

**MINUTES  
CITY OF FARMINGTON HILLS  
PLANNING COMMISSION REGULAR MEETING  
FARMINGTON HILLS CITY HALL – COUNCIL CHAMBERS  
June 11, 2015, 7:30 P.M.**

Chair Topper called the Planning Commission meeting to order at 7:30 p.m. on June 11, 2015.

Commissioners Present: Blizman, Mantey, McRae (7:35 p.m.), Orr, Rae-O'Donnell, Schwartz, Stimson, Topper

Commissioners Absent: Fleischhacker

Others Present: Staff Planner Stec, Staff Engineer Gushard, City Attorney Schultz, Planning Consultants Arroyo and Stirling

**APPROVAL OF AGENDA**

**MOTION by Rae-O'Donnell, support by Stimson, to approve the agenda as published.**

**Motion carried 7-0 (Fleischhacker absent, McRae not yet present).**

**REGULAR MEETING**

**A. LOT SPLIT 2, 2015 (Final)**

LOCATION:	Northeast corner of Orchard Lake Rd. and Runnymede St.
PARCEL I.D.:	22-23-14-351-004, 003
PROPOSAL:	Split two (2) existing parcels into three (3) parcels in RA-2, One-Family Residential District
ACTION REQUESTED:	Approval of Final Land Division
APPLICANT:	Roxana Gale Zaha, Esq. from Butzel Long, PC
OWNER:	Traian and Maria Pop

Planning Consultant Arroyo gave the background to this application for a lot split. He explained that the Commissioners had two review letters: one dated April 7, 2015 and another supplemental letter dated June 2, 2015. The Commission had heard this case at their regular meeting on April 16, 2015, and at that time had moved to postpone action to tonight's meeting.

Planning Consultant Arroyo reviewed the location of the proposed lot split: the property was located between Ridgeway Drive and Runnymede, north of Eleven Mile Road and fronting on the east side of Orchard Lake Road.

Commissioner Schwartz noted that Commissioners McRae and Fleischhacker were absent and asked the applicant if she wanted to proceed. He thought the lot split would need five affirmative votes and five out of seven was more difficult than five out of nine.

While applicant Zaha conferred with the owners, Planning Consultant Arroyo continued his review. One of the things contained in the June 2 supplemental letter was information regarding the Master Plan, as this had been requested at the April 16 meeting. The area had been designated as part of a special residential planning area, single-family cluster option.

The Master Plan called for the area fronting Orchard Lake Road north of Eleven Mile Road to maintain the one-family residential use along the street frontage, and suggested permitting the one-family cluster option at 3.1 units per acre, and for townhouse development (attached buildings with over 50% overlap), with certain conditions:

- Attractive appearance
- Minimizing vehicular access point to Orchard Lake Road by interconnecting driveways
- Presenting an open appearance to Orchard Lake Road
- Providing extensive landscaping

The key decision tonight was whether the requested lot split met the compatibility standards required under Chapter 27, Subdivision of Land. As part of their determination the Planning Commission should provide clear direction regarding the relationship of the Master Plan's cluster option and Section 27-110(2)(e), Compatibility with Existing Parcels.

Commissioner McRae arrived at 7:35 p.m.

Regarding the question raised by Commissioner Schwartz, City Attorney Schultz said that the lot split did not actually need five votes, but a majority of the Commission present this evening. However, as Commissioner McRae had just arrived, the lot split would indeed need five affirmative votes.

In response to questions raised at the April 16 meeting regarding the properties between 11 Mile Road and Springland and how those properties were treated in the Master Plan, Staff Planner Stec directed the Commissioners' attention to a map provided in their packets of vacant and occupied properties. There was a large swath of vacant land between Springland and Ridgeway; these were challenging properties in terms of topography and drainage issues. There was vacant property to the west across Orchard Lake Road that could possibly be developed. The map indicated that the entire area including the subject parcels was master planned for single-family cluster.

Staff Planner Stec said that the applicant could accomplish the objective of the Master Plan and potentially achieve what they wanted without going through a lot split; they would be allowed to have more than one home on the parcel with the cluster option. Some areas very close to this, to the south, had been more densely developed through the cluster option. The Commission's decision needed to be based on the compatibility standard as well as whether dimensional standards were met, and they should keep in mind that another option existed.

Commissioner Blizman said that the single-family cluster option in the Master Plan was based on the fact that there had been pressure to rezone this area of Orchard Lake Road for office or commercial use. That was not the case here. In this case, the applicant was asking for single family residential, which matched the area to the east. In his opinion, the Commission did not have to push for the cluster option in this instance.

Staff Planner Stec said that he wanted to emphasize the compatibility standard. The map showed the consistent size and shape of the lots along this area of Orchard Lake Road.

Commissioner Rae O'Donnell confirmed that the applicant could develop the subject parcel under the cluster option, thus making the lot split unnecessary.

Commissioner Orr asked if anyone had calculated how many homes could be built under the Cluster Option. Staff Planner Stec said that he had not done those calculations.

At this time Chair Topper recognized Applicant Zaha, who said that the owners did wish to proceed this evening.

Applicant Zaha said that since the dimensional requirements of the Zoning Ordinance were met, the only issue was whether the proposed lot split was compatible with the subdivision. As the ClearZoning report had indicated, the Master Plan did identify the subject property as possible development under the cluster option. Because the corner property was facing Orchard Lake Road, it was possible that her clients would consider selling the lot. However it was not prime residential property, and another developer might want to use the cluster option and put in more homes than her clients had planned utilizing a lot split.

Ms. Zaha said that potentially they could achieve their goal by using the cluster option, or obtaining a lot split. She believed that the lot split, which would result in having three single family detached homes, was more compatible than the cluster option, which would allow town homes or a more dense development such as the one south of this property. The proposed lot split with single-family detached homes would be more harmonious with the subdivision than a development under the cluster option, and would meet the spirit of the compatibility ordinance.

Commissioner Orr said that he wanted to clarify and add to his comments from the April 16 meeting, in that he thought the cluster option was the better of the two options. The fact that these lots had remained vacant for so long – 30 plus years – showed that if there had been a demand to build homes along this area they would have been built a long time ago. The cluster option was a better way to go along this stretch of Orchard Lake Road.

Chair Topper brought the matter back to the Commission.

Commissioner Stimson said he was not convinced that this lot split was compatible and he agreed that the cluster option was a better way to go. Should the lot split go forward, the eastern property would be more attractive but the western lot would be a very small corner lot; would anyone want to put a house on such a small piece of property? Another option would be to allow a single lot split and place a single home on the larger lot facing Runnymede. Putting two homes there made the properties incompatible with the subdivision.

Commissioner McRae said that originally he had been opposed to this lot split, but after hearing the case in April, along with Commissioner Fleischhacker's comments at that meeting, and with the key phrase being "generally compatible," along with the fact that these really were not small lots, he had changed his mind. The proposed lots met dimensional standards. The lot split offered a very clean way to keep this area residential.

Commissioner Schwartz said that he was ready to support this lot split. During the April 16 meeting Commissioner Fleischhacker had given new information about the Master Plan and the pressure to convert this area to office and commercial use. Given its proximity to 696 that pressure would always be there. In terms of general compatibility, even though the lot size might not be compatible, this application would result in single-family homes as opposed to developing under the cluster option. This was a difficult place to develop and the lot split would result in keeping single family housing there.

**MOTION by McRae, support Blizman, that Lot Split No. 2, 2015, submitted by Roxana Gale Zaha from Butzel Long PC, 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.**

Commissioner Blizman pointed out that the lots as proposed met the requirements of the RA-2 One Family Residential Zoning District, and that both potentially faced on Runnymede rather than Orchard Lake Road. The fact that they were single family residential met the requirement for general compatibility and the relationship as proposed would not be incompatible.

City Attorney Schultz advised that the ordinance did not actually say “general compatibility.” Rather the ordinance was very specific: compatibility with regard to width, area, and width to depth ratios. Therefore a motion to approve did need to include reasons for that approval, as other future requests for lot splits might or might not have the same findings as this one.

Commissioner McRae said that while he did not feel the Planning Commission should make a decision as to which direction the house on the corner (Lot B) would face, it would be appropriate to require the driveway access be from Runnymede.

After discussion, Commissioner McRae amended the motion to include findings of compatibility and conditions, as follows:

**Findings of compatibility**

- **Being along Orchard Lake Road, which is a busier road, allows for smaller lot sizes than deeper into the subdivision.**
- **The house on Lot C will face Runnymede.**
- **This lot split as presented and approved this evening will move the southern property line of Lot A north, in order to better configure Lots B and C, and the ability to do this is unique to this application.**
- **This lot split will result in detached single-family homes of compatible footprint to others in the neighborhood, and will preserve the single-family housing.**
- **The widths of Parcels B and C will be compatible with properties to the east.**

**Conditions**

- **The driveway for the corner parcel - Lot B - shall be from Runnymede Street.**
- **The portion of the existing driveway on Lot A encroaching onto Lot B will be removed.**

Commissioner Orr said that the Cluster Option as presented in the Master Plan would also preserve single-family housing in the area. The choice was not between single family and multi-family, but rather whether the cluster option or a lot split was utilized.

**Motion carried 5-3 (Orr, Stimson, Topper opposed; Fleischhacker absent).**

**B. SITE AND LANDSCAPE PLAN 56-3-2015**

LOCATION:	21017 Middlebelt Rd.
PARCEL I.D.:	22-23-35-478-001, 012
PROPOSAL:	Addition to existing building (The Manor of Farmington Hills) in SP-1, Special Purpose District
ACTION REQUESTED:	Approval of Site and Landscape Plan
APPLICANT:	Farmington Hills Senior Leasing
OWNER:	Farmington Hills Senior Leasing

Referring to the June 3, 2015 ClearZoning review letter, Planning Consultant Stirling gave the background for this application, which was for a site plan, landscape plan and tree removal permit in order to construct a

31,353 square foot addition to an existing skilled nursing and rehabilitation facility (The Manor of Farmington Hills).

Planning Consultant Stirling explained that on January 12, 2015 the City Council approved the rezoning of a 1.042-acre vacant parcel located on the corner of Eldred and Kenwood Streets, from RA-3, One Family Residential District to SP-1, Special Purpose District. The 3.2 acre parcel located to the east was also zoned SP-1 and was owned by Farmington Hills Senior Leasing. The combination of the two parcels resulted in the 4.26-acre parcel being discussed this evening.

Planning Consultant Stirling described the adjacent uses and zoning districts of the subject parcel. She noted that the property to the south – owned by a religious institution – was approximately two to three feet higher than the subject parcel, which created a natural buffer between the properties. There was a document agreeing to the continued use of the existing grade and landscaping instead of a fence in that area. The property to the west was wooded with some berming at the southwest corner of the site.

Planning Consultant Stirling reviewed the configuration of the current Farmington Manor site, noting that there was an existing nonconforming condition along the south side yard with the building encroaching 3.9 feet into the required minimum side yard setback.

Planning Consultant Stirling explained that the proposal was to construct a 31,353 square foot one-story building addition to the east and west of the building. The resulting building would be 49,919 square feet, and would house 116 beds in a skilled care and rehabilitation residential facility, a permitted use. This was 14 beds over the current residential capacity.

Planning Consultant Stirling pointed out that most of the beds would be located along the perimeter of both additions, with common areas, upgrades, and a dining room more centrally located. A canopy at the northeast entrance to the building covered the drive aisle with an additional canopy to the front door. The south side setback would become conforming under the proposed plan. Other dimensional requirements were met, though additional information was required as noted below.

Regarding the site plan, Planning Consultant Stirling said the following deficiencies should be remedied:

- Sheet A2 identified the building as brick with an asphalt shingled roof. There appeared to be other materials used on the building that should be identified on the plan.
- Structures included in the lot calculation should be identified.
- Areas included in the open space calculation should be identified.
- The applicant had proposed paving Eldred Street to the west of the second access drive. This should be reviewed by the Engineering Department.
- The Planning Commission could permit the access points off Eldred as they were not adjacent to residential areas; however these should also be reviewed by the Engineering Department.
- The materials use for the masonry enclosures around the dumpsters needed to be identified. A match to the main building materials was recommended.
- Rooftop equipment screening information needed to be included on the plans.
- Information needed to be provided in order to determine compliance with the lighting ordinance regarding wall packs and pole lights. Also, illumination levels for the hardscape areas and building entrances needed to be provided.
- All screening devices, including screening walls around the perimeter of the site, should be shown on the revised plans with elevation details providing dimensions, footing details, material, color and texture/pattern.
- Documentation should be provided regarding the agreement with the church property to the south for the continued use of existing grading and landscaping as a buffer.

- Regarding the tree removal permit, 79 trees were surveyed, and 79 were regulated. 24 regulated and 7 landmark trees were being removed, including trees 1904 and 1940, which were not shown as being removed on the plan – this needed to be corrected. The correct summary should show 35 trees required for replacement. Seven evergreens needed to be increased in height from 8 feet to 10 feet.
- A revised landscape plan should be submitted with a table reflecting the additional trees (10-foot evergreens or additional 3-inch caliper deciduous trees) and the plantings shown by symbol that were being used to satisfy the requirement.
- Also, it was unclear whether the canopy tree requirement for the parking lot had been met. A revised landscape plan should be submitted showing the calculations for the parking lot area and number of trees required in a table and on the plan by symbol.
- Other landscape plan revisions were listed in the review letter. The applicant could meet requirements but they did need to resubmit a landscape plan for review.

Commissioner Blizman asked about space for landscaping between the 6-foot wall on the west and the right of way. Planning Consultant Stirling said there was about 10-15 feet there, and plantings should be submitted with the landscape plan.

Commissioner Blizman asked about the lighting showing 0.0 foot-candles at the property line or the centerline of the adjacent rights of way (ClearZoning paragraph 22). Was this correct? His concern was for nearby residents. Planning Consultant Stirling said the light should be measured to the property line and she would verify the information for ordinance compliance.

Commissioner Orr spoke to the screening of rooftop equipment. It appeared that the building had a flat, recessed area at the top that might meet screening requirements.

Regarding the trees, Commissioner Orr said he was impressed with the number of trees being kept, including a couple of American Elms.

Rick Mehrer, Administrator for the Manor of Farmington Hills, 21017 Middlebelt Road, Farmington Hills, MI and William Meier, Meier Group Architects, 4844 Jackson Road, Ann Arbor, MI, were present on behalf of this application.

Mr. Mehrer explained that they were adding only 14 beds while almost doubling the size of the interior, enhancing the quality of life for the residents at Farmington Manor.

Commissioner Orr said that the floor plan showed a bathroom off the kitchen – this was not permitted in a commercial building.

Commissioner Rae-O'Donnell noted that the June 5, 2015 letter from the Fire Marshal had called out several items that needed to be addressed. Mr. Meier said they had had meetings with the Fire Marshal and had discussed the issues noted in the review letter; all would be resolved.

Commissioner McRae also noted the issues called out in the June 2 2015 Engineering Department letter. Mr. Meier said their civil engineer was working with the Engineering Department to resolve all issues.

Commissioner Orr said that since several of the issues in the Engineering Department letter were regarding tree location, perhaps the Planning Commission should postpone landscape plan approval until those issues were resolved.

Planning Consultant Arroyo said that they had recommended moving trees as well. This approval could be handled administratively.

Mr. Meier showed the Commission some renderings of the completed building and screening wall. The building would dramatically change with the new additions. He described the roof screening and new roof forms, and explained that the location of the perimeter wall gave them room to push snow off the parking lot, as well as allowed them to save large trees. They would be able to handle storm water underground.

Chair Topper asked Mr. Meier to send the Commission electronic copies of the renderings as shown this evening.

Chair Topper brought the item back to the Board.

**MOTION by McRae, support Blizman, that Site Plan No. 56-3-2015, dated May 6, 2015, submitted by Farmington Hills Senior Leasing be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the following conditions:**

- 1. Compliance with Engineering and Fire Department requirements.**
- 2. A revised lighting plan be submitted for administrative review.**
- 3. Details be provided on the exterior materials of the dumpster enclosures.**
- 4. The letter provided by the church property adjacent to the south for the continued use of existing grading and landscaping as a buffer be verified.**
- 5. A revised plan addressing the items identified in the June 3, 2015 ClearZoning report be submitted for administrative review**

Commissioner Blizman said he was impressed with the architecture and improvements to the site, and the apparent sensitivity to the neighbors to the west. The neighbors had mentioned supervision of staff during previous meetings. While this was not the Planning Commission's purview, he hoped this would be attended to.

**Motion carried 8-0 (Fleischhacker absent).**

**MOTION by Orr, support Blizman, that Landscape Plan No. 56-3-2015, dated May 6, 2015, submitted by Farmington Hills Senior Leasing be approved because it appears to meet all applicable Zoning Chapter requirements, and applicable Design Principles as adopted by the Planning Commission, subject to the following condition:**

- 1. A revised plan addressing the items identified in the June 3, 2015 ClearZoning report is submitted for administrative review.**

**Motion carried 8-0 (Fleischhacker absent).**

**C. SITE AND LANDSCAPE PLAN 58-4-2015**

LOCATION:	27555 Farmington Rd.
PARCEL I.D.:	22-23-16-201-015
PROPOSAL:	Addition of parking structure in OS-4, Office Research District
ACTION REQUESTED:	Approval of Site and Landscape Plan
APPLICANT:	27555 Farmington Road Office Building, LLC
OWNER:	27555 Farmington Road Office Building, LLC

Referring to the ClearZoning review letter of June 2, 2015, Planning Consultant Arroyo gave the background and review for this site and landscape plan application, including tree removal permit, in order to construct a two-level parking deck for an existing office/research building. Mr. Arroyo described the location of the parcel and reviewed the zoning and uses surrounding it.

Planning Consultant Arroyo noted that there was a difference in information provided by the applicant and that provided by the City's Assessing Department regarding building area; this should be cleared up. Additionally, the applicant should provide the types of office uses (e.g., general office, medical office) and the usable floor area for each tenant – this information was needed to confirm compliance with the number of parking spaces.

Planning Consultant Arroyo noted that currently lot coverage standards were currently met (16.9% coverage when 20% was allowed). Parking standards were also met (957 provided, 728 required), though if the tenant mix included medical office, the number of parking spaces required for the site would increase. Therefore the applicant needed to confirm that the current tenant mix was limited to general office, excluding medical office.

Planning Consultant Arroyo also reviewed the current loading/unloading area, landscaping and lighting.

Planning Consultant Arroyo described the proposed construction, which was for a two-level parking structure. This was a permitted use. The applicant was proposing a call center for a portion of the office building, which was typically a more intensive use and therefore had a higher parking demand.

The proposed parking structure measured 238 feet by 364 feet and supported 646 parking spaces. Access would be provided from existing drives on Farmington and 12 Mile Roads.

Planning Consultant Arroyo reviewed the design and measurements of the parking structure. The elevations showed the building would be constructed of masonry with dark grey stained concrete accent materials. The existing office buildings were constructed of brick. The Planning Commission should discuss with the applicant the use of material that was consistent with that used for the existing office buildings. In addition, the applicant should provide material samples of the garage façade for Planning Commission review.

Regarding site plan requirements, Planning Consultant Arroyo noted the following deficiencies, two of which would require obtaining variances from the Zoning Board of Appeals:

- Note regarding modification and/or compliance of existing outdoor lighting should be added.
- While currently the property was in compliance with Zoning Standards, with the addition of the parking structure the following variances would be needed:
  - The proposed lot coverage would be 33.9%. Maximum permitted lot coverage was 20%. A variance would be needed for the 13.9% excess lot coverage.
  - Based on ordinance formula, a 66-foot setback was needed next to the freeway. The proposed setback was 46 feet. Therefore a 20-foot variance would be needed.
- Until the tenant mix was confirmed, compliance with parking requirements could not be verified.
- In terms of exterior lighting, the applicant should provide additional plan details that verified that the lighting fixtures met minimum standards, including but not limited to the canopy lights being shielded to provide a cut-off angle of 85 degrees. Also, the Planning Commission should determine whether the lighting proposed at the top of the structure should be measured from the second story grade and not from the ground.
- The plans should also verify that the maximum ambient light levels met Section 34-5.16.3.C.



Regarding the landscape plan, Planning Consultant Arroyo had the following comments:

- Confirm that planting island had 180 square feet of area and a minimum 3-foot radius.
- Show the spacing between planting, in accordance with 34-5-14.F.
- Identify compliance with screening (berm or plantings) along Farmington Road. The Planning Commission should determine compliance with this standard and could allow administrative approval of a revised plan.

Regarding the tree removal permit, Planning Consultant Arroyo said that the applicant was required to replace eleven trees plus replace five dead trees per the original site plan approval. The landscape plan showed that the eleven replacement trees were 10-foot high Norway Spruce, planted at the southeast corner of the proposed parking structure.

Commissioner Orr said that a parking structure allowed less asphalt on the ground, yet each deck was added into lot coverage. This standard seemed unreasonable should be addressed at a future meeting.

Commissioner Mantey said that changing the standard regarding parking structures would eliminate having an applicant go before the Zoning Board of Appeals. His sense was that the City would like to see more parking structures.

Commissioner McRae said the light pole on the second story deck still met ordinance requirements of a maximum height of 30 feet, even if it was measured from the ground. However, a light pole on a higher parking deck would be above 30 feet from the ground. These should always be measured from the parking deck. The main question was light spillage.

Commissioner Schwartz said that he had originally suggested not holding up site plans while applicants sought variances from the Zoning Board of Appeals. However, in this case one of the variances would seek a 33% lot coverage, where less than 20% was currently on site. This was a big change, and if the ZBA denied the variance the applicant would have to dramatically change their plan.

Planning Consultant Arroyo explained that the project was probably not feasible if the proposed deck could not be built; there was not a reasonable alternative.

In response to a question from Commissioner McRae, Planning Consultant Arroyo confirmed that the current lot coverage was 16.9%.

Tim Ponton, Stonefield Engineering & Design, Inc., 27555 Farmington Road, Farmington Hills, MI said the current owner had purchased this building a couple of years ago and had made significant improvements to the site. The building was 60% vacant and had been that way for some time. Now there was the opportunity to bring a great tenant into the community. Previously the building was used for general office; the tenant was going to bring in a call center, a more intense use. The Zoning Ordinance required twice the number of parking spaces for a call center. They were trying to mitigate this by constructing a single story parking deck.

Mr. Ponton said the parking deck would be located approximately 150 feet from Farmington Road and 90 feet from the right-of-way, with 18 trees adjacent to the deck, and with another 17 trees within the Farmington Road greenbelt. With the existing 15 trees, the total number of screening trees was 50.

Mr. Ponton said they were willing to choose a façade material that matched the building, if this was requested.

Mr. Ponton continued that the applicant was working to improve the site, and they were proposing another 31 trees along 696. In total they were proposing 90 new trees within the development, where 145 trees existed today. New shrubbery was also being added.

Mr. Ponton said that at the time of putting together the proposal, they did not have the full building plans and they used the most conservative parking needs estimate possible. They now did have the plans, so that they would be able to provide the requested information. Again, because they wanted to move the process along as quickly as they could, they would offer the most conservative approach possible. They would meet the requirements of the parking ordinance by adding approximately 237 spaces to the existing 758 spaces, for a total of 1,195 spaces.

In terms of the lighting, Mr. Ponton said they were proposing a 17-foot pole on the second story deck, which was still within ordinance requirements as already noted. They would have full cut-off lighting, and would resolve other lighting questions. They would be seeking the two variances from the Zoning Board of Appeals.

Commissioner McRae asked about making the deck one row wider, which might eliminate the need for a setback variance. Mr. Ponton said they had reviewed a number of different options. The plan presented this evening represented their best effort after having worked through several different plans; they wanted to get it right the first time. They wanted to make sure that if another user came into the building that needed more parking than what was currently used, they would still have enough parking to meet their needs. Also, they preferred a greater distance from Farmington Road rather than moving back from 696.

Commissioner McRae agreed that it was better to have a greater distance from Farmington Road.

Commissioner Mantey said that as he understood it, because some of the use in the building has become more intensive, this had changed the math the City required from the applicant. The applicant was building enough parking based on the City's calculations. How much parking did the tenant feel they needed?

Mr. Ponton said the tenant felt they needed just about the same amount of parking as required by the ordinance.

Commissioner Blizman indicated he was ready to make a motion.

MOTION by Blizman, support Mantey, that approval of Site Plan No. 58-4-2015, dated May 18, 2015, submitted by 27555 Farmington Road Office Building, LLC, be denied for the following reasons:

1. The setback adjacent to the freeway does not comply with minimum ordinance standards of Section 34-3.5.2.P.
2. The total lot coverage exceeds ordinance standards.
3. Other requirements as outlined in the June 2 2015 ClearZoning review letter have not been met.

Chair Topper asked Commissioner Blizman if had considered a conditional approval. Commissioner Blizman said he had not considered this. Chair Topper suggested that this application could be approved conditioned on the applicant receiving variances from the ZBA.

Commissioner Mantey said he would second the motion.

Commissioner Schwartz said that this was an office building that was 60% vacant for a long time and this use would solve that problem. Additionally the applicant was adding a lot of landscaping and trees to a

property that was already significantly landscaped. Everything was connected to everything – the owner of businesses kitty corner across Farmington Road should be thrilled with the development of hotels at the Hamilton Building location, and now this proposal would add about 200 more workers. He thought the Commission should be finding a way forward instead of turning this down. This proposal had a lot of community benefit. He would vote against the denial.

Commissioner Stimson said he agreed with Commissioner Schwartz. He would like to offer conditional approval this evening, and he would be voting against this denial.

Commissioner Rae-O'Donnell said that she also agreed with Commissioner Schwartz and would vote against the denial.

Chair Topper called the motion.

The motion failed 1-7 (Mantey, McRae, Orr, Rae-O'Donnell, Schwartz, Stimson, Topper opposed; Fleischhacker absent).

**MOTION by Schwartz, support McRae, that Site Plan No. 58-4-2015, dated May 18, 2015 submitted by 27555 Farmington Road Office Building, LLC, be approved because it appears to meet most of the applicable requirements of the Zoning Chapter. This approval is subject to the following conditions:**

- 1. Dimensional variances for the 20' southern side yard setback deficiency and the 13.9% excess lot coverage are granted by the ZBA.**
- 2. Issues raised in the April 27 2015 Engineering Department letter be resolved administratively.**
- 3. The exterior materials be compatible with the existing building.**
- 4. A revised plan addressing the items in the June 2, 2015 ClearZoning review be submitted for administrative review.**

Commissioner Mantey said that because this project was literally not doable if the ZBA denied the variances, he was hesitant to go down this path. However, he was willing to support the motion.

Commissioner Orr said that it might be wise to include some indications as to why they were voting a certain way. For instance, Commissioner Orr thought the ordinance could be better written to accommodate parking structures. While this deck might require a variance, perhaps in the future variances would not be necessary.

Commissioner McRae said that when the Commission began to consider approvals subject to variances, one of the key discussions was the relative concern the Commission might have with the requested variances. In the current case, he had no concern with the variance request for the setback along 696, and as far as the lot coverage was concerned, as Commissioner Orr had pointed out, the Commission needed to review the regulation of lot coverage and parking decks in the ordinance. The fact that the ordinance had not allowed for this originally was something that would be well taken care of by a variance. The applicant had indicated that the project could not move forward without the parking deck as presented, and Commissioner McRae did not want to be in the way of that.

Commissioner Blizman said that if the project received the variances he would support it. However, he was opposed to this procedure.

Chair Topper called the motion.

**Motion carried 7-1 (Blizman opposed, Fleischhacker absent).**

**MOTION by Rae O'Donnell, support Orr, that Landscape Plan No. 58-4-2015, dated May 18, 2015, submitted by 27555 Farmington Road Office Building, LLC, be approved because it appears to meet all applicable requirements and applicable Design Principles as adopted by the Planning Commission. This approval is subject to the following condition:**

- 1. A revised plan addressing the items in the June 2, 2015 ClearZoning review be submitted for administrative review**

Commissioner Mantey said he would oppose the motion, as the Landscape Plan could wait until the Zoning Board heard the variance requests.

**Motion carried 5-2 (Mantey, Schwartz opposed; Fleischhacker absent).**

**APPROVAL OF MINUTES**

**May 14, 2015 and May 21, 2015**

**Motion by Orr, support Blizman, that the May 14, 2015 and May 21, 2015 minutes be approved as published.**

**Motion carried 8-0 (Fleischhacker absent).**

**PUBLIC COMMENT**

There was no public comment.

**COMMISSIONER'S COMMENTS**

Commissioner Blizman asked Staff Planner Stec about a report in the Farmington Observer regarding the legal proceedings for the Farmington Road easement as related to the PUD at the Alexander Hamilton site. Staff Planner Stec said he could not speak to the article.

Commissioner Blizman asked if compliance with the Fire and Engineering Department issues should be included in motions. Commissioner Orr said he generally agreed that these things should not be in the motions. However, sometimes the city departments had issues that would stop a development from going forward. In those cases, he thought it wise for the motion to include resolution of Fire and/or Engineering Department issues. City Attorney Schultz said that as a matter of course Fire and Engineering Department issues should not be included in the motion unless, as Commissioner Orr stated, those issues affected site plan configuration. Staff Planner Stec agreed that unless other departments' issues would significantly affect the layout of a site plan, the motions really did not need to include these things because the Building Department would not issue permits without clearances from the other departments.

Commissioner Schwartz asked that if a site plan ever came forward for an outlot building at the 12 Mile and Orchard Lake Center a parking study should be required. Staff Planner Stec said that an outlot building was part of the approved PUD plan. City Attorney Schwartz agreed that an outlot building was already permitted there.

Commissioner Stimson said that he was excited to see work beginning on the Hamilton building.

The next meeting was set for June 26, 2015.

**ADJOURNMENT**

Seeing that there was no further discussion, Chair Topper adjourned the meeting at 9:17 p.m.

Respectfully submitted,

Steven Schwartz  
Planning Commission Secretary

/cem