

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION REGULAR MEETING
February 13, 2014**

The Planning Commission meeting was called to order by Chair McRae at 7:30 p.m. on February 13, 2014 in the Council Chambers.

Commissioners Present: Blizman, Fleischhacker, Mantey, McRae, Orr, Schwartz, Stimson and Topper

Commissioners Absent: Rae-O'Donnell

Others Present: Planner Mark Stec, Staff Engineer Tammy Gushard, Attorney Tom Schultz and Planning Consultant Rod Arroyo

APPROVAL OF AGENDA

Chair McRae suggested placing item A. at the end of the agenda.

MOTION by Blizman, support by Topper, to approve the agenda as amended; with item A moved to the end of the agenda.

Motion carried unanimously: 8 -0.

REGULAR MEETING

B. SITE PLAN 52-1-2014

LOCATION:	32769 and 32729 Northwestern Highway
PARCEL I.D.:	22-23-02-178-001, 002
PROPOSAL:	Hotel (Holiday Inn Express) in a B-3, General Business District
ACTION REQUESTED:	Approval of Site Plan
APPLICANT:	Jimmy Asmar of NWH Holdings, LLC
OWNER:	NWH Holdings, LLC

Planning Consultant Arroyo discussed the review letter dated February 5, 2014. He stated the 3.29 acre subject property is located on the south side of Northwestern Highway and east of Orchard Lake. The Applicant is proposing to construct a 107 room, 15,844 square foot Holiday Inn Express & Suites and renovate an existing restaurant. There are two existing, one-story restaurants on the property. The building in the northwest portion of the site will be removed. The existing 7,400 square foot Hellas Restaurant will remain. A new building entrance addition will be constructed in the rear of the restaurant. An existing section on the west side of the building will be removed to accommodate the hotel.

Mr. Arroyo said the property is made up of two smaller parcels, which are surrounded by a large parking area. The property is zoned B-3, General Business District. The property abuts B-3 zoned property to the north and east. The property abuts OS-1 Office Service District, RA-4 One Family Residential District and B-3 zoned property to the west. The property abuts P-1 Vehicular Parking District zoned property to the south. He said a hotel is a principal permitted use in the B-3 District subject to two conditions:

- a. It can be demonstrated that the ingress and egress do not conflict with adjacent business uses. This standard is met. And b., each unit shall contain not less than two hundred fifty (250) square feet of floor area. This standard is met.

Regarding parking as mentioned in number 7, Mr. Arroyo said the front yard parking setback requirement is met. The Applicant has not provided front yard open space calculations, but it appears that this standard is met as well, but it is not shown on the plan.

Regarding number 8, Mr. Arroyo said the required front yard setback is 25 ft., side yard setback is 10 ft., and rear yard setback is 20 ft. The front yard setback is met for both the hotel (62 ft.) and the restaurant (105 feet). Side yard setback is met for the hotel (38 feet) and the restaurant (55 feet). Rear yard setback is also met for the hotel (205 ft) and the restaurant (188 feet). The site plan notes the incorrect rear yard setback requirement for the B-3 District. (It should be stated as 20 feet rather than 30 feet.)

Mr. Arroyo spoke about item 9, and parking, he said more information was needed to determine adequate space on the adjacent property. He said hotels require one parking space for each unit plus one space per employee. Restaurants require one space for each 85 square feet of usable floor area. Since the hotel has 107 units and 10 employees, 117 parking spaces are required. The Applicant did not provide a floor plan of the restaurant, but rather used 80% to calculate the usable floor area. Therefore, based on 5,920 sq ft of usable floor area, the restaurant requires 70 parking spaces. Thus 187 total parking spaces are required for the site. It does not appear that the outdoor dining area at the restaurant was included in the parking

calculation. This should be confirmed by the Applicant. Outdoor dining areas require one parking space per 75 sq ft of usable floor area. The site plan proposes 183 parking spaces located on the subject site, and 14 spaces located on the adjacent property to the west. It appears that an Enterprise Car Rental company is located on this property, but the Applicant has not provided any additional information.

Mr. Arroyo said in the instance of dual or multiple use sharing of off-street parking spaces, the Planning Commission may reduce the number of required parking spaces upon review of a shared parking study submitted by the applicant that appropriately documents that fewer spaces are necessary than required to serve the peak demand of all uses combined. He said since the site plan proposes sharing of parking spaces among the restaurant, Holiday Inn Express & Suites, and the parcel to the west, he recommended that the Applicant provide a shared parking study documenting the peak demand for uses on both lots in order for the Planning Commission to determine if the amount of parking provided is sufficient. Permission from the adjacent property owner and a plan of the entire adjacent site - showing parking calculations – should be provided.

Mr. Arroyo said the plan shows a loading zone that is partially located in the interior side yard and the rear yard of the restaurant. He said the loading zone should be provided in the ratio of at least ten square feet per front foot of the building. The loading zone is only 504 sq. ft. vs. the required 700 sq. feet for the restaurant. The standard is not met. A loading zone should be provided for each building on the site that receives or distributes materials or merchandise. The Planning Commission should determine if this applies to the hotel. If so, the Applicant should expand the size of the proposed loading zone to accommodate the hotel.

Mr. Arroyo noted the following items:

- The dumpster is located in the rear yard.
- Appropriate one-way traffic signage should be added to the canopy area.
- The Applicant should provide more information regarding the patio area located on the south side of the hotel.
- A two foot high masonry wall or hedge is required to screen the front yard parking areas from the public right-of-way. Shrubs ranging in height from 1-1.5 feet on top of a small berm are provided along Northwestern Highway. Many of the shrubs are in poor condition and more plantings are needed to provide the desired screening. The landscape plan should address this.
- The proposed building height is approximately 47 feet and includes four floors. Per Ordinance, the maximum building height in the B-3 District is 40 feet; so the Applicant will require a variance for the proposed building height.
- The site plan shows a 4 foot high brick wall that that extends along the west side of the property abutting the OS-1 and RA-4 zoned properties, as well as along the full extent of the rear property line that abuts the P-1 zoned property. Per Ordinance, the height of the wall abutting a residential district should be 6 ft. The existing wall does not meet this requirement. Deciduous trees should be planted adjacent on the subject site adjacent to the wall. The Planning Commission may permit a wall to be less than 6 feet high after considering the following:
 - a. The height of existing nearby walls;
 - b. The effectiveness of the wall in screening adjacent property;
 - c. Variation in height would result in a significantly better-appearing wall when the length, in the opinion of the commission, is excessive;
 - d. The characteristics of the area being screened

Mr. Arroyo said a full landscape review will take place after site plan approval. He said a tree survey was provided showing a total of 75 trees were surveyed and 6 of the regulated trees will be removed. Six replacement trees will be provided. He said the Applicant has provided a photometric plan. Compliance with exterior lighting requirements will be determined at a later review. Compliance with the sign Ordinance will be determined at a later review. Tree fencing details and limits have been provided. The replacement chart has been checked and it is correct. The applicant should specify the location of the replacement trees on the landscape plan. Specific attention should be given to the area adjacent to the single-family residential area; and the Ordinance requires the tree survey be signed by a registered arborist or forester and a land surveyor.

Discussion took place regarding the required loading zone; and the possibility of placing the two loading zones side by side for each of the two buildings. Mr. Arroyo said it was important to determine how much demand the Applicant has for loading.

Applicant Jimmy Asmar of NWH Holdings, LLC; was present with Jim Butler, with Professional Engineering, 2430 Rochester Court, Troy.

Mr. Butler said there was a clerical error on item number four; it should be 200 feet, not 20 feet; a clerical error would be corrected on item number nine as well. Regarding parking, he concurred with Mr. Arroyo's analysis. He said Mr. Asmar and his father own the adjacent building to the south; and the

parking is under-utilized. He said they need another four spaces to comply with the Ordinance; the plan shows 14 spaces to the west of the site. He said they can prepare an easement agreement.

Mr. Butler spoke about the loading area for the restaurant. He said it can be expanded, but the amount for loading was not necessary, and all deliveries come through the front door.

Mr. Arroyo suggested the Applicant needs to have the official loading area be the shared loading space with the restaurant; and it should be shown on the plan. He said any incidental deliveries can use the front door as long as it is minimal such as smaller trucks; but semi-trucks would pose a problem. He said loading for Hella's was currently undersized, it is in the same corner, and the Applicant said they can expand it.

Mr. Butler spoke about item 16, and said the intent was for a one-way circulation. He said the patio and outside seating area is on the south side, adjacent to the indoor pool. He referred to the two foot high masonry wall or hedge to screen the front yard parking areas from the public right-of-way. He said they need to increase the shrubs along the berm long Northwestern Highway; and it will be indicated on the landscape plan. He said they would need to address the building height variance with the Zoning Board of Appeals.

Mr. Arroyo pointed out the four foot high wall; and said there was some space for additional landscaping for more height to meet the intent of the Ordinance.

Discussion took place regarding the landscaping requirement to help provide screening for the RA-4 Zoning District.

MOTION by Blizman, support by Fleischhacker, that Site Plan 52-1-2014, dated January 21, 2014, petitioned by Jimmy Asmar of NWH Holdings, LLC, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the plan being revised to show the following:

1. Required vegetative screening along wall separating site from RA district
2. Include required shrubs providing screening along Northwestern from parking area
3. Tree replacement plan is provided
4. Expansion of loading zone
5. All clerical errors on site plan are corrected
6. Deficiencies identified in Feb. 5' 2014 Clearzoning review letter are addressed

The following additional items must also be addressed:

1. A variance is required for the height of the building
2. The existing 4' wall separating the site from the adjacent RA District is adequate
3. Any necessary shared parking and/cross access agreements are provided
4. It is substantiated that a single shared loading zone will adequately serve both the hotel and restaurant.

Motion carried unanimously: 8 -0.

C. SITE AND LANDSCAPE PLAN 53-1-2014

LOCATION: 27831 Orchard Lake Rd.
PARCEL I.D.: 22-23-10-476-044
PROPOSAL: Drive-in fast food restaurant in a B-3 General Business District
ACTION REQUESTED: Approval of Site and Landscape Plan
APPLICANT: Retail Equity Partners Holdings, LLC
OWNER: Orchard Lake Enterprises, LLC

Planning Consultant Arroyo discussed the review letter dated February 4, 2014. He said this was a Preliminary Site Plan and Landscape Plan Review of a Burger King drive-thru restaurant located at 27831 Orchard Lake Road; and the property is zoned B-3, General Business District. He said the 0.568 acre subject property is located at the northwest corner of Orchard Lake Road and 12 Mile Road. The Applicant is proposing to construct a 2,873 square foot Burger King drive-thru restaurant on an existing vacant property. The property abuts B-3 zoned property to the north, west and east, and ES Expressway Service zoned property to the south. A drive-thru restaurant is a principal permitted use in the B-3 district, subject to the following standards:

- a. Drive-in restaurants shall provide a building setback of at least 60 feet from any street right-of-way. Signs and other structures shall provide setbacks required in Section 34-3.1. The building meets the 60 ft setback requirement for both Orchard Lake and 12 Mile Road. It should

be noted that the future Orchard Lake Road ROW is 150 ft. The proposed building meets the setback requirement for both the existing and future Orchard Lake ROW.

- b. No space set aside for the stacking of vehicles waiting to be served from a drive-in window shall be closer than thirty-five (35) feet to any adjacent residential zoning lot, except when such lot is occupied by use other than residential. *The subject site does not abut a residential zoned lot.*
- c. The zoning lot occupied by such use shall not abut an RA district unless the district is separated from the lot by a major or secondary thoroughfare. *The subject site does not abut a residential zoned lot.*
- d. Vehicular access drives to a drive-in restaurant shall be located at least 60 feet from the right-of-way of any intersecting street. *This standard is met for the existing access drive located off of both Orchard Lake Road and 12 Mile Road.*

Mr. Arroyo discussed setback standards and said the front yard setback of the proposed building is 75 ft. from the existing ROW and 65 ft. from the future ROW. The exterior side yard setback is 60 ft and the interior yard setback is 40 ft. The rear yard setback is 22.6 ft. All setback requirements are met. He said the front yard parking setback has been met for the existing Orchard Lake ROW but not for the future ROW. The parking spaces along Orchard Lake Road should be shifted westward 14 feet in order to meet the future ROW setback requirement (this includes the 10 ft greenbelt). A 10 ft landscape area has been provided along 12 Mile Road.

Mr. Arroyo expressed several concerns regarding the proposed layout of the site, including:

- a. As previously mentioned, the proposed site plan does not meet the front yard parking setback requirement for the future Orchard Lake ROW. Given the proposed layout, shifting the front yard parking to the west will eliminate the proposed maneuvering lane and encroach the proposed parking along the east side of the building.
- b. The dead end parking in the northeast corner of the property poses circulation issues.
- c. There is no by-pass lane proposed for drive-thru lane in the northern portion on the property. This will impact on-site circulation. If someone enters from Orchard Lake Road and turns right looking for a space, they are faced with a dead end.
- d. The plan does not note circulation arrows or on-site traffic signage, but can be addressed at final site plan consideration.

Mr. Arroyo said it should be determined which side is the front yard—12 Mile or Orchard Lake Road. He said the address is on Orchard Lake Road; the Ordinance allows the Applicant to make this decision; and they would be better off with 12 Mile as the front yard, and require a 10 foot greenbelt.

Mr. Arroyo said the Applicant has provided a floor plan of the proposed restaurant and the usable floor area is 924 sq ft, which means that 31 spaces are required. Since only 27 spaces are proposed, the Applicant will require a variance for the proposed plan. The lack of a by-pass lane, dead end parking in the northern portion of property, and on-site circulation issues will impact parking as well. He said a variance would be required from the Zoning Board of Appeals.

Mr. Arroyo said drive-through lanes must be separate from the circulation roads and lanes necessary for ingress to and egress from the property. This standard is not met. Given the proposed layout of the site, if several vehicles are queued in the drive-thru lane they will block circulating on-site traffic and may spill back onto Orchard Lake Road. He said drive-through lanes shall not use any space that is necessary for adequate access to parking spaces. This standard is not met. There are several parking spaces abutting the east side of the building that vehicles would have difficulty accessing if the drive-thru lane has a queue of three or more vehicles from the menu board. A by-pass lane is not provided along the full length of the drive-thru. A by-pass is located along the west side of the building, but a by-pass lane is not provided at the north end of the property. The width of the drive in this area does not permit a drive-thru lane and a by-pass lane. Drive-through lanes shall have a minimum centerline turning radius of 25 feet. This standard is not met. The turning radius on the east side of the drive-thru is 15 ft and the turning radius on the west side of the drive-thru is 20 ft.

Mr. Arroyo said the plan shows a loading zone in the rear yard, which is required. The loading zone should be provided in the ratio of at least 10 square feet per front foot of the building. The proposed zone is 524 sq ft vs. the required 560 sq ft. This can be addressed with a plan revision. Details regarding the screening of the dumpster need to be provided by the Applicant. Exterior building materials will predominantly be brick and metal panels. Information should be provided on future site plan submissions regarding screening of rooftop equipment.

Mr. Arroyo said a two-foot high masonry wall or hedge is required to screen the parking areas from Orchard Lake Road and 12 Mile Road. The proposed plan shows a 3 ft. high hedge along both roads. This standard is met. He said the Applicant has provided a photometric plan. Compliance with exterior lighting requirements will be determined at a later review; as well as compliance relative to signage.

Regarding the landscape plan, Mr. Arroyo said deciduous trees and evergreen hedges are proposed along the street perimeter with a focal area consisting of daylilies and ornamental trees. Deciduous shrubs and ornamental grasses are proposed as foundation plantings. The Applicant should provide a landscape cost estimate. Six parking lot trees are required with seven proposed; they should be located in landscape islands 180 square feet in size. The two Red Maples proposed adjacent to the Orchard Lake Road drive are located in undersized islands. The evergreen hedge proposed along the site frontage will adequately screen the parking lot. The tree planting detail must be revised to adhere to the City detail. Clear vision areas should be added to the plan to ensure proposed plantings will not interfere with driver visibility. The 4-TO label on the plan should be revised to 1-TO.

Commissioner Schwartz spoke about small site, the existing congestion southbound on Orchard Lake Road; the desire not to compound the congestion; and he said he did not think the site plan could be approved if it increased congestion. He noted the many notations in the Planning Consultant's report that indicated several Ordinance requirements were not met.

City Attorney Schultz stated that if the Applicant achieved the necessary variances, and all the Ordinance requirements were met, there would be an obligation to approve the plan.

Chair McRae invited the Applicant to respond regarding the stated concerns.

Applicant Scott Josephson, Millennium Construction, was present with Brad Brickel, Nowak and Fraus, 46777 Woodward Avenue, Pontiac.

Mr. Brickel spoke about the concern regarding vehicular stacking. He said the franchisee looks at a 2 to 3 space back-up from the menu board. He said they do meet the Ordinance requirement for six spaces; they do not anticipate it will stack up to Orchard Lake Road. He said it would be easily noticeable if the parking spaces were full. Regarding the pass lane, he said the Fire Department was in support of what they provided, with some conditions. He said they have accommodated the Fire Department, and he referred to their report on the last page of the packet. He said by-pass lanes are often not provided in many communities.

Chair McRae said the concern was not only on the part of the Fire Department. He inquired about the access lane and any discussions with the bank.

Mr. Brickel said the bank was not willing to compromise in any way. He said the Applicant intends to provide a cross access agreement and they have written confirmation.

Chair McRae noted the many standards that were not met in the plan.

Mr. Brickel said the issues were mainly the drive-through lanes and the issue relative to the 150 foot right-of-way to the north. He said if no parking was permitted along that stretch, the project would fail.

Discussion took place regarding the front yard setback along 12 Mile Road.

Chair McRae said it appeared that if the building was moved a few feet south, there would be enough room for an access lane.

Mr. Arroyo said another option would be to request a front yard setback variance, so the Applicant could provide an access lane.

Discussion took place regarding observations relative to an access lane.

Mr. Brickel said the plaza area was there because they met the front yard setback, and they tried to fit the building into the building envelope. He said they could move the building about five feet to the south, and increase the lane. He told Commissioner Blizman that the subject Burger King was not the owners of the location that closed further north on 12 Mile Road.

Commissioner Blizman said the Burger King on Northwestern Highway and 12 Mile Road was remodeled a few years ago, and they added some vehicular stacking space; yet excessive cars continue to stack. He said that was his concern with the subject project.

MOTION by Blizman, support by Schwartz, that Site and Landscape Plan 53-1-2014, dated January 21, 2014, petitioned by Retail Equity Partners Holdings, LLC, be denied based on the specific deficiencies identified in the Clearzoning February 4, 2014 review report.

It was stated that the landscape plan will need to be revised to reflect the revised site plan.

Motion carried unanimously: 8 -0.

D. SITE AND LANDSCAPE PLAN 54-1-2014

LOCATION:	Northwest corner of Twelve Mile and Orchard Lake Roads
PARCEL I.D.:	22-23-10-476-051
PROPOSAL:	Site and Landscape Plan for renovations to existing shopping center including a retail building and drive-in restaurant in B-4, Planned General Business District and B-3, General Business District
ACTION REQUESTED	Approval of Site and Landscape Plan
APPLICANT:	Susan Friedlaender
OWNER:	Orchard 12, LLC

Planning Consultant Arroyo discussed the review letter dated February 6, 2014. He said this was a Preliminary Site Plan, Tree Removal Permit, and Landscape Plan Review for building modifications and two new out lot buildings at an existing 7.23 acre shopping center at the northwest corner of 12 Mile and Orchard Lake Roads; property to be developed under a PUD, with 72,151 sq ft of floor area. He said the freestanding signs shall not exceed 12 feet in height and 160 square feet in area. The Applicant is proposing to modify an existing building and add two out lot buildings to the existing shopping center. The proposed site includes two parcels (A & B) and the site plan indicates three work areas (1, 2, and 3).

Mr. Arroyo said minor modifications were made to the dimensions of the two new buildings, as stated: b. Proposed Work Area 2 (Parcel A): Construct a stand-alone restaurant with drive-through. This building will have an area of 1,987 sq ft; and proposed Work Area 3 (Parcel B): Construct a new retail building that will have an area of 7,020 sq ft. Elevations were submitted. Landscape plan was reviewed, and the Applicant plans to add substantial additional green around the perimeter and parking area; and the plaza areas are being provided with pedestrian amenities.

Mr. Arroyo said the tree planting detail must be revised to adhere to the City detail. The yews located along the 12 Mile Road frontage should be substituted for a more salt tolerant species. Clear vision areas should be added to the plan to ensure proposed plantings will not interfere with driver visibility. He said these could be addressed in an administrative review.

Regarding the Tree Removal Permit, Mr. Arroyo said 40 trees are located on-site. Ten trees are slated for removal. Nine of these trees are in poor health or dead resulting in the required replacement of one tree. Tree fencing details and limits have been provided. The replacement chart has been checked and it is correct. The applicant should specify the location of the replacement tree. The Ordinance requires the tree survey be signed by a registered arborist or forester and a land surveyor. Some information on proposed LED exterior lighting has been submitted; however more information is needed to determine compliance with the ordinance. This is typically addressed with final administrative review. Regarding pedestrian and non-motorized access, there are two striped pedestrian crossing areas: one from Orchard Lake Road to the proposed drive-through restaurant and the second from 12 Mile to the proposed retail building.

Applicant Susan Friedlaender was present with Brad Brickel, Nowak and Fraus, 46777 Woodward Avenue, Pontiac.

Regarding loading, Mr. Brickel said they intended to place it back by the dumpster area, and that loadings and deliveries typically occur during off-hours. He said they have no problem with the modifications regarding tree plantings; they will show the replacement trees; and add the signature of the arborist.

Commissioner Blizman inquired about the proposed tenant for the site that was formerly Roosevelt's.

Ms. Friedlaender said the lease was rejected connected with bankruptcy issues involving that business, so to date, nothing has happened. She said the Applicant seeks a new tenant, they are aggressive marketers; interest has been expressed in that location; and they were working to finalize the Starbucks lease. She said the bike racks were installed.

Commissioner Fleischhacker inquired about lighting.

Ms. Friedlaender said the report does mention the lighting and that not all the information was included.

Mr. Arroyo said there were a few issues that needed clarification relative to the fixtures being full cut-off; and in the report there was a chart that showed a preliminary review of the lighting, and sheet P-1 has the lighting plan, and most of it was there. He said some finer items could perhaps be addressed administratively. Mr. Arroyo said a manufacturer's cut sheet was previously requested to reflect the details of the fixtures.

Mr. Brickel said they were utilizing existing poles and it is LED. He said everything that existed was being used and is what was shown.

Chair McRae said the Applicant previously discussed pedestrian-grade lighting along the plaza area; but Commissioner Fleischhacker's concern was about the parking lot lighting in terms of what it will look like and the location.

Commissioner Fleischhacker said the existing poles were unattractive; they were not down lit or shielded; the current plan does not address the lighting details asked for in October. He said if this site plan was approved at this meeting, the Planning Commission would not be able to see the site plan again.

Commissioner Orr pointed out that there are residential neighborhoods behind the L-shaped building. He said it was important to know the lighting details for the alley way and the entire site.

Discussion took place regarding the need for the Applicant to provide all the lighting information as requested by the Planning Commission since October, 2012.

Chair McRae inquired about the references on the plan relative to the finalized signage. Mr. Arroyo said the City Council approved the size of the sign in a separate application.

MOTION by Topper, support by Blizman, that Site and Landscape Plan 54-1-2014, dated January 21, 2014, petitioned by Susan Friedlaender, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the following conditions:

- **That all requirements be met as indicated in the Clearzoning review letter dated February 6, 2014, at the final administrative review;**
- **That parking lot lighting be indicated on the plan, meet the Zoning Ordinance, and be reviewed administratively**

Commissioner Fleischhacker said he opposed having the Planning Commission give up the lighting review. He said the Applicant had four month to provide the information for the Planning Commission and it still has not been provided. He said it should not be reviewed administratively, as it is a PUD and considerations have been made, and there is no reason why this could not have been brought back and presented as a site plan should have been presented to the Planning Commission at this meeting.

Discussion took place regarding procedure relative to a postponement; an option to have the Planning Commission consider approving the site plan with the exception of the lighting plan, and have a detailed lighting plan return to the Planning Commission as a separate item.

MOTION AMENDED by Topper, support by Blizman, that Site and Landscape Plan 54-1-2014, dated January 21, 2014, petitioned by Susan Friedlaender, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the following conditions:

- **That all requirements be met as indicated in the Clearzoning review letter dated February 6, 2014, at the final administrative review;**
- **That parking lot lighting be indicated on the plan, meet the Zoning Ordinance, and be reviewed by the Planning Commission as a separate item**

Discussion took place regarding the motion; the meeting schedule; whether the Planning Commission should see the entire plan once again, considering weather conditions; and that engineering details still need to be done on the site plan to be prepared for May.

Chair McRae said it would be appropriate for the light poles and the locations to be on the photometric analysis as well as the site plan. He said the lighting pole notes were not shown on the site plan and therefore the site plan was not complete.

Commissioner Blizman said there were upgrade expectations for this corner; and the expectation of uniform lighting to enhance this corner as a whole. He said this is what he would expect to see when the Applicant returns.

Chair McRae called the question.

Motion failed: 4- 4, with Orr, Mantey, Schwartz and McRae opposed

Discussion continued regarding the matter.

MOTION by Schwartz, support by Orr, regarding that Site Plan 54-1-2014, dated January 21, 2014, petitioned by Susan Friedlaender, be postponed to the March 13, 2014 Planning Commission meeting for the following revisions and additions:

- Address deficiencies in February 6, 2014 Clearzoning review letter.
- Lighting details provided including locations, type of shielding, height, photometric information, style and any other applicable ordinance requirements

Motion carried unanimously.

A revised plan submission deadline date of February 25, 2014 in order to be placed on the March 13 Planning Commission meeting was provided to the proponent by Staff.

MOTION by Orr, support by Blizman, regarding that Landscape Plan 54-1-2014, dated January 21, 2014, petitioned by Susan Friedlaender, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the following conditions, to be reviewed administratively:

- The Yews located along the 12 Mile frontage are substituted for a more salt tolerant species.
- Deficiencies in February 6, 2014 Clearzoning review letter are addressed

Motion carried unanimously.

A. SITE PLAN 51-1-2014

LOCATION:	29775 and 29709 Grand River Ave.
PARCEL I.D.:	2-23-35-281-001, 002
PROPOSAL:	Outdoor space for sale of motor vehicles in B-3, General Business District
ACTION REQUESTED:	Approval of Site Plan
APPLICANT:	Behrouz Oskui
OWNER:	Behrouz Oskui

Planning Consultant Arroyo discussed the review letter dated February 4, 2014. He said this was an application for site plan approval of outdoor space for sale or rental of new or used motor vehicles and 755 sq. ft. expansion of existing building. Property zone B-3, General Business District. He said this was the fourth review of the site plan for the property located at 29775 Grand River. At the April 25, 2013 meeting, the Planning Commission denied site plan approval because the site plan did not meet several Ordinance requirements. In particular, the Planning Commission highly recommended that the Applicant combine the subject property and the abutting property to the east, which is also owned by the Applicant. The revised site plan shows that the properties are now combined. The Applicant plans to remove the existing westerly building to provide a larger parking lot, and expand the size of the existing Lube Center.

Mr. Arroyo discussed concerns regarding the proposed layout, on-site circulation, and ingress and egress from the site onto Grand River. He referred to the review letter and the following:

1. The subject site, consisting of the combined parcels, is 0.55 acres (23,790 sq. ft.) and is located on the south side of Grand River and west of Middlebelt Road. A one-story, vacant building currently sits on the western parcel and an existing 1,800 sq. ft. Lube Center sits on the eastern parcel. The Applicant is proposing to remove the building on the western parcel, and construct a 755 sq. ft. addition on the east side of the Lube Center building.
2. The property abuts B-3 zoned property to the north, east and west, and RA3, One Family Residential District to the south.
3. The plans were developed by Ziad El Baba Engineering and received on January 2, 2014.
4. Outdoor space for sale or rental of new or used motor vehicles (the principal building in included a part of this use) is a Principal Use Permitted Subject to Special Conditions in the B-3 District, subject to the following:

- Access to the outdoor sales shall be at least 60 feet from the intersection of any two streets. This standard is not met as the westernmost access drive is only 20 feet from the intersection of Purdue Street and Grand River right-of-way. Additionally, the standard is not met for the intersection of Colgate Street and Grand River (28 feet provided).
- No major repair or major refinishing shall be done on the lot. The Applicant has previously confirmed that only minor repairs (ex: fixing a headlight) will be done within the building on the lot. Since the building has now changed to the existing Lube Center, the Applicant should confirm the type of repair work that will occur. Oil change service should be categorized as minor repair.

Mr. Arroyo stated that the building setback requirements are as follows: 25 ft. front yard setback; 20 ft. rear yard setback; 10 ft. interior side setback; 20 ft. side residential street setback. The front yard setback (32 ft.) and the rear yard setback (20 ft.) are met. The side yard setback (175 ft.) for the west side of the building is met. The side yard setback (2 ft.) of the addition from a residential street (Colgate Street) is not met. Since the Applicant is proposing to expand the building, it is no longer a non-conforming use and is subject to the 20 ft. requirement. The Applicant will need to request a variance from the Zoning Board of Appeals.

Mr. Arroyo explained that the site plan indicates that the three existing approaches along Grand River will remain as well as the access drive off of Colgate Street. This is a total of 4 access drives onto the site. This is too many access drives for a site this size and they pose a safety risk for vehicles entering and exiting the site. He recommended the removal of the easternmost and westernmost access drives off of Grand River. The center access drive can accommodate vehicles entering or exiting the site. He also recommended that the Applicant consider removing the access drive on Colgate Street. Similar to the property along Purdue Street, he recommended that a greenbelt be provided along Colgate Street.

Mr. Arroyo said parking may be permitted in the required front yard setback (25'), provided that the parking setback is not less than 10 feet. Also, an area within the front yard, including the 10 feet, shall remain as lawn or landscaped area, which is equal to the specified percentage of the area of the required front yard setback (50%). The front yard setback for the outdoor space for sale of motor vehicles meets the requirement. A 10 ft. greenbelt is proposed for the front yard along Purdue Street and a portion of the front yard along Grand River. The Applicant did not provide landscape calculation; however, it does not appear that the front yard open space requirement is satisfied. Per #9 below, if the Applicant removed the westernmost and easternmost access drives along Grand River, this would allow for more front yard open space and this requirement would be satisfied.

Mr. Arroyo said motor vehicle sales and service establishments require one parking space for each 100 square feet of usable floor space of sales room or three for each. The Applicant has previously indicated that the building does not have a showroom. Since the building will be used as both a dealership and a service center, customer parking spaces need to be provided for both. The proposed 755 sq. ft. addition is from where the dealership will operate. Therefore, 7 customer spaces are required for the dealership. Additionally, each service stall requires 3 parking spaces, which totals 6 customer spaces. In all, 13 customer parking spaces should be provided on the site. The plan proposes 22 total parking spaces; 17 dealership spaces, 2 employee spaces, and 3 customer spaces. Although the plan provides 22 total parking spaces, there is not enough customer parking spaces for the two uses proposed for the building.

Mr. Arroyo said the Applicant has not indicated whether an access and parking easement has been recorded for the two properties. This information should be provided.

Mr. Arroyo said there is a proposed one-way drive along the west side of the parking/display area. This drive leads to a one-way eastward drive along the south end of the parking area. It is unclear how the one-way aisle is to be separated from the adjacent alley. The Applicant should consider improvements that can be made to better define the circulation west of the building. The site plan should be revised to show signage for all one-way driveways on the site.

Mr. Arroyo said there is an existing wooden fence and landscaped area that screens the subject site from the adjacent residential district (on the residential side of the alley). The site plan notes that the existing fence will be replaced but no other details have been provided. The Applicant has provided additional details in the past, but this information needs to be included on the site plan. He said a 6-foot wall is required along the full length of the property (from Purdue Street to Colgate Street). Deciduous trees are required on the non-residential side. He said the Planning Commission can waive or modify this requirement when existing screening is provided. There are existing evergreens on the adjacent residential side that provide significant screening. Furthermore, the site plan should indicate that the wall will reduce in height to a maximum of 30" a point not less than 25 ft. from the intersection of the alley and the Purdue Street sidewalk to allow a clear vision triangle for vehicles (and for pedestrian safety).

Mr. Arroyo said the proposed dumpster is located in the side yard and 20 feet from the residential district, which meets the Zoning Ordinance requirement. He said the loading area should be provided in the rear yard only and in the ratio of at least ten square feet per front foot of building. The loading area should be 800 sq. ft. The proposed loading area is only 200 sq. ft. and therefore does not meet the requirement. The loading zone is located in the side yard, which requires approval by the Planning Commission. Furthermore, it appears that a truck would have difficulty accessing this area. Furthermore, it appears that a truck accessing the loading area may prevent vehicles from accessing the service stall entrances located on the south side of the building.

Mr. Arroyo stated that the maximum height of the building is 15.6 ft., which satisfies the building height standard for the B-3 District. He said compliance with signs will be determined at a later review. Interior

landscape islands within the parking lot have not been provided. A full landscape review will take place after site plan review. Curbing and appropriate radii will be required.

Chair McRae said the plan indicated an addition on the southeast end of the building. He asked if that was to be the location for the dealership area. He noted that the plan also indicated a new service area.

Mr. Arroyo said clarification was needed as to whether that area was for the service area or the dealership area; or is the dealership and lube in the same office. He said this could impact the parking spaces.

Commissioner Orr asked if the one-way area was to go all the property, beyond the landscaped area, and then traffic would turn northeast.

Mr. Arroyo said yes; and there was enough of a radius for a passenger vehicle to make a turn.

Applicant and engineer Mr. Ziad was present. He said the proposal was to combine the site, pending the site plan approval. He said they received comments from the Engineering Department to pave the alley, and the Applicant has no objection; and it would clarify the question regarding the one-way alley into their site. He said the area in back is a display area, not for customer or employee traffic.

Staff Engineer Gushard said that based on the current plan, it appeared that the Applicant will utilize the alleyway. She said if so, the Engineering Department would require that the Applicant pave the alleyway.

Commissioner Orr mentioned the existing wooden fence shown to be on someone else's property. He asked if there was an agreement with this other party.

Mr. Ziad said they have an agreement with the resident on the western-most corner; but they have not yet approached the resident on the eastern corner. He said they would be happy to replace the fence with masonry brick.

Commissioner Orr said this site plan was then contingent upon an agreement yet to be obtained, with a neighbor. He said while it may be a good idea to modify the wall on the far side of the alley, but at this point it is an unknown as to whether that particular neighbor would agree.

Discussion continued regarding procedure and the replacement of the subject wall on the eastern side of the alley.

City Attorney Schultz said it would be fair to table the matter until the Applicant has the conversation with the neighbor on the eastern side of the alley.

Mr. Bruce Behrouz Oskui, 41 Warner, Grosse Pointe Farms, said it was his father, Mr. Oskui's, understanding that the subject fence was on City property. He said the foundation was encroaching on the alley, and the wall is on City property. He said if that was the case, the City could approve it.

Mr. Arroyo said it is correct that if a wall was required to be provided, it must be on the Applicant's side of the alley. He spoke about the Planning Commission's ability to make modifications in unusual circumstances. He read Ordinance provisions from the Zoning Ordinance.

Commissioner Fleischhacker said the Planning Commission cannot waive this wall; and that it must go to before the Zoning Board of Appeals for consideration.

Discussion continued regarding the subject wall; whether it was on the far side of alley and the need to demarcate where the property ends; at what point does the alley become part of the property; the need for input from the Engineering Department; and the need for clarification relative to the dealership.

Mr. Ziad said the new addition was for a car dealer to bring in their car for cleaning or for minor repairs, like a headlight; not for major repairs. He said they will share the same office, cashier, and washroom. He said they have only two employees: the owner and his son.

Mr. Bruce Behrouz Oskui said they want to tear down the existing mechanic shop; and it will be lessening the use and the impact to the neighborhood.

Chair McRae said upon clarification, it would determine whether the number of proposed spaces is sufficient for the use

Mr. Bruce Behrouz Oskui said in the quick lube side of the business, most customers sit in their vehicle while it is being worked on, so no one goes into the waiting room, so they have an under-utilized office area. He said they would be improving this area.

Commissioner Mantey said he did not understand why there were 13 parking spaces for customers; and they would not be getting out of their cars for an oil change.

MOTION by Topper, support by Schwartz, regarding Site Plan 51-1-2014, petitioned by Behrouz Oskui, to postpone to date uncertain to allow Applicant to revise the site plan to address deficiencies indicated in the February 4, 2014 Clearzoning review letter; to meet with City Staff to address Engineering issues; and to determine exactly what Grand River curb cuts are to be eliminated.

Discussion took place regarding the Applicant's need to know the deficiencies.

Mr. Ziad inquired about the approaches and asked what to open and what to close. He expressed concern with closing too many approaches and making the site too tight. He said Colgate was proposed to be closed. Regarding the existing pavement on Purdue and Colgate, he said it stops halfway on their site, but they were asked to pave that location. He said it is close to 80 feet long. He said they agree to put the two foot wall back; as well as provide the hedges and shrubs. He said if they pave the alley, they want to use it to load and unload. He said they want to enhance the site, but would like more than one approach on Grand River Avenue.

Commissioner Fleischhacker clarified that a customer of the oil change business enters and pulls through the other side, so there are no back-ups and exit through the alley. He said curb cuts are in the purview of the Planning Commission. He said if the Applicant wants a fence instead of a wall, an agreement must be made. If it is on City property, that needs clarification; and it would need to go before the Zoning Board of Appeals. He said the Applicant should work with staff, and change the plans to not show the old building, but show it as one cohesive drive and show the circulation pattern.

Chair McRae said the Planning Commission can clarify their comfort level with the proposed parking spaces.

Mr. Arroyo discussed the calculations of the parking spaces for the waiting area and the oil change. He said it would be about 10 required spaces; and the Applicant has 22 spaces total; which would leave 12 display spaces for vehicles, and 10 to meet the Ordinance.

Discussion took place regarding the following:

- The location of the subject wall;
- That a postponement would provide time for clarification of some issues;
- Which curb cuts to close (Purdue closed, the one furthest west closed, leave open to on Grand River Avenue, and leave the one open on Colgate);
- The fence must be place on the Applicant's side of the property;
- The building setback;
- Procedure regarding postponement

Chair McRae called the question.

Motion carried: 7-1, with Blizman opposed

PUBLIC COMMENTS -- None

COMMISSIONER'S COMMENTS

Commissioner Fleischhacker commented about large road potholes west of the entrance to the 12 Mile Road development.

Regarding the authority to deny matters, Commissioner Schwartz said it was confusing and the subject be discussed at a future Study Session.

Commissioner Blizman said it was unfortunate that a gateway corner to the city was going to become a site for a fast food location; especially since efforts were taking place to improve that corner. He said the broader question is what is happening with development in Farmington Hills if all that is coming in is fast food or rather small mediocre investments. He spoke about vacancies at the Arboretum complex; potholes, with tax cuts in lieu of repair; the need to look at the vacant St. Vincent/Sara Fisher property.

Discussion took place regarding a possible new hotel; the shortage of good local hotels; and that companies no longer allow employees to stay a good hotels. Discussion took place regarding future dates.

ADJOURNMENT There being no further comments, Chair McRae adjourned the meeting at 9:46 p.m.

Respectfully submitted, Beth Rae-O'Donnell, Planning Commission Secretary

Minutes prepared by Cindy Gray shared/boards and commissions/planning/2014/minutes/02-13-14.doc