

**MINUTES  
CITY OF FARMINGTON HILLS  
PLANNING COMMISSION PUBLIC/REGULAR MEETING  
FARMINGTON HILLS CITY HALL  
COUNCIL CHAMBERS  
December 12, 2019, 7:30 P.M.**

Chair Schwartz called the Planning Commission meeting to order at 7:30 p.m. on December 12, 2019.

Commissioners Present: Brickner, Countegan, Mantey, McRae, Schwartz, Stimson, Trafelet,

Commissioners Absent: Orr, Turner

Others Present: City Planner Stec, City Attorney Schultz, Planning Consultant Tangari, Staff Engineers Seewald and Olson

**APPROVAL OF AGENDA**

**MOTION by Schwartz, support by Stimson, to amend and approve the agenda as follows:**

Under **REGULAR HEARING**,

- Item 5C will be heard first.
- Item 5B will be postponed to the February 2020 meeting.
- Item 5A will be heard second.

**MOTION carried unanimously.**

**PUBLIC HEARING**

**A. CLUSTER SITE PLAN 54-2-2019 (Revised)**

LOCATION:	19 acre vacant parcel on the North side of Ten Mile Rd., East of Orchard Lake Rd.
PARCEL I.D.:	23-23-351-035
PROPOSAL:	44 unit detached one-family cluster option subdivision in an RA-1 One-Family Residential District
ACTION REQUESTED:	Recommendation to City Council
APPLICANT:	Sherr Development
OWNER:	Joanne McQuade-Arnold

Roger and Stuart Sherr, Sherr Development, 31300 Orchard Lake Road, Farmington Hills, were present on behalf of this application for a cluster site plan for the 19-acre vacant parcel on the North side of Ten Mile Road, east of Orchard Lake Road, known as 23-23-351-035.

The applicants made the following points:

- This project was for detached single family homes, from 1600 – 2400 square feet, targeted to 1<sup>st</sup> time home buyers, “move-up” buyers, and empty nesters.
- The site was a difficult one, with woodlands and wetlands, and was perfectly suited for the cluster option.
- The site was qualified for the cluster option, for the higher of 2 permitted densities: 3.1 units per acre and up to 60 homes. The proposed site plan offered 44 homes, much lower than the density permitted

under the cluster option for this site.

- The development offered a transition from the commercial zoning to the west and south, to the single-family residential neighborhood to the east.
- On July 8, 2019, City Council had rejected the plan for 2 threshold reasons:
  1. Council wanted an access off 10 Mile Road, instead of the previously shown connection to Orchard Lake Road.
  2. The cul-de-sac was longer than 600 feet.
- The plan proposed this evening had an access off 10 Mile Road, thereby resolving both issues. However, the proposed development had lost the connection to Orchard Lake Road.
- The applicants had extensive discussions with the head of the Ridgeview Homeowners' Association, who was pleased with the plan presented this evening.

In response to questions from Chair Schwartz, the applicants gave the following information:

- The homes' selling price would start in the low to mid-\$300,000's.
- The proposed plan called for 44 units; the City Council motion on July 8, 2019 asked for 42 units.
- Removing two units from the plan would not have a practical impact on this plan; the main impact would be a negative economic impact for the applicants.
- City Council had previously approved a higher density – 3.1 dwelling units/acre – for this project.
- The proposed 44 units were well within the density guidelines for the cluster option. Affordability of units went hand-in-hand with density. Lowering density brought the price point up.
- The Commission had the authority to recommend a plan that fell somewhere between 2.2 du/acre and 3.1 du/acre. The submitted plan proposed 2.3 du/acre. The requested 42 units in Council's motion represented the minimum units allowed, even after Council had approved a higher density for this project.

In response to a question from Commissioner Brickner, the applicants said with this plan they now met the separation standards per Section 34-3.17.4.B.

Utilizing a PowerPoint presentation, and referring to his October 28, 2019 letter, Planning Consultant Tangari gave the background for this request. The full motion from the July 8, 2019 City Council meeting was included in the October 28 letter.

The following issues were still outstanding:

- The July 8, 2019 City Council motion had asked for the density to remain at 2.2 units per acre and 42 units total as originally proposed by the applicant.

Staff Planner Stec pointed out that the November 15, 2018 Planning Commission motion required that: *said site plan should be substantially similar to the document as presented this evening at approximately 2.2 units per acre.* Because a site qualified for the 3.1 du/acre did not mean that had to be granted; this was a discretionary decision by the Commission.

Commissioner McRae noted that he had made the motion in November 2018, and he felt the present plan at 2.4 units per acre met the *substantially similar* requirement of the motion.

- There was no buffering on the east of the site. Buffering was required by the ordinance, as described on pages 4-5 of the review letter. Based on discussions at the City Council meeting, there appeared to be an expectation that the applicants would provide a transition more substantial than what was

previously proposed. The Planning Commission should decide and make a specific finding as to whether or not the applicant's proposal satisfied the transition requirement.

The Commission discussed the buffer requirement issue. Many cluster option developments provided open space between the rear property lines and adjoining single-family residential neighborhoods. However, if setbacks of the underlying zoning district were met, including the side setback spacing, no buffer would be required at all.

Tonight's plan proposed to maintain as many as possible of the trees in the 10 foot buffer area at the rear property line, and supplement those existing trees "as needed" to create a stronger buffer.

The Master Deed would require that any plantings accepted as part of this plan be maintained and/or replaced into perpetuity.

Chair Schwartz opened the public hearing.

Michelle Murdoch, Ridgeview, said the residents were not particularly happy about this development, as claimed earlier by the applicants. Originally the applicants had said there would be no more than 34 units. She was concerned about an appropriate buffer being provided, about crime that might result when the stub street Paisley opened up, the loss of trees on the lot, traffic impact at 10 Mile and Orchard Lake, and the high water table. Also, there were frequent power outages on Ridgeview.

Norman Howard, Ridgeview, was also concerned about the frequent power outages and the impact of the new development on the electrical infrastructure. He wondered how wide the new street would be, and how many cars would be able to travel on the street. Were sidewalks required? Several Ridgeview residents walked the street daily; how would their safety be protected? He was concerned regarding rush hour traffic, especially traffic going west on 10 Mile Road at the access of the new development. Cut-through traffic might use Paisley and increase traffic on Ridgeview as a result.

Planning Consultant Tangari said the actual width of the street would be 60 feet, with back-of-curb to back-of-curb being 27 feet. The road would meet public road standards, and sidewalks were not required. If a car was parked on each side of the street, a moving car could carefully pass through them.

Sharon Brown, Rocky Crest, was concerned about the watershed area, especially as the water passed to the other side of Orchard Lake Road into the Stamen Acres subdivision.

Staff Engineer Olson explained that the engineering standards for detention ponds required the ponds to help limit the amount of water that leaves the site.

Seeing that no one else came forward to speak, Chair Schwartz closed the public hearing and invited the applicants to respond to comments that were made.

Roger Sherr reiterated that the road would be designed to public road standards. There would be room for 3 cars on the street. Sherr Development had experience working with nearby subdivisions for projects such as this one. They had been working with the head of the Ridgeview Association and had tried to address the concerns presented to them.

Mr. Sherr emphasized that the 2.2 du/acre referenced in the City Council motion was attached to a motion that addressed the threshold issues of 1) an entrance onto 10 Mile Road and 2) the length of the cul-de-sac, both of which issues had been resolved.

In response to a question from Commissioner Countegan, Mr. Sherr said the site plan distributed this evening was consistent with the plan submitted October 21, 2019 to the Planning Department.

In response to a further question from Commissioner Countegan, Planning Consultant Tangari explained the open space requirement had been met. City Planner Stec added that any affirming motion would need to include an escrow amount for open space improvement at 150% of the cost estimate for those improvements. Regarding landscaping, the landscape plan showed specific plantings along the east property line; the term “as needed” regarding future landscaping plans should be deleted wherever it occurred, and the plantings as shown on the landscape plan be required.

Commissioner Countegan said he would support this request, and made the following points:

- The residents should be assured that any water from this site would be retained on this site, per engineering standards.
- This property and plan represented a good cluster option for the site. The proposed plan did what the cluster ordinance was put in place to do, which was to address difficult parcels.
- DTE would need to resolve grid issues when 44 more homes were added to the area.
- The width of the road met local road standards, typical of all residential areas with local roads.
- Sidewalks were not required or provided.
- Connecting to Paisley Street would enhance public safety.
- He agreed with Commissioner McRae that the proposed density was substantially similar with what was discussed in November 2018.
- Regarding the 10-foot buffer on the east, it was difficult for the Commission to micro-manage that area. He felt staff would be able to work with the developer in order to come up with an escrow amount and a good plan that saved trees and vegetation where possible and practical. In any event, the final relationship was residential to residential. Requiring a row of arborvitae down the property line, for instance, was not the best option.

City Attorney Schultz pointed out that Per Section 34-3.17.4.E., the Commission was charged with making a finding regarding *that the abutting one-family district is effectively buffered by means of one of the following standards*, i.e., standards i. – vii, as listed on page 4 of the Planning Consultant’s review letter.

The Commission discussed whether the 10 feet of open space and vegetation between the development and the residents to the east constituted a buffer as required by the ordinance. There was concern that the rear 10 feet would be disturbed by drainage installation. It was noted that the 35-foot rear yard setback met the standard of the underlying zoning district, although because of the cluster option the homes were closer together than normally allowed.

Commissioner Countegan offered the following motion:

**MOTION by Countegan, support by McRae, that the Planning Commission grant tentative approval of Cluster Site and Open Space Plan No. 54-2-2019, dated October 21, 2019, submitted by Sherr Development, with the condition that the following items are submitted for administrative review:**

- **An open space cost estimate is provided and the open space escrow will represent 150% of the amount.**
- **The phrase “as needed” in reference to the landscape plantings along the eastern property boundary line is removed from all sheets, and replaced with “as shown on landscape plans and approved by City Administration.”**
- **City staff may require additional landscaping.**

**Further, the Planning Commission finds that the proposal meets the following transitional buffer requirements of Section 34-3.174.E:**

- **Standard iii.: The open space at the north end of the project meets the standard.**
- **Standard vi: The tree plantings and preservation of existing trees along the eastern property provides a transition buffer similar to open or recreation space.**

Commissioner McRae said he would support this motion. When the project first came before the Commission density was discussed, and the Commission made it clear they didn't want to see anything close to the maximum allowed density for this project. Also, the Commission had found that the cul-de-sac instead of the exit onto 10 Mile Road was appropriate because it allowed a connection to Orchard Lake Road as well as Paisley.

Commissioner McRae continued that when the plan was before City Council, Council determined that they wanted the exit on to 10 Mile Road, which changed the project, and the Orchard Lake Road exit was lost. He thought Council was clearly indicating that they wanted the Planning Commission to stay within the 600-foot cul-de-sac limit going forward. He noted that Paisley had been put in as a stub street in order to make a future connection, such as what was happening under this plan. Overall, this proposed project was a good option for the property and it met Ordinance requirements. The applicants had come in with an acceptable density. He felt it was the Commission's responsibility to recommend approval to Council so that it could be approved in its current form.

Commissioner Brickner said he would support the motion. Often when a new subdivision was developed, neighboring residents mourned the loss of trees and wildlife, but every subdivision was located where there had once been trees and wildlife.

Commissioner Countegan said that he felt the proposed plan met standard iii: *Open or recreation space*, in that larger areas around the end of the cul-de-sac was provided as open space. He felt the intent of the motion and the interpretation of the Commission was that, in this instance, the open space provided at the north end of the property met this requirement.

Commissioner Countegan said there was a need to look at this property in practical terms, including its qualification at a higher density, and the owners' right to develop the property. The property itself had unique topography including wetlands.

Roger Sherr asked if City Staff would have an “open check” regarding adding buffering to the east. Chair Schwartz said a reasonable amount of buffering had to be provided; without that it was difficult for the Commission to make a finding that buffering was provided.

Chair Schwartz said he would support the motion. Regarding City Council's July 8, 2019 motion, the proposed plan was now showing 44 units at 2.31 du/acre. He did not see any advantage to forcing the applicants to remove 2 units, in terms of changing the appearance of the development, but removing 2

units would affect the economic viability of the project. He felt the plan as presented responded to the spirit of Council's comments.

Seeing that discussion had ended, Chair Schwartz called the question.

**Motion carried unanimously.**

**B. SITE CONDOMINIUM PLAN 1, 2019**

LOCATION:	West side of Farmington Rd., North of Colfax Dr. and South of Stocker St.
PARCEL I.D.:	23-33-279-047
PROPOSAL:	Tentative approval of a 19 unit detached single-family home Site Condominium Plan in an RA-4, One-Family Residential District
ACTION REQUESTED:	Recommendation to City Council
APPLICANT:	SFO Partners, LLC
OWNER:	Floraluz Macaraig & Eulogio De Los Santos

Jim Butler, PEA Inc., 2430 Rochester Court, Troy MI was present on behalf of this request for tentative approval of a 19-unit detached single-family home Site Condominium Plan in an RA-4 district, located on the west side of Farmington Road, north of Colfax Drive and south of Stocker Street. Shadan Malik, SFO Partners, LLC, 785 River Bend Drive, Rochester Hills, was also present.

The applicants were proposing to develop the 6.65-acre parcel under the RA-4 standards. Parcels to the north, south and west were all zoned RA-4. The proposal met all requirements except for the layout of the detention basin, which was rectangular in shape and fronted on Farmington Road. 39 of the proposed trees would be planted around the basin in order to soften the rectangular line and shield the detention basin from view. Alternatively, they could install a water quality unit instead of a forebay, thereby gaining the ability to shape the pond in a more natural way.

In response to questions from Chair Schwartz, Mr. Butler said the pond needed to be in its proposed location because it would drain toward Farmington Road. If they had to shape the pond more naturally while retaining the forebay, they would lose at least one dwelling unit on this site.

Utilizing a PowerPoint presentation, and referring to his December 3, 2019 letter, Planning Consultant Tangari gave the review for this proposal. As Mr. Butler had said, all dimensional standards as well as Design Layout Standards were met, except for the shape of the detention pond.

In response to questions from the Commission, Staff Engineers Seewald and Olson gave the following information:

- The City did not typically approve a mechanical treatment system with an open detention basin, as mechanical treatment systems tended to clog up with debris. Sometimes stormwater agreements that required regular clean-out were not followed, and the water passed through an overflow and was not treated.
- They did not know how long mechanical systems typically lasted, or the cost of eventual replacement.
- Without analysis, it was difficult to know how much area the applicants would need in order to provide a detention pond with forebay in a natural shape, as required by ordinance.

Commissioner Mantey commented that tonight's request was for tentative approval, and as such Commission action could call out the detention basin as unresolved at this point. City Planner Stec agreed, noting that the applicant's options were to have a mechanical system approved by the Engineering Division, or to provide a natural shape as required, even if that meant decreasing the number of homes on the site.

Mr. Butler said PEA had significant experience with installing water quality systems, including with detention basins. Maintenance was critical, although in PEA's experience maintenance for a mechanical system was actually a little simpler than maintaining a forebay. Forebay maintenance often required the use of large equipment, where mechanical systems could be cleaned out just like catch basins were cleaned out.

Chair Schwartz opened the public hearing.

Vincent Ramirez, 33617 Stocker, opposed this project. He was concerned about the high water table in the woods and wetlands on this property, which was located behind his property. He felt the proposal would decrease property values in the area, would negatively affect wildlife on the property, and the quiet provided by the wooded lot. He was also concerned with drainage and flooding on neighboring properties, and whether SFO Partners had experience developing property in Farmington Hills.

Austin Banter, 21515 Farmington Road, said he had moved to his home about a year ago not knowing that the woodlands next to his property would be developed. He was concerned about wildlife and a negative impact on property values.

Derek Badrack (phonetic), Maplenut, City of Farmington, was also concerned regarding the wildlife, and the effect on property values in the area. He asked about the construction schedule and the price point of the new homes. Would any trees on his property be affected? He noted that the area also had power outage issues.

Theresa Ramirez, 33617 Stocker, was concerned about the price point of the new homes, whether or not the development would be maintained, and continuing drainage issues. She was also concerned with who was notified for tonight's public hearing.

Christopher Benge, 33603 Stocker, was concerned about drainage and storm water management, and asked what the rear yard setback would be.

Brian Barnett, 33700 Stocker, was concerned about drainage and storm water management. He also noted there was an owl that lived on the subject site, and he was concerned about destroying a wooded site in order to construct houses.

Kathleen Gariepy, 21524 Flanders, said her home was near the southwest corner of the property. She asked how much of the woods would be preserved for a buffer for the property owners on Flanders Street. Also, were there any plans to extend the stub street at the southern property line?

Seeing that no one else came forward to speak, Chair Schwartz closed the public hearing.

Chair Schwartz explained that the subject site was privately owned, and the property owner had a right to develop the property as long as the proposal met City standards. If the standards were met, the proposal had to be approved.

Planning Consultant Tangari described the trees that were proposed to be preserved as well as supplemental plantings around the perimeter of the site, as shown on sheet L-1.1.

Staff Engineer Olson explained that the City's detention standards required that site drainage be directed toward the detention basin and then through an outlet to the storm water system. Engineering review of drainage plans was very thorough.

Commissioner Mantey said that the detention basin requirements did not exist until the 1970's and some of the surroundings homes were older than that. The proposed development should improve drainage on the proposed site.

In response to a question from Chair Schwartz, Staff Engineer Seewald said the lots to the west (10, 11, 12, 13) would have catch basins in their rear yards, and the water would be directed to the detention pond.

Commissioner McRae noted that the stub road to the south was intended to connect to a road to the south, should the southern property ever be developed.

In response to questions from Commissioner Countegan, Planning Consultant Tangari said the proposed lots were consistent with the zoning district and the Master Plan. The only exception was the shape of the detention pond.

City Planner Stec outlined the approval process for a site condominium plan. If the Planning Commission granted tentative approval, there would be another public hearing at City Council level, and the Council would have final approving authority.

City Planner Stec noted that a letter had been received from Marianne and David Rinker, 21546 Flanders Street, opposing this development.

In response to the public comment as well as questions from the Commission, Mr. Malik said the single family homes, developed under the Site Condominium Plan, would be valued at \$400,000 - \$500,000. The new homes would help property values in the neighborhood. Also, the development would help alleviate drainage issues on the parcel.

Mr. Butler said a geotechnical report had been completed, although they did not yet have the results of the report; the results would be available before the City Council meeting. The detention pond would be dry at least some of the time. EGLE (Michigan Department of Environment, Great Lakes, and Energy) had confirmed that the parcel did not contain a regulated wetland. The homes would have basements with sump pumps. They were required to control and manage all stormwater on site. SFO Partners had not previously developed in Farmington Hills.

Commissioner McRae asked if the applicants were willing to remove a lot, if the Engineering Division would not approve a mechanical water system. Mr. Butler pointed out that if a lot were removed, the cost of the infrastructure would not decrease.

After further discussion, the consensus of the Commission was to require the detention pond to meet ordinance requirements, whether by an enlarged detention pond system, or the use of a mechanical system approved by the Engineering Division.

**MOTION by Brickner, support by Stimson, that the Planning Commission grant tentative approval of Preliminary Site Condominium Plan 1, 2019, dated November 25, 2019, submitted by SFO Partners LLC, with the following condition:**

- **The storm water detention ponds be redesigned to be a more natural shape to be approved administratively, or that a mechanical storm water quality system may be used if approved by the Engineering Division.**

**Motion carried unanimously.**

City Planner Stec advised that when this item was heard again, all property owners within 300 feet of the property would receive direct notice by mail, notification would go in the Farmington Press newspaper, and the agenda would be posted on the City's website.

Chair Schwartz called a brief break at 8:55 pm, and called the meeting back to order at 9:05 p.m.

### **REGULAR MEETING**

As noted above, Regular Meeting Item C was heard next on the agenda.

#### **C. SITE PLAN 72-11-2019**

LOCATION:	38215 Ten Mile Rd.
PARCEL I.D.:	23-30-127-038
PROPOSAL:	Vehicle parking and display for auto dealer in a B-3, General Business District
ACTION REQUESTED:	Approval of site plan
APPLICANT:	Scott Cichon
OWNER:	Manhattan Manor, LLC

Utilizing a PowerPoint presentation, and referencing his December 3, 2019 letter, Planning Consultant Tangari gave the review for this request for vehicle parking and display for an auto dealership in a B-3, General Business District.

No physical changes were proposed to the site. The applicant was proposing to occupy one of the site's 25 tenant spaces with a used car dealership; the lease agreement would assign four display spaces in the front yard parking lot and 50 inventory spaces in the rear yard of the dealership.

Comments and outstanding issues included:

- It appeared that the site had enough parking spaces to remove 54 spaces from general use and meet the minimum parking requirement. 50 of the spaces would be at the rear of the site, and the 4 display spaces would be at the front of the site.
- It appeared that one of the spaces – the northernmost – was set back only 18 feet from the right-of-way; in the B-3 district a 25-foot front setback was required.
- There was not a direct pedestrian connection to a sidewalk on 10 Mile Road; however there was actually not a sidewalk on 10 Mile.
- There were existing nonconformities on the site which would not change with this request.

Scott Cichon, owner, 38215 Ten Mile Road, said that he and his partner were leasing this space to Gulliver USA, Inc. Gulliver USA had 3 existing facilities in California, one in New York, and one in

Chicago. Sohei “Steve” Moribe, Gulliver USA, Inc., 38215 Ten Mile Road, Farmington Hills, was also present this evening.

Mr. Cichon said one of the front display spaces could be moved, if necessary, in order to meet setback requirements.

Commissioner McRae asked how spaces would be designated as display spaces. What would keep normal shopping center customers from using them, and/or how would people know those cars were on display? Chair Schwartz wondered how the cars in the rear would be designated.

Mr. Cichon said the spaces could be set apart by posted signs. Mr. Moribe said the cars would have sale stickers and would be permanently in the display spaces. He pointed out the spaces at the corners of the designated spaces would remain open for snow storage.

Chair Schwartz was concerned about gradual creep of used car inventory moving closer to 10 Mile Road. City Planner Stec said enforcement would be through the Zoning Department. Planning Consultant Tangari added that the burden for ordinance compliance would fall on the property owner.

The Commission suggested striping the parking spaces dedicated for the used cars a separate color.

In response to comments from the Commission regarding this business model and how it would impact other tenants in the shopping center, City Attorney Schultz pointed out that this application met ordinance requirements. However, tonight’s approval would include the site plan that would apply to this car dealership, and with which they would need to comply.

City Planner Stec said that this use was a significant change from the original intent under which this shopping center was developed: general retail with restaurants. With the extreme change of use and impact on parking, this application for re-occupancy needed to come before the Commission.

In response to a question from Commissioner Trafelet, Mr. Moribe said there would be no repairs at this facility, just sales.

**MOTION by Brickner, support by Trafelet, that Site Plan 72-11-2019, dated November 19, 2019, submitted by Scott Cichon, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to:**

- **A revised site plan be submitted showing that the vehicle display areas in the front yard meet the minimum 25’ setback; any spaces that do not meet the requirement will be removed or relocated to an area meeting the setback requirement.**

**Motion carried unanimously.**

**B. SITE PLAN 71-11-2019**

LOCATION:	28829 Orchard Lake Rd.
PARCEL I.D.:	23-10-277-034
PROPOSAL:	Reconfigure parking lot for existing auto repair facility in a B-3, General Business District
ACTION REQUESTED:	Approval of site plan
APPLICANT:	Neil Adrian
OWNER:	Janas Holdings LLC

This item was postponed to the February 2020 meeting at the applicant's request.

As noted above, agenda items C and A were reversed, so that Agenda item A was heard next on the agenda.

**A. SITE PLAN 70-11-2019**

LOCATION:	31995 Northwestern Hwy.
PARCEL I.D.:	23-02-251-006
PROPOSAL:	Facility expansion and renovation to existing medical office in an OS-1, Office Service District
ACTION REQUESTED:	Approval of site plan
APPLICANT:	Ghafari Associates
OWNER:	Barbara Ann Karmanos Cancer Institute

Commissioner Mantey disclosed that he had a conflict of interest, as family members worked for the Karmanos Cancer Institute, and he left the dais and the meeting.

Chair Schwartz disclosed that in 2004 a family member received medical consultation from Karmanos at their downtown location. Commissioner Brickner said that years ago he had also used the facility. Neither Chair Schwartz nor Commissioner Brickner felt that their history would impact their objectivity regarding tonight's request.

Utilizing a PowerPoint presentation, and referencing his December 3, 2019 letter, Planning Consultant Tangari gave the review for this request for site plan approval for a facility expansion and renovation to the existing medical office building at 31995 Northwestern Highway. The applicants were proposing to remove the western building and expand the remaining building from 27,094 square feet to 63,550 square feet. The use would remain medical office, and the area where the other building was currently located would become a parking lot.

All dimensional and other ordinance requirements were met, with the exception of exterior lighting. Assuming that exterior lighting was only proposed to change on the western portion of the site near the addition, the photometric plan appeared to meet the standards of the ordinance, except that the 4.33:1 average:minimum illumination ratio did not meet the 4.1 requirement. This standard could be modified by the Planning Commission if the lighting levels served a public safety purpose.

Regarding lighting, City Planner Stec explained that the light source for the new LED lights was very bright and glaring, even after the lights were parallel to the ground and directed downward, and meeting ordinance requirements. A neighboring resident was concerned about the lighting on the rear of the building and two pole lights. The applicants and residential neighbor were communicating with each other, and Karmanos appeared willing to modify the lighting by providing additional plantings in the rear, and perhaps utilizing motion sensors and extra shielding. City Planner Stec asked that any approving motion give staff the ability to require extra shielding, including landscaping, to mitigate light glare onto the residential neighbor's property.

Commissioner McRae noted that in order to meet the Michigan Engineering Code the lights needed to be reduced by a minimum of 30% at night. City Planner Stec added that the new lighting ordinance would require that parking lot lights be shut off either by 11:00 p.m. or the close of business.

Mike Durand and Alan LaTour, Ghafari Associates, 17101 Michigan Avenue, Dearborn, were present on behalf of this application.

Mr. Durand said the lighting ratio (4.33) was similar to a plan for this site that was approved in April 2019, although that plan was not implemented. The ratio was the result of the height of the light poles in the parking lot, combined with a need to avoid dark spots in the parking lot for staff who utilized the parking lot late at night. The “hot spots” were in the parking field and not at the property line.

Commissioner McRae asked if an additional light pole might bring the ratio down. Mr. LaTour said the dark spot was at the property line abutting the residential district, and a light pole could not be added there.

City Planner Stec advised that the ordinance allowed the Commission to modify the lighting ratios if deemed necessary for public safety.

Chair Schwartz suggested to the applicants that electric car stations be provided.

**MOTION by Countegan, support by Trafelet, that Site Plan 70-11-2019, dated November 1, 2019, submitted by Ghafari Associates, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the following condition:**

- **City Staff has authority to make changes to the lighting by requiring landscaping, in order to reduce the visibility of exterior lighting from abutting residential properties, with the final lighting plan subject to administrative approval.**

**And with the following finding:**

- **The 4.33:1 average to minimum lighting ratio is acceptable to protect the safety of the public visiting the site at night.**

**Motion carried unanimously.**

**APPROVAL OF MINUTES:** November 14, 2019

**MOTION by McRae, support by Stimson, to approve the November 14, 2019 minutes as published.**

**Motion carried unanimously.**

**PUBLIC COMMENT:** None.

**COMMISSIONERS' COMMENTS:**

January meetings would be January 16 (regular meeting) and January 23 (CIP study session).

**ADJOURNMENT:**

Seeing that there was no further discussion, Chair Schwartz adjourned the meeting at 10:30 p.m.

Respectfully Submitted,  
Dale Countegan

Planning Commission Secretary

/cem