 lots would have to go through the condo planning process. However, in the present instance each lot was not being divided into more than 4 lots.

Planning Consultant Arroyo added that some of the splits requested tonight required that other splits be approved. The lot splits requested were all interrelated.

Commissioner Schwartz wondered if the lots could be made smaller. Planning Consultant said this would be challenging given the dimensions of the parcels.

In response to a comment from Commissioner Blizman, Planning Consultant pointed out that there was a structure that needed to be removed from the property represented by Lot Split 6. There were no other significant issues.

Commissioner Schwartz thought the proposed lots were larger than those in the Kimberly subdivision to the south. Commissioner Mantey disagreed, saying that Parcels C, D, and E looked to be almost exactly the same size as the parcels to the south.

In response to a comment from Commissioner Mantey, City Attorney Schultz reviewed the various lot lines of the proposed lot splits.

Chair Topper invited the applicant to speak.

Terry Sever, 1883 Teakwood, White Lake Township, was present on behalf of this application. He reviewed the history of lots in Farmington Hills, as they related to water and sewer developments in the City. He said the neighboring subdivision was developed under an open space plan, which allowed them to have smaller lots. In the proposed development, all the lots met the 12,500 square foot area requirement. Tonight's proposal conformed to state and local regulations regarding lot splits. Other issues belonged to the Engineering Division.

Mr. Sever said that when this had been previously submitted a MDEQ permit was applied for the cul-de-sac as well as the paving of the paper street. This had been approved in 2005 but had not been built because of the downturn in the economy.

Mr. Sever said that all the splits met the dimensional standards for the zoning district. When there was an uneven amount of land the excess land went to the abutting parcel in order to meet the dimensional requirements. The bottom line was the lot splits should be approved based on lot split regulations, subject to Engineering Division approval. Approvals could also be conditioned on approval by the City Attorney.

In response to a question from Chair Topper, Mr. Sever said the homes would be single family.

City Attorney Schultz said he was fine with the proposals moving ahead as long as Lot Splits 8 and 9 were conditioned on the ability to place the cul-de-sac bulb over the platted lots.

Commissioner Mantey pointed out that if the cul-de-sac bulb was built one lot to the west, just as many homes could be built without filling in any wetlands. However, without a wetlands ordinance, this was difficult to require. City Attorney Schultz agreed, saying that a wetland was not a basis to vote against the lot split. He Commission had discretionary authority based on whether or not this was a harmonious development for the area.

After a brief discussion regarding process for the four motions, Chair Topper said she was ready to move forward.

MOTION by Blizman, support by Stimson, that Final Lot split 6, 2015, submitted by Terry Sever, 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, subject to the following condition:

- 1. Lot Split 8, 2015 receive final approval.**
- 2. Final Engineering Division approval.**

Motion carried 6-0.

Later in the meeting (see below, after action on Lot Split 7) this motion was re-opened as follows:

MOTION by Schultz, support by Blizman, to reconsider the Motion to Approve Final Lot Split 6, 2015.

Motion carried 6-0.

MOTION by Blizman, support by Stimson, to add as a 3rd condition to the approval of Final Lot Split 6, 2015:

- 3. Removal of existing structure and driveway.**

MOTION carried 6-0.

G. LOT SPLIT 7, 2015 (Final)

LOCATION:	21160 Tuck Rd.
PARCEL I.D.:	22-23-35-402-002
PROPOSAL:	One lot into two lots, RA-3, One-family Residential District
ACTION REQUESTED:	Approval of final land division
APPLICANT:	Terry Sever
OWNER:	Crosswind Court Corp., Leo Soave

MOTION by Blizman, support by Stimson, that Final Lot Split 7, 2015, submitted by Terry Sever, 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, subject to the following condition:

- 1. Lot Splits 6 and 8, 2015 receive final approval.**
- 2. Final Engineering Division approval.**

Motion carried 6-0.

Chair Topper noted that the motion for Lot Split 6 had omitted a condition regarding the removal of accessory structures. At this point the motion for Lot Split 6 was reconsidered, as noted above.

H. LOT SPLIT 8, 2015 (Final)

LOCATION:	Vacant parcel east of 21160 Tuck Rd.
PARCEL I.D.:	22-23-35-402-006
PROPOSAL:	One lot into two lots, RA-3, One-family Residential District
ACTION REQUESTED:	Approval of final land division
APPLICANT:	Terry Sever
OWNER:	Crosswind Court Corp., Leo Soave

MOTION by Blizman, support by Fleischhacker, that Final Lot Split 8, 2015, submitted by Terry Sever, 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, subject to the following condition:

- 1. Lot Splits 6, 7 and 9, 2015 receive final approval.**
- 2. Confirmation of prior approval of this land division by the Planning Commission.**
- 3. Confirmation by the City Attorney of the ability to place the proposed cul-de-sac bulb over the existing platted lots.**
- 4. Final Engineering Division approval.**

Commissioner Mantey said he would oppose this motion as it did not include a requirement for MDEQ approval.

Motion carried 5-1 (Mantey).

I. LOT SPLIT 9, 2015 (Final)

LOCATION:	Vacant parcel east of parcel 22-23-35-402-006
PARCEL I.D.:	22-23-35-402-007
PROPOSAL:	One lot into two lots, RA-3, One-family Residential District
ACTION REQUESTED:	Approval of final land division
APPLICANT:	Terry Sever
OWNER:	Crosswind Court Corp., Leo Soave

MOTION by Stimson, support by Blizman, that Final Lot Split 8, 2015, submitted by Terry Sever, 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, subject to the following condition:

- 1. Lot Split 8, 2015 receive final approval.**
- 2. Confirmation of prior approval of this land division by the Planning Commission.**

- 3. Confirmation by the City Attorney of the ability to place the proposed cul-de-sac bulb over the existing platted lots.**
- 4. Final Engineering Division approval.**

Commissioner Mantey said he would oppose this motion as it did not include a requirement for MDEQ approval.

Motion carried 5-1 (Mantey).

APPROVAL OF MINUTES: December 17, 2015

Motion by Fleischhacker, support by Blizman, to approve the minutes of the December 17, 2015 and meeting as submitted.

Motion carried unanimously 6-0.

PUBLIC COMMENT: None

COMMISSIONER'S COMMENTS:

Chair Topper noted that the next meeting was next week, January 28. Staff Planner Stec reminded the Commission the January 28 meeting would start early, with dinner at 5:30 p.m. and meeting at 6:00.

ADJOURNMENT:

Seeing that there was no further discussion, Chair Topper adjourned the meeting at 10:23 p.m.

Respectfully submitted,

Steven Schwartz
Planning Commission Secretary

/cem