

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION REGULAR MEETING
FARMINGTON HILLS CITY HALL – COUNCIL CHAMBERS
September 17, 2015, 7:30 P.M.**

Vice Chair Rae-O'Donnell called the Planning Commission meeting to order at 7:30 p.m. on September 17, 2015.

Commissioners Present: Blizman, Mantey, McRae, Orr, Rae-O'Donnell, Stimson

Commissioners Absent: Fleischhacker, Schwartz, Topper

Others Present: Staff Planner Stec, Staff Engineer Darnall, City Attorney Schultz, Planning Consultant Arroyo

APPROVAL OF AGENDA

MOTION by Orr, support by Blizman, to approve the agenda as published.

Motion carried 6-0 (Fleischhacker, Schwartz, Topper absent).

REGULAR MEETING

A. SITE AND LANDSCAPE PLAN 66-8-2015

LOCATION:	34705 Twelve Mile Rd.
PARCEL I.D.:	22-23-16-104-012
PROPOSAL:	Parking addition for existing building in OS-2, Planned Office Service District and OS-4, Office Research District
ACTION REQUESTED:	Approval of Site and Landscape Plan
APPLICANT:	Ken Bowen of Ashley Arboretum, LLC
OWNER:	Ashley Arboretum, LLC

Utilizing overhead slides and referring to the Clearzoning review letter dated September 9, 2015, Planning Consultant Arroyo gave the background for this application, which was a request for a site plan review and tree removal permit to allow the expansion of a surface parking lot for an existing commercial building, part of the Arboretum Office Complex – Unit 4.

Planning Consultant Arroyo reviewed the location of this application, which fronted on the south side of W. Twelve Mile Road between Farmington and Drake Roads. There was an existing office building located on the site, which had split zoning: OS 2 in the front and OS 4 in the back.

The applicants were seeking an additional 145 surface parking spaces, with 16 of the spaces indicated as “banked” parking spaces. This would require the removal of three trees in the northwest corner of the property.

Regarding the parking ratio, the Planning Commission might wish to discuss with the applicant the need for the additional parking spaces and whether the previously approved parking agreement with the adjacent Arboretum Office Complex might address some or all of the perceived parking demand.

Regarding the proposed banked parking spaces, the Zoning Ordinance did not actually address reserving parking spaces when the number of proposed spaces exceeded that which was required by Ordinance. The site plan approved by the Planning Commission would remain in effect for three years. Failure to construct the “banked” parking spaces within that time might result in voiding the approval.

Parking design and layout appeared to be acceptable. However, there were a couple of existing islands located to the north of Unit 4 that had no trees. The Planning Commission might wish to discuss with the applicant replanting those islands with trees in order to comply with current ordinance standards and also increasing the size of the islands to support the plantings.

Regarding parking lot screening, the applicants were proposing to add parking in the front yard. The ordinance required a two-foot berm, hedgerow, or masonry wall in order to separate the parking lot from a public thoroughfare. However, the grade from Twelve Mile Road was higher than the proposed parking lot, ranging between three and five feet. The applicant had requested that this grade separation be considered as screening in lieu of small shrubs, wall, or a two-foot high berm. There was landscaping in the area, but not of the type that generally screened parking lots from thoroughfares.

Regarding the City’s requirement for a pedestrian access from the sidewalk to the building, the applicant had not shown a walkway from Twelve Mile Road to the entrance of the building. The Planning Commission might wish to further discuss the installation of a walkway from Twelve Mile Road to the front entrance.

Regarding lighting, the applicant needed to confirm that there were no proposed changes to the lighting.

Saying that these were the main outstanding issues, Planning Consultant Arroyo concluded his review.

Commissioner Orr addressed the grade change in the parking lot along Twelve Mile Road. Planning Consultant Arroyo explained the intent of the ordinance was to screen the parking lot from the public sidewalk.

Vice Chair Rae-O’Donnell asked about the islands that currently did not have trees. Planning Consultant Arroyo pointed these out on the overhead. The islands needed to be enlarged in order for trees to thrive.

Commissioner Orr noted that the other trees on the property were 30 years old. Those trees had not grown as they should have. Was there a requirement to water these trees? Planning Consultant Arroyo said the primary problem with parking lot trees was that the islands were too small to support long-term growth.

Commissioner Orr said that if the original plans had required trees on the front islands, it would be a matter of code enforcement to get trees replanted in them.

Ken Bowen, 2976 South Haggerty Road, Ste 500, Canton MI, was present on behalf of this application. He said they were currently in the middle of a significant upgrade to the building. When the building was constructed it used a standard of 3.5 spaces/1000 square feet. Today’s standards required 5 spaces/1000 square feet. Based on site constraints, they were hoping to end up with 4.75 spaces/1000 square feet. They had had some interest in the vacant building so far - two of the requests had been for the entire building. In both cases, tenancy was still being negotiated but both prospects felt the parking ratio was insufficient.

Mr. Bowen said that they would rather plant landscaping in the front two islands than enlarge them and plant trees. For instance, they could plant tall grasses or low bushes that were less water-dependent. He noted that they had just repaved the entire parking lot.

Mr. Bowen said that he would put in a pedestrian access as requested. He would like to put this in on the west side of the parking lot to match the bus stop there.

Regarding screening from the parking lot, Mr. Bowen said the parking lot was about 20 feet from the sidewalk. There were 7 significant trees in that area. The grade went up to the trees, and then decreased somewhat to the sidewalk. Someone standing on the sidewalk could not see the parking lot. Mr. Bowen said that they had added 9 trees on the west, where they were removing 3 trees. He proposed pushing those trees "up and around" so that essentially the entire frontage would be trees.

Mr. Bowen said that they met the intent of the off street loading ordinance. There was a loading area on the east side of the building with substantial space and an overhead door.

Mr. Bowen said that they didn't use dumpsters. Garbage was collected inside and removed. There was a dumpster area on the plan, but they were not anticipating using it.

Regarding lighting, Mr. Bowen said that they were not planning on changing the exterior lighting.

Commissioner McRae wondered if it would make more sense to move customer parking closer to the building, even though the plan as presented mostly met ordinance requirements. He also felt pedestrian walkways needed to be carefully planned. Also, it was likely that additional lighting would be needed in the expanded parking area.

Commissioner McRae addressed the issue of banked parking and the parking design generally. He supported banked parking. He also felt that the applicant could come up with a better plan than that offered this evening, even though tonight's plan might meet ordinance requirements.

Commissioner Mantey asked about snow removal. Mr. Bowen said that they might lose some spaces during the winter as a result of piled snow.

Commissioner Orr asked if landscaping the islands could be required as a condition of site plan approval. City Attorney Schultz explained that since this was a nonconforming site, the Planning Commission could require that the site be brought into more conformance, as long as there was a connection between the improvements being sought by the applicant and the upgrades required by the Commission.

In response to a further question from Commissioner Orr, Staff Planner Stec said that the right to develop banked parking would be given into perpetuity. As long as the rest of the site plan was developed as planned within the appropriate time period, the banked parking became a vested part of the permanent site plan.

Regarding the landscaping of the two front islands, Planning Consultant Arroyo said that given the explanation of the recent repaving of the parking lot, he did like the idea of alternative landscaping there. He would be comfortable with that and with administrative approval of that landscaping.

Commissioner Orr asked if the dumpster location as noted on the plan was sufficient. Planning Consultant Arroyo said that he felt the plan notation was sufficient.

Commissioner Stimson said that he would also like to see alternative landscaping on the front islands. Regarding the front berm, he supported putting trees there. He supported putting pedestrian access through the parking lot.

In response to a question from Commissioner Blizman, Planning Consultant Arroyo said there was not room to put a pedestrian access through the center of the lot. Placing it on the west in order to facilitate access to the bus stop there would meet requirements.

Commissioner Blizman asked how winter conditions would be handled in the parking lot. If the snow were piled at the top of the slope, a freeze/thaw situation all the way down the slope would result, creating a hazardous situation. Mr. Berman said they took safety very seriously and would do whatever they had to keep that area safe.

In response to a further question from Commission Blizman, Mr. Berman said that there was a cross easement with the adjacent Arboretum Office Complex. However, parking across the main drive would cause their tenants to cross the main traffic area and would be less than ideal.

Commissioner Mantey addressed the screening along Twelve Mile Road. Trees were not generally good at screening because their leaf spread did not usually go right to the ground. Planning Consultant Arroyo said that in this case the trees might achieve the same kind of screening as a 2-foot hedge because of the grade change. The Commission should decide whether this met the intent of the Ordinance.

Commissioner Orr said that the slope rose to about one foot only above the sidewalk. He felt that a person on the sidewalk would not have his view to the parking lot screened. Perhaps bushes that grew larger such as burning bush would be appropriate screening along the sidewalk area. He did not feel trees were acceptable as screening along Twelve Mile Road.

Mr. Bowen said that a site-line study could show the proposed screening to be adequate. He asked if he could have such a study completed and submit that to city staff. If the Planner did not think there was adequate screening as shown by the site-line study, he would be glad to provide other screening as required.

Vice Chair Rae-O'Donnell wondered if they should approve only the site plan tonight, and have the landscape plan brought back for action at a later date.

Commissioner McRae said the point of the hedges was to block headlights. In this case, the headlights would shine right into a berm, making the hedges irrelevant. He would like to have the trees moved from the side of the property to the front, as already discussed, because he felt that was a better placement for the trees. But he didn't think the requirement for a two-foot hedge or berm was relevant in this case.

Commissioner Blizman pointed out that the berm, landscaping, etc., represented an existing condition. If the Commission required the two-foot hedge, there would still be the rest of the Arboretum complex without that screening.

Commissioner Mantey said that leaving the trees on the west side helped reduce heat in that area.

Mr. Bowen suggested that instead of moving trees around, they would be willing to add trees.

Seeing that there was no further discussion, Vice Chair Rae-O'Donnell asked for a motion.

MOTION by Blizman, support by Stimson, that Site Plan No. 66-8-2015, dated August 18, 2015, for the property located at 34705 12 Mile Road, submitted by Ken Bowen of Ashley Arboretum

LLC be approved because it appears to meet all applicable requirements of the Zoning Chapter. This approval is subject to the following conditions:

- **A pedestrian connection from the Twelve Mile sidewalk to the office building be included along the western edge of the parking lot.**
- **Additional landscaping be added to the existing parking lot landscape islands. This landscaping did not necessarily have to include trees, but did have to include plantings that would thrive.**
- **An approved lighting plan is required for any new parking lot lights.**
- **Additional trees be added in the gap areas along the Twelve Mile Road frontage.**

Motion carried 6-0 (Fleischhacker, Schwartz, Topper absent).

Commissioner McRae strongly encouraged the applicant to improve the site plan, in spite of the fact that this particular plan had been approved this evening. He felt the applicant could do better.

MOTION by Orr, support by McRae, that Landscape Plan 66-8-2015 be tabled until the next meeting so that the landscape plan can be amended to show the islands referred to in the site plan motion, and so that a sight line study can be completed and submitted.

Motion failed 3-3 (Mantey, Rae-O'Donnell, Stimson opposed; Fleischhacker, Schwartz, Topper absent).

MOTION by McRae, support by Stimson, that Landscape Plan No. 66-8-2015, dated August 18, 2015, submitted by Ken Bowen of Ashley Arboretum LLC be approved because it appears to meet all applicable Zoning Chapter requirements and applicable Design Principles as adopted by the Planning Commission. This approval is subject to the following conditions:

A revised plan is submitted for administrative review showing the following:

- **A sight line study showing whether or not the existing grade along the northern boundary of the proposed parking lot expansion is adequate to satisfy parking lot screening requirements along public rights-of-way.**
- **Additional trees are added in gap areas along the Twelve Mile Road frontage.**
- **The proposed landscaping for the existing parking lot islands be shown.**

Motion carried 6-0 (Fleischhacker, Schwartz, Topper absent).

B. SITE AND LANDSCAPE PLAN 67-8-2015

LOCATION:	31171 & 31151 Ten Mile Rd.
PARCEL I.D.:	22-23-26-101-034 & 047
PROPOSAL:	Office Building in B-3, General Business District
ACTION REQUESTED:	Approval of Site and Landscape Plan
APPLICANT:	Michael Tobin
OWNER:	Mel 10 Mile, LLC & Farmington Commercial LLC

Utilizing overhead slides and referring to the Clearzoning review letter dated September 9, 2015, Planning Consultant Arroyo gave the background for this application, which was to construct an 18,987 square foot commercial building with 8,172 square feet of office/showroom and 10,815 square feet of inventory storage. The property was located on the south side of Ten Mile Road east of Orchard Lake Road.

This site represented two properties; these should be combined to make one zoning lot. Any easements to the existing cellular tower needed to be noted on the plan.

The Planning Commission should clarify with the applicant how the proposed inventory storage area would be used. Also the applicant should address how many employees would be in that area and whether any parking needs would be generated by that space. Additionally, the applicant was tearing out part of an existing building, and maintaining part of that building. This appeared to be related to the equipment maintained for the cell tower on site. The use of that building needed to be clarified.

Regarding parking, again the applicant needed to present information regarding the use of the inventory floor area. Also, parking spaces adjacent to the building were encroaching upon the 5-foot wide pedestrian walkway. The applicant might wish to consider reducing the grass planting area adjacent to accommodate the full walkway width.

Regarding the corner clearance requirement, the applicant was proposing a three-foot stone veneer wall with plantings at the base. This might need to be dropped down to meet corner clearance standard, or the applicant could incorporate a combination of planting materials and decorative fencing. Continuing the landscape plantings to the west of the proposed walkway might help tie the areas together and further a more cohesive design along with protecting drivers on Ten Mile Road from the headlights of people parking in that area.

Regarding loading and unloading, there was an inconsistency in that Sheets UT-1 and SP-1 showed a different sized loading area. It appeared that Sheet UT-1 showed the accurate loading area. In order to meet the loading area size requirements, it appeared that the loading area extended into the circulation aisle on the south side of the site. One option would be to extend the loading area to the west in order to maintain the area that was required but not have it extend into the circulation aisle. Other questions would be how the loading/unloading area would be used, including how trucks would have to position themselves to use the area.

The applicant was proposing a detention area that had been identified at the southeast end of the site. The Engineering Division had some questions regarding this area and the applicant needed to work with Engineering to make sure any issues were resolved.

Regarding lighting levels, some modifications to lighting levels were required in order to reduce lighting levels along the property line to meet ordinance standard. A revised photometric plan needed to be submitted for review. The plans should also verify that the maximum ambient light levels met Section 34-5.16.3.C.

There was some additional information needed for the tree removal permit. As part of the tree removal permit, the applicant should include a list of all trees on site with a corresponding tree inventory number and disposition. This list should include the common name, botanical name, size, and condition.

Other outstanding issues with the tree removal permit and landscape plan were minor and could be reviewed administratively.

Planning Consultant Arroyo concluded his review.

Commissioner Stimson noted that they had not received a Fire Marshal review for this application. Were the radii sufficient for emergency vehicles? Planning Consultant Arroyo said that the radii appeared to be sufficient and would be reviewed by the Fire Marshal.

Michael Tobin, 31500 W. 10 Mile Road, Farmington Hills MI, was present on behalf of this application. Mr. Tobin said they had been in their present location across the street for 20 years, and they were now seeking to upgrade their facilities by constructing the building before the Commission.

Mr. Tobin said they would combine the parcels. They owned the cellular tower so easements were not a problem. They were removing all the building except for the back part, which was housing some equipment for the cellular tower. No one would occupy that building; it would only be used to service the tower. They would lower the two screening walls from 3 feet to 2 feet and extend the west one. They would work with staff to adjust the lighting.

Mr. Tobin said that the back area would only be occupied by one person, as shown on the plan. The stored inventory would be inventory for the approximately 25 developments they owned or managed, and would contain such things as light fixtures, parts, etc. There would be no work done on the inside of the building.

Mr. Tobin addressed the loading/unloading area, noting that delivery trucks would never leave the drive, and would continue out the drive toward Walgreens. Most traffic would use the east drive. The main exception to this would be the waste hauler who would empty the dumpster.

Mr. Tobin said that they would make sure the radii would be sufficient for large trucks and emergency vehicles. However, they predominantly used pickup trucks. All the parking spaces would be 20 feet deep and the plans would be corrected to show this.

Regarding the landscaping, they had designed the planting to include the future parking. They would plant two additional trees, as required.

Seeing that there was no further discussion, Vice Chair Rae-O'Donnell asked for a motion.

MOTION by Orr, support by Blizman, that Site Plan No. 67-8-2015, dated August 17, 2015, submitted by Michael Tobin, be approved because it appears to meet all applicable requirements of the Zoning Chapter. This approval is subject to the following conditions:

- **A revised plan is submitted for administrative review showing compliance with items identified in the September 9, 2015 Clearzoning review letter.**
- **The two parcels be combined into one.**
- **Review by the Fire Marshal.**

Motion carried 6-0 (Fleischhacker, Schwartz, Topper absent).

MOTION by Stimson, support by Blizman, that Landscape Plan No. 67-8-2015, dated August 17, 2015, submitted by Michael Tobin, be approved because it appears to meet all applicable Zoning Chapter requirements and applicable Design Principles as adopted by the Planning Commission. This approval is subject to the following condition:

- **A revised plan is submitted for administrative review showing compliance with items identified in the September 9, 2015 Clearzoning review letter.**

Motion carried 6-0 (Fleischhacker, Schwartz, Topper absent).

C. SITE AND LANDSCAPE PLAN 68-8-2015

LOCATION: 28333 Grand River Ave.
PARCEL I.D.: 22-23-36-377-112

PROPOSAL: Automobile sales in B-3, General Business District
ACTION REQUESTED: Approval of Site and Landscape Plan
APPLICANT: Al Tiffin and Behrouz Oskui
OWNER: Behrouz Oskui

Behrouz Oskui, 38 South Deeplands, Grosse Pointe Shores, MI, and Rouzbeh Oskui, 41 Warner, Grosse Pointe Farms, MI were present on behalf of this application.

The applicants requested that this application be tabled to a later date in order to give them time to work out some of the issues called out in the Clearzoning review letter.

MOTION by Orr, support by Stimson, to table Site Plan No. 68-8-2015, dated August 18, 2015, submitted by Al Tiffin and Behrouz Oskui, to a date uncertain.

Motion carried 6-0 (Fleischhacker, Schwartz, Topper absent).

D. CLUSTER SITE PLAN 69-8-2015

LOCATION: East of Orchard Lake Rd and south of Springland St.
PARCEL I.D.: 22-23-14-302-001, 002, 003 & 004
PROPOSAL: Four (4) attached two (2) unit single-family homes in RA-2, One-Family Residential District
ACTION REQUESTED: Review of preliminary plan and set for public hearing
APPLICANT: Ben Lockhart of S & L Associates Inc.
OWNER: S & L Associates Inc.

Utilizing overhead slides and referring to the Clearzoning review letter dated September 8, 2015, Planning Consultant Arroyo gave the background for this application, which was before the Commission for the purpose of scheduling a public hearing and preliminary review of the site plan for the one-family cluster option per Section 34-3.17, for eight (8) residential units. The property was located with frontage on Orchard Lake Road to the south of Springland Road. The 2.91 acre project area was zoned RA-2, One-Family Residential.

Planning Consultant Arroyo said that in 1986 this property had been discussed by the Planning Commission and was already qualified for one-family cluster. This area was also identified in the Master Plan as Single Family Cluster with a low-medium density, and was located in Special Residential Planning Area #12, designated in the 1996 Master Plan for the cluster option with the purpose of maintaining one-family residential use of the Orchard Lake Road frontage.

Regarding the preliminary plan, there was some missing information, as noted on page 3 of the review letter. They did appear to be within the density maximum.

Ordinance issues included:

- The common party walls which formed interior room space were 33 feet in length with an overall building length of 48 feet or 66 percent. This exceeded the shared length permitted under this provision and thus the standard was not met. However, the Planning Commission could discuss ways with the applicant that they could provide greater common open space or preservation of natural assets, which would allow a greater density (75%).

- Spacing between groups of attached buildings needed to be equal to 20 feet in RA-2 districts, measured between the nearest points of adjacent buildings. This standard had not been met. Three of the four attached units were spaced within 15 feet of each other.
- Buildings were required to be no fewer than 25 feet from any property line. The north and south side yards were less than 25 feet from the property line.
- The Planning Commission should determine whether the one-family district to the east was sufficiently buffered from the proposed cluster development.

Commissioner Orr asked about the purpose of 3 designated offices below Unit C. Planning Consultant Arroyo deferred this question to the applicant.

Commissioner McRae wondered if the homes would be single family or used for some other purpose, such as assisted living.

In response to a question from Commissioner Blizman, Planning Consultant Arroyo said the recent lot split on Orchard Lake Road was a short distance south of this application.

Benjamin Lockhart, S & L Associates, 28300 10 Mile Road, Southfield, MI and Damon Thomas, Centric Design Studio, LLC, 440 Burroughs Street, No. 306, Detroit MI were present on behalf of this application.

Saying that they had started to address the issues in the Clearzoning letter, Mr. Thomas distributed an updated site plan to the Commission. Vice Chair Rae-O'Donnell confirmed that this updated site plan had not yet been reviewed by staff.

Regarding setback requirements along with the presence of a lowland/wetland in the center of the site, Commissioner Orr asked if the lowlands were "valuable." Staff Planner Stec said that was a question for the MDEQ (Michigan Department of Environmental Quality).

Mr. Thomas said that the updated site plan did not show adjusted floor plans, but did show that the units had been adjusted in order to meet setback requirements, and to meet requirements for the common party walls. The updated site plan had also corrected spacing between buildings.

In response to a question from Vice Chair Rae-O'Donnell, Mr. Lockhart said the units would be strictly residential.

In response to a question from Commissioner Blizman, Mr. Thomas said the A units were roughly 1925 square feet, B units were roughly 2120 square feet, the C unit with the walkout basement was roughly 4240 square feet, and the D unit would be approximately 1800 square feet.

Commissioner Mantey addressed the issue of the lowland, which might not be regulated, but which did present particular design and construction issues. The Cluster Option should preserve natural features.

In response to a question from Commissioner Blizman, Planning Consultant Arroyo said the plans should be revised before the public hearing. After discussion, deadline for plan submission in order to be ready for the October 15 meeting was set for Monday, September 21, 2015.

MOTION by McRae, support by Orr, that Cluster Plan No. 69-8-2015, petitioned by Ben Lockhart of S & L Associates, Inc., be set for Public Hearing on October 15, 2015.

Motion carried 6-0 (Fleischhacker, Schwartz, Topper absent).

APPROVAL OF MINUTES

August 6, 2015, August 20, 2015 and August 27, 2015

It was noted that the August 6, 2015 minutes were not the final draft version and could not be approved this evening.

Regarding the August 20, 2015 minutes, the following corrections were noted:

- Condition 19 of the motion listed on page 16 (and previously on the draft motion on page 14 as condition 22) should be amended to show the intent of the discussion as follows: go any further ~~south~~ *north* on Oxford . . .
- On page 15, second line of the motion at the bottom of the page should be corrected to read: that P.U.D. Plan No. 1, 2015, *be approved*, including . . .

MOTION by Orr, support by McRae, to approve the August 20, 2015 minutes as amended and the August 27, 2015 minutes as presented.

Motion carried 6-0 (Fleischhacker, Schwartz, Topper absent).

PUBLIC COMMENT None.

COMMISSIONER'S COMMENT

Commissioner Mantey addressed the Clean Water Act, which protected navigable waters; vernal ponds were not navigable.

Commissioner Stimson noted that wells were going dry in the Middlebelt/Twelve Mile area as a result of the dewatering performed on the Oakland County Drain. Staff Engineer Darnall said he would pass this information to the Deputy Director of the Department of Public Services.

Commissioner Orr said that he would like to encourage Enterprise Car Rental at the Drake and Grand River area to absorb the property where they were currently parking vehicles, even though they didn't own that property. Staff Planner Stec said that zoning enforcement was working with that issue.

Future meetings were scheduled for October 15, November 12 and November 19th.

ADJOURNMENT

Seeing that there was no further discussion, Vice Chair Rae-O'Donnell adjourned the meeting at 9:26 p.m.

Respectfully submitted,

Steven Schwartz
Planning Commission Secretary

/cem