

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION REGULAR MEETING
COUNCIL CHAMBERS
June 14, 2018, 7:30 P.M.**

Chair Schwartz called the Planning Commission meeting to order at 7:30 p.m. on June 14, 2018.

Commissioners Present: Brickner, Countegan, Mantey, McRae, Orr, Schwartz, Stimson, Turner

Commissioners Absent: Goerke

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

APPROVAL OF AGENDA

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

MOTION carried unanimously.

REGULAR MEETING

A. SITE AND LANDSCAPE PLAN 51-1-2018

LOCATION:	32418 Northwestern Hwy.
PARCEL I.D.:	22-23-02-126-027
PROPOSAL:	Gas Station and convenience store in B-3, General Business District
ACTION REQUESTED:	Approval of site and landscape plan
APPLICANT:	Tarak Gayad (Gas Town, LLC)
OWNER:	Northwestern Vineyards, LLC

Utilizing a PowerPoint presentation and referring to the June 6, 2018 Giffels Webster memorandum, Planning Consultant Arroyo gave the review for this proposal for a gas station and convenience store at 32418 Northwestern Highway. The site was 0.59 acres and zoned B-3 Community Business. Gas stations were a permitted use in the B-3 District, subject to the standards of Section 34-4.28. There was residential zoning abutting to the north and west.

This application had been before the Commission on March 15, 2018, when it was postponed to a date uncertain.

Outstanding issues included:

- A detail of the proposed new dumpster enclosure had not been provided.
- One space per 175 square feet of usable floor area was required for retail operations. 11 spaces were required for the store, and 6 spaces were required for the upper floor office, for a total of 17 spaces. 13 spaces were provided.
- The photometric plan was incomplete. Photometric values needed to be overlaid on the site plan to show compliance with lighting standards.
- A pedestrian connection to the front of the convenience store was no longer provided.
- The most significant issue involved overall site circulation. The site was very narrow. The applicant was proposing two 2-way driveways separated by a median island. Sheet SP-2 showed how a full-size

truck would maneuver into the loading space, but the circulation path was very tight, especially to the canopy and parking spaces. Also, the plan did not show the complete truck movement, and the circulation as shown did not work. The site was too small to handle truck circulation for a gas station.

Planning Consultant Arroyo suggested that fueling spaces could possibly be counted as parking spaces.

Commissioner McRae asked about the office space use. Planning Consultant Arroyo pointed out that even if the applicant used part of the office space for storage, the entire area would be approved as office and could be used as office by the present or any future owner.

Chair Schwartz asked Staff Engineer Kennedy to comment on the circulation issue. Staff Engineer Kennedy said the applicants had not demonstrated that the circulation would work for a fuel truck to get on and off the property. There were several safety issues, including trucks being forced to cross a sidewalk. There were about 25,000 vehicles per day driving by this location.

In response to questions from Commissioner Orr, City Planner Stec said the Chief Building Official had not looked at this plan. With this change in use from a restaurant to a gas station/office use, all building code requirements would have to be met. City Planner Stec did not know if there was an elevator in the building.

Commissioner McRae pointed out the circulation drawing did not show any cars at the pumps. Staff Engineer Kennedy said they were not convinced the turning radius was accurate for a fuel loading truck; the schematic needed to show accurately how a truck would enter and exit the site.

Commissioner McRae asked if the horizontal placement of the pumps was appropriate. Staff Engineer Kennedy said Engineering did not have any issue with the pump placement.

Commissioner Stimson asked if it was possible for the lights to be in compliance. With the lights shining down and the lot being so narrow, could the footcandles requirement be met? Planning Consultant Arroyo said it was possible the photometric requirements could be met. However, the lighting plan was incomplete.

In response to a question from Commissioner Brickner, Planning Consultant Arroyo said that per the ordinance parking spaces had to meet certain requirements; spaces utilized by customers for pumping gas would not meet those requirements. City Attorney Schultz agreed, adding that parking spaces had to be fully accessible for vehicles, which pump spaces were not. Additionally, the ordinance required ½ parking space per pump, not including the pump fueling space.

Hatem Hannawa, BD&E Group, LLC, 32000 Northwestern Highway, Ste 275, Farmington Hills MI was present on behalf of this application. He pointed out that the building had been there a long time, and the upper levels had been used for office space for the existing restaurant and catering business. The new owners would use the upstairs only as a small office for their own personal use and would not rent it out. There was no elevator. The new owners would be willing to sign an affidavit that the space would be for their own personal use.

Mr. Hannawa said that lighting could be revised to meet requirements.

Mr. Hannawa said the biggest issue was the circulation, which admittedly was difficult. However, the building currently occupied more of the site than the proposed convenience store, and the current use had delivery trucks throughout the day. The delivery times for the fuel trucks would be in the early hours, such as 5:00 a.m.

Chair Schwartz asked if it was feasible to obtain any property on either side of this site. Mr. Hannawa said they had tried but did not think this was possible.

Mr. Hannawa said they would change the plan to show one ingress and one egress drive. They would use a smaller tanker truck that would fuel the station in the early hours only.

Considerable discussion was devoted to possible changes in the circulation plan.

Chair Schwartz noted that Planning Consultant Arroyo had said the site was too small for circulation for a gas station. Mr. Hannawa said the site was tight now, yet vendors were able to access the site.

Commissioner Mantey suggested that the 2nd story could be part office, part storage, thus reducing the size of the official office space, resulting in fewer required spaces.

Chair Schwartz indicated he was ready for a motion.

MOTION by Orr, support by McRae, to postpone to date uncertain consideration of Site Plan 51-1-2018, dated May 2, 2018, submitted by Tarak Gayad, in order to give the applicant time to resolve circulation and other site plan issues.

Commissioner McRae said he would not support this plan until the circulation could be shown to work.

Chair Schwartz and Commissioner Stimson encouraged the applicants to see if they could be granted an easement on one of the abutting properties in order to enhance truck circulation.

Commissioner Countegan agreed that site circulation needed to be cleaned up. He would like more information about the smaller tanker trucks discussed this evening.

Chair Schwartz asked City Attorney Schultz if a requirement for smaller tanker trucks could be enforced. City Attorney Schultz said an approving motion could include conditions. Site plan approval required that the Commission find that site circulation worked. If the Commission thought that the circulation would work based on trucks being a particular size and deliveries being at a certain time, that could be part of the motion.

Commissioner Brickner suggested that the applicants explore leasing parking spaces from the property to the east for employee parking. Planning Consultant Arroyo said that kind of agreement required study, including whether there were excess parking spaces on that property that could be leased.

Commissioner Mantey reviewed the outstanding issues as follows:

- Parking spaces in the rear were very unlikely to be used by store customers.
- The size of the office could be reduced, so that fewer parking spaces were needed.
- Rooftop issues could be resolved administratively.
- Exterior lighting could be resolved administratively.
- Pedestrian connection might be more easily provided after the driveways were changed to one way in and one way out.

Commissioner Mantey thought the outstanding issues could be resolved this evening.

Commissioner Orr asked about storm water detention issues as outlined in the Engineering Division memorandum dated January 29, 2018. Mr. Hannawa said there was existing storm water detention on site; they would meet any additional Engineering requirements.

Mr. Hannawa asked for approval of the application conditioned on site circulation issues being resolved.

Chair Schwartz indicated he was ready to call the vote on the motion on the floor, which was to postpone consideration.

Motion carried 6-2 (Countegan, Mantey opposed).

City Planner Stec said the property to the east could not be used for shared parking as that property was zoned OS-1, which did not permit gas station use. Any shared parking with the property to the west would be based on peak hour use.

Chair Schwartz asked that staff prepare information on a possible ordinance change to allow fuel pump parking spaces to be counted toward parking requirements for gas stations.

MOTION by McRae, support by Mantey, to postpone to date uncertain consideration of Landscape Plan 51-1-2018, dated May 2, 2018, submitted by Tarak Gayad.

Motion carried 7-1 (Countegan opposed).

Commissioner McRae emphasized that the applicant needed to be able to demonstrate a circulation plan that worked.

B. REZONING REQUEST 2-5-2018

LOCATION:	33432 Bostwick Pl. and westerly abutting parcel
PARCEL I.D.:	22-23-33-227-019 and 018
PROPOSAL:	Rezone two parcels currently zoned B-3, Planned General Business District to RA-4, One Family Residential District
ACTION REQUESTED:	Set for Public Hearing
APPLICANT:	D S Homes LLC
OWNER:	D S Homes LLC

Utilizing a PowerPoint presentation and referring to the Giffels Webster review letter dated May 18, 2018, Planning Consultant Tangari gave the background for this application to set Rezoning Request 2-5-2018 for public hearing.

Planning Consultant Tangari pointed out that the two original parcels had been combined; the resultant single parcel met RA-4 standards. The requested rezoning conformed to the Master Plan.

City Planner Stec noted that there was no wall between the subject property and the business to the east; that would need to be addressed at site plan approval.

Brian Duggan, D S Homes LLC, 14315 Denne, Livonia MI, was present on behalf of this application. The applicants were seeking to construct a single-family home on the property.

MOTION by McRae, support by Orr, that Zoning Request 2-5-2018, petitioned by D S Homes, LLC, be set for Public Hearing on July 19, 2018.

Motion carried unanimously

C. AMENDMENT TO SITE AND LANDSCAPE PLAN 66-7-2016 (PUD PLAN 1, 2015)

LOCATION:	21347 Cowell St., 28080 and 28100 Grand River Ave.
PARCEL I.D.:	22-23-36-403-003, 004; 404-003, 010, 011; 430-013
PROPOSAL:	Amend site and landscape plans to demolish the existing apartment building in the northeast section of the hospital campus for the purpose of expanding on-site parking.
ACTION REQUESTED:	Approval of amendments to site & landscape plans
APPLICANT:	Michael Thompson for HKS Architects, PC
OWNER:	Botsford General Hospital and Zieger Osteopath Hospital

Utilizing a PowerPoint presentation and referring to the May 18, 2018 Giffels Webster review letter, Planning Consultant Arroyo gave the background to this application to amend Site and Landscape Plan 66-7-2016 (PUD Plan 1, 2015).

The project area was on the eastern half of the far northern portion of the site, near Colwell Road. An existing apartment building owned by the hospital was proposed to be removed and replaced with a parking lot. Approximately one acre of the site would be affected.

Planning Consultant Arroyo noted that neighboring property to the east was zoned RA-4 and occupied by single-family homes.

Outstanding issues included:

- The Planning Commission should discuss whether the wall along Colwell should continue further south. The Planning Commission should also consider whether to permit the wooden fence along the northern property line in lieu of a masonry wall.
- Regarding exterior lighting, the average: minimum uniformity ratio was 8:1, which exceeded the permitted 4:1 maximum. Certain lighting levels would need to be adjusted.
- The key issue was whether the Planning Commission felt the request constituted a minor change to the PUD, subject only to site plan approval, or whether the application was for a material change that required the applicant and City Council to approve a change to the agreement. The removal of the apartment building significantly reduced screening of the helipad from uses to the east.

Chair Schwartz suggested that the Planning Commission first make a determination as to whether the request constituted a minor or material change.

Commissioner Mantey pointed out that this particular area of the Beaumont site had not been addressed in the original PUD agreement. At that time, no changes to this area were contemplated.

Commissioner McRae commented that in the original PUD agreement the helicopter pad had not been at its current location either.

Chair Schwartz asked City Attorney Schultz to comment regarding removing the building, in terms of that action setting any type of precedent for the future. City Attorney Schultz said that each case stood on its own.

Chair Schwartz asked City Attorney Schultz how the Commission decided when a change was minor or material. City Attorney Schultz said that decision was up to the Commission, and needed to be defensible in court.

Chair Schwartz said that this PUD agreement had been complicated, with many moving parts.

Commissioner Orr was concerned about the residential neighbors to the east. Removing the apartment complex seemed a material change, especially to those residents whose view would now primarily be a wall. Had the applicant spoken with those neighbors?

Commissioner Stimson added that the apartment complex had acted to block a significant amount of the helicopter noise. That would now be changed.

Commissioner Mantey thought the public deserved an opportunity to comment on the proposed change. He was also interested in knowing how this site related to the affected area within the PUD, not the entire size of the PUD proper.

Chair Schwartz invited the applicant to address the Commission.

Mike Thompson, HKS Architects PC, Joe Siekirk, Plante Moran Cressa, and Narendra Kumar, Beaumont Hospital, were present on behalf of this application.

Mr. Thompson explained that they wanted to demolish the old apartment building and construct a parking lot for staff, in order to free up parking close to the hospital for visitors. The new parking lot would be a sustainable permeable system. Site lighting would be adjusted to comply with ordinance standards.

Mr. Thompson thought this determination was a minor one for the PUD. They were not adding density, merely shifting parking. The old apartment building was not claimed as an amenity or public improvement as part of the PUD.

In response to Commissioner questions, Mr. Thompson said the 2-story building had 24 units, and was approximately 21,600 square feet. Currently it was being used for construction offices and IT offices.

Mr. Siekirk said the footprint of the building was 10,800 square feet, or approximately ½ acre. The entire site was approximately 31 acres. The requested parking lot was very small compared to the overall project.

Chair Schwartz said the original motion approving this PUD had included a condition that the Hospital would work with the City's Economic Development Commission and the Chamber of Commerce to encourage their employees to live within the City. How was eliminating housing consistent with that goal?

Mr. Kumar spoke to the need for patients and parking to have convenient parking. The Hospital was working with the Economic Development Director to provide to hospital residents a list of preferred apartments in the City.

Commissioner McRae asked the original intent for this building. Mr. Kumar said the original intent was to house residents who came for short-term residencies. Currently the building was primarily used for construction offices and some support offices for IT staff.

In response to a question from Commissioner Stimson, Mr. Thompson said the entire campus had 1608 parking spaces. This project added 87 to that.

Commissioner Stimson noted that the Hospital had added a parking deck as well as more spaces. Why now did the Hospital need more parking?

Mr. Kumar said they wanted to dedicate the parking deck, as well as surface parking closest to the hospital, to patient and family parking.

Commissioner Stimson said he understood why they were moving the parking, but why did the Hospital need more? Mr. Kumar said the parking needs hadn't changed; they wanted to reallocate how they used the space by encouraging staff to park further away from patient parking.

Commissioner Stimson asked if all 87 spaces were needed. Could more green space be incorporated in the parking lot, especially some added green space for the residents across the street? In his opinion, this was a significant change to the aspect of the residents across the street.

Mr. Thompson said they were across Colwell from residential, and they had a 20-foot greenbelt before the 6-foot screen wall. It was not high-density residential in that area. The heliport was 200 feet away from its eastern edge to the property to the east and 140 feet to the property line. They put the heliport as far interior to the campus as they could. With the landscaping and the screen wall they felt the heliport would not be an issue. The helicopter made an average 2 trips a month.

Commissioner McRae said the Hospital was already over the required parking and now they wanted to add more parking. Was there an opportunity on the property to relieve some of the parking spaces elsewhere? Were there other spaces that could be removed as a result of this?

Mr. Thompson said he couldn't promise that other parking would be deleted to balance the requested additional spaces.

Commissioner McRae said if the Hospital needed more parking the applicants needed to say that. If they didn't they should remove parking in order to ask for parking in the new area.

Mr. Kumar said they needed more parking for patients and families closer to the hospital.

In response to a question from Commissioner Countegan, City Planner Stec reviewed the terms and scope of the original PUD.

In response to further questions from Commissioner Countegan, City Planner Stec said the entire PUD project likely reduced the amount of surface parking available from what was originally there. However a parking structure had been added. All residents within 300 feet were notified when the original PUD public hearings were held, along with public advertisement in the newspaper.

Commissioner Countegan asked if the applicant came in for a demolition permit to take down the building, would the Planning Commission be involved? City Planner Stec answered affirmatively.

Chair Schwartz indicated he was ready for a motion regarding with this was a minor or material change to the PUD plan.

Commissioner Stimson said he would like to give the public an opportunity to weigh in on this proposed PUD amendment.

MOTION Stimson, support by Countegan, that proposed amendment to Site Plan 66-7-2016, associated with PUD Plan 1, 2015, dated May 18, 2018, submitted by Michael Thompson of HKS Architects, to remove an existing apartment building and install additional parking is a material amendment to the plan requiring review by the Planning Commission and City Council in accordance with the provisions and procedures in Section 34-3.20 of Chapter 34 “Zoning” relating to final approval of a PUD plan, based on the following findings:

- **The public should have input on this requested change, specifically regarding the noise from the helicopter pad, and the loss of the greenbelt between the apartment complex and the street.**
- **One of the conditions of the PUD was to encourage residents and employees to live close to the hospital, and tearing down an apartment building seemed contrary to that.**

Commissioner Orr suggested requiring more vegetation on the street side of the wall.

Commissioner Brickner said that he felt a public hearing was necessary.

Commissioner Countegan spoke to this amendment as a material change because it was a specific improvement within the PUD.

Motion carried 7-1 (McRae opposed).

MOTION by Stimson, support by Countegan, that the proposed amendment to Landscape Plan 66-7-2016, associated with PUD Plan No. 1, 2015, dated May 18, 2018 submitted by Michael Thompson of HYKS Architects, to remove an existing apartment building and install additional parking, be set for Planning Commission public hearing on July 19, 2018.

Motion carried unanimously.

Chair Schwartz asked to have the original minutes approving the PUD included in the July packets.

Commissioner Orr said he would like to see landscaping including trees on the street side of the wall. He supported a continuous masonry wall on the north and also extended to the south. He suggested making the wall higher in order to block more of the heliport noise.

Commissioner Stimson agreed with creating a higher wall and extending it to the south. He also would like to see the wall moved as far west as possible in order to provide a thicker landscape barrier to help with the noise from the helicopter pad.

Mr. Thompson said there were already mature trees on the west side of Colwell. There were also power line poles. Regarding extending the wall south, there was already a 4-foot berm with a power pole and mature trees atop it, and the plan was to add more landscaping there. That end of the campus had been open for a long time, without problems.

Commissioner Mantey suggested the applicants bring graphics to the next meeting. The Commission saw potential issues with the residential properties abutting the area of the proposed change, and graphics/renderings might help.

Commissioner Brickner addressed safety concerns regarding the helipad. While additional landscaping was preferable, tall trees might interfere with landing the helicopter. A wall provided security for the helicopter as well as the entire site.

Commissioner Turner suggested that the applicants eliminate the 24 spaces on the east side of the proposed parking lot in order to have a larger space for a greenbelt there.

Commissioner Orr reiterated that he would like to see the wall all the way to the south end of Colwell.

Mr. Kumar thanked the Commission for their feedback, and stressed the importance of having patient and visitor parking near the hospital.

Commissioner Brickner supported putting staff parking in the proposed area. He would like to see more greenery and a connected wall.

Commissioner McRae disagreed with making the wall higher. He supported moving the wall west.

Commissioner Countegan said he was in general agreement with the proposed plan. He looked forward to seeing the applicants at the public hearing.

D. LOT SPLIT 2, 2018 (Final)

LOCATION:	Vacant parcel east of Tuck Road and northwest of the Kimberly Lane stub street
PARCEL I.D.:	22-23-35-401-008
PROPOSAL:	Split one parcel into four parcels in an RA-3, One-Family Residential District
ACTION REQUESTED:	Final Lot Split approval
APPLICANT:	Terry Sever
OWNER:	Crosswinds Court – MI Corp

Commissioner Brickner disclosed he had a professional relationship with the applicant.

MOTION by Orr, support by Stimson, to recuse Commissioner Brickner from discussion of Lot Split 2, 2018 (Final).

Motion carried 7-0-1 (Brickner abstained).

Utilizing a PowerPoint presentation and referring to the June 1, 2018 Giffels Webster review letter, Planning Consultant Tangari gave the background for this application to split one parcel into four parcels in an RA-3 District.

Three of the parcels would be new zoning parcels. The fourth parcel would be transferred to the large lot to the east (existing parcel 5) to form a new parcel of 6.975 acres. The 3 lots met ordinance standards.

City Planner Stec explained that the Rouge River ran through the back portion of this property, preventing development there. However, transferring parcel 4 to existing parcel 5 would result in greater density on those lands, should they ever be developed.

Commissioner McRae asked about the legal steps necessary for this project to go forward. City Attorney Schultz said that approval could be conditioned on all legal requirements being met.

Commissioner McRae asked if there was an agreement in writing regarding transferring parcel 4 to existing parcel 5. City Planner Stec said documentation had been submitted for the transfer of property.

Commissioner Mantey expressed support for the preservation of the wetlands represented by the transfer of property as presented.

Terry Sever, 1883 Teakwood Drive, White Lake MI was present on behalf of this application. He explained that the transfer and lot split would be simultaneous. The parcel being added to was vacant.

MOTION by Mantey, support by Turner, that Final Lot Split 2, 2018, submitted by Terry Sever, be approved because it appears to meet applicable provisions of Chapter 34 “Zoning” 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, with the following conditions:

- **Transfer of the new parcel 4 to existing parcel 5**
- **Final engineering approval**

Motion carried 7-0-1 (Brickner recused).

PUBLIC COMMENT None.

COMMISSIONERS’ COMMENTS

The next meeting was set for July 19, 2018.

Chair Schwartz complimented the Engineering division for the paving improvements throughout the City.

APPROVAL OF MINUTES: May 17, 2018

MOTION by Orr, support by McRae, to approve the May 17, 2018 minutes as published.

Motion carried unanimously.

ADJOURNMENT:

Chair Schwartz adjourned the meeting at 9:18 p.m.

Respectfully Submitted,
Dale Countegan
Planning Commission Secretary

/cem