

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION PUBLIC/REGULAR MEETING
CITY COUNCIL CHAMBER
31555 11 MILE ROAD, FARMINGTON HILLS MI
December 18, 2014**

Chair Topper called the Planning Commission meeting to order at 7:30 p.m. on December 18, 2014.

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

Commissioners Absent: None

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

APPROVAL OF AGENDA

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

Motion carried unanimously.

PUBLIC HEARING

A. ZONING REQUEST 4-10-2014

LOCATION:	North side of Thirteen Mile Rd., west of Orchard Lake Rd.
PARCEL I.D.:	Part of 22-23-03-477-058
PROPOSAL:	Rezone parcel currently zoned B-2, Community Business District to B-3, General Business District
ACTION REQUESTED:	Recommendation to City Council
APPLICANT:	Arie Leibovitz, Ari-El Enterprises, Inc.
OWNER:	Farmington Commons, LLC

Utilizing overhead slides, and referring to his revised review letter of December 18, 2014, Planning Consultant Arroyo gave the background for this rezoning request, which was to rezone a vacant outlot of the Farmington Commons so that the property could be used for a free-standing drive-in food service business. The subject parcel was located west of the corner gas station and south of the commercial strip center that fronted Orchard Lake Road, with Thirteen Mile Road on the south. The outlot was approximately 155 feet by 161 feet, or approximately 25,000 square feet.

The parcel was currently zoned B-2, with B-3 zoning directly to the east, including the adjacent corner. OS-1 zoning was directly to the west of the greater Farmington Commons property.

The Master Plan for Future Land Use designated the subject property as *Shopping Center Type Business*. The subject property was located within the Orchard Lake Road Redevelopment Area and classified as Business Redevelopment. The goals of the special planning area included encouraging the consolidation of unrelated sites, creating an overlay district for business frontage parcels and implementing the visions of the Orchard Lake Road Corridor Study.

Planning Consultant Arroyo referred the Commissioners to the information in the review letter

regarding *Master Plan for Future Land Use recommended policies* for the area west of Orchard Lake Road and north of Thirteen Mile Road.

Planning Consultant Arroyo explained that the subject property was zoned B-2, Community Business District, which was designed to cater to the needs of a large consumer population generally characterized by an integrated or planned cluster of establishments served by a common parking area and generating large volumes of vehicular and pedestrian traffic. B-2 Districts allowed for fast food or carryout restaurants but did not permit drive-in facilities. The B-2, Community Business District also had greater setbacks than the proposed B-3, General Business District.

The applicant was proposing a rezoning to B-3, General Business District that was designed to provide for more diversified business types that would often be incompatible with the pedestrian movement in the B-1, Local Business District or the B-2, Community Business District.

The property to the east was improved with a gas station. To the south (across Thirteen Mile Road) was a drug store, to the north was a commercial retail strip center and to the west was primarily office use. The subject outlot was a part of the property to the north that was zoned B-2, Community Business District. The corner lots, gas station and drug store were zoned B-3, General Business District.

Planning Consultant Arroyo reviewed issues to consider for a Zoning Map Amendment:

Was the proposed zoning consistent with the Master Plan?

Other intensive vehicle oriented uses such as gas stations were delineated as non-center type businesses in the Master Plan. The proposed B-3 district allowed for businesses that would generally be located within the Shopping Center Type Businesses, as referenced in the Master Plan, but the demands of a drive-in component for this land use, as proposed by the applicant, might not be compatible with all areas designated as a Shopping Center Type Business in the Master Plan.

What impact would the requested zoning have on public services and utilities and natural features?

The subject property was vacant with an asphalt surface and parking spaces along the west and north portions of the site. The applicant had not provided documentation on the impact of rezoning the property to B-3, General Business District on public services and utilities. There did not appear to be any natural features on the site as the site was previously improved with a commercial business.

Had the applicant provided evidence that the property cannot be developed or used as zoned?

No.

Was the proposed zoning district (and potential land uses) compatible with surrounding uses?

The proposed zoning would allow a higher intensity use and decreased setbacks. The remaining portion of the commercial development, Farmington Commons, was zoned B-2, Community Business District. The B-3, General Business District allowed for higher intensity auto-related businesses such as gasoline service stations, car washes, and drive-in restaurants. The property was located to the west of a gasoline service station and east of office uses. The applicant should provide evidence that the increase in auto-related traffic would not create a negative impact on the adjacent land uses.

Would the proposed zoning place a burden on nearby thoroughfares? If so, how would this burden compare with the existing zoning district?

The applicant had not provided a traffic impact study or an analysis of existing infrastructure as part

of the application. The increase in vehicle trips and the current capacity of the thoroughfares and access points should be reviewed and documented to ensure that the uses permitted under the B-3, General Business District would not negatively impact the adjacent properties or be overly burdensome on the existing infrastructure.

Was there other land currently available for this use?

The applicant had not provided documentation showing that other land was unavailable for the proposed use. There were other areas of the city zoned B-3, General Business District that permitted the proposed drive-in restaurant.

Would development of the site under proposed zoning be able to meet zoning district requirements?

The applicant had submitted a concept plan that appeared to meet the setbacks but was inconsistent with the policies outlined in the Master Plan. The drive-thru portion of the site fronts Thirteen Mile Road, which impacted its relationship to the pedestrian walkway and street.

Was rezoning the best way to address the request or could the existing zoning district be amended to add the proposed use as a permitted or special land use?

The intensity permitted by right in the B-3, General Business District might not be appropriate for this site. Amending the B-2, Community Business District would impact this site as well as many others in the City.

Had there been a change in circumstances and conditions since adoption of the Master Plan that would support the proposed change?

The applicant had not provided documentation of any change in conditions. There had been no change to the Master Plan since its adoption in 2009.

Would granting the request result in the creation of an unplanned Spot Zone?

Spot zoning was the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area, for the benefit of a single property owner and to the detriment of others. Typically, to determine if rezoning would constitute spot zoning a municipality would look to answer three questions. 1) Was the rezoning request consistent with the Master Plan for the area? 2) Was the proposed zoning district a logical extension of an existing zoning district in the area? 3) Would approving the request grant a special benefit to a property owner or developer? The Planning Commission should make a finding related to spot zoning.

Planning Consultant Arroyo concluded his review.

As the current address for the Center was Orchard Lake Road, Commissioner Stimson asked if the setback from Thirteen Mile Road would be a front or side yard setback. Planning Consultant Arroyo said that if this development moved forward, it would likely require a lot split from its parent parcel, and would front on Thirteen Mile Road.

Commissioner Fleischhacker asked if the existing development could afford to lose the parking spots that now constituted this parcel. Planning Consultant Arroyo said that the applicants had not provided a parking analysis; there might be an opportunity for shared parking.

Commissioner Fleischhacker noted that when this property was last redeveloped the Planning Commission had asked for parking lot trees to be planted, but the owners said they needed every available parking space and thus could not plant trees there. Now the owners were coming forward

with this proposal, which would reduce significantly the amount of available parking spaces.

Commissioner Schwartz addressed the issue of spot zoning. The proposed parcel was abutting a B-3 District, with B-3 Zoning on the corner across the street and also on the two corners east of this proposal. Why would spot zoning be an issue?

Planning Consultant Arroyo said spot zoning was probably not a concern, but the Planning Commission needed to make that determination.

Commissioner Schwartz continued that he worked in the office building directly west of this proposal, and as far as he knew the parking spaces were never fully utilized. Most often, the parking spaces in this area were empty.

Commissioner Fleischhacker said the Commission needed to make sure the original center met ordinance requirements for parking spaces should this development move forward and the land be split from the parent parcel. The Commission should not create a non-conforming situation or a situation that required a business owner to seek relief from the Zoning Board of Appeals.

Applicant Arie Liebowitz, Ari-El Enterprises, Inc., 29355 Northwestern Highway, Southfield MI., spoke on behalf of this zoning request. Utilizing a visual of the site, Mr. Liebowitz explained that all four corners at the near intersection of Thirteen Mile and Orchard Lake Roads were zoned B-3. He gave some of the background of the shopping center located on the greater parcel, explaining that when they had acquired this property it had been vacant, and they had been able to redevelop the existing property and bring strong businesses to the center.

Mr. Liebowitz said that the subject parcel was not utilized. They had been approached several times regarding constructing a casual food service restaurant in that area, but such a business would require a drive-thru operation. Drive-thru's were not permitted in the B-2 Zoning District, and thus they were requesting a rezoning to B-3, which did allow such operations.

Mr. Liebowitz said that the lease agreement with Gordon Food Service (currently on the south end of the strip shopping center) required Gordon Foods' consent for this project; they had given this consent.

In response to a question from Commissioner McRae, Mr. Liebowitz said that if this proposal went forward, he did not believe there would be an issue with parking spaces on the original parcel and B-2 requirements would be met. All parking concerns would be addressed at site plan review.

Mr. Liebowitz said that they had not intended to apply for a lot split, but to retain the entire property under a single ownership.

Planning Consultant Arroyo clarified that if the proposal went forward, a lot split would be required because a B-3 District could not abut a residential district; a small portion of the northwest corner of the original parcel did abut a residential area.

Mr. Liebowitz said that in any event both parcels would have the same owner.

Chair Topper opened the public hearing.

Steve Katz, owner of Sunrise Café, said that his business was in the north half of the strip shopping center – not owned by the applicant – being referred to this evening. He opposed the rezoning. He pointed out that delivery trucks, including semi-trailers, that serviced Gordon Food Services, ACE Hardware, and Bake Station/Sunrise Café, used the subject parcel as a turn-around. Constructing a building in that area would force the delivery trucks to back out onto Thirteen Mile Road, a street that was already congested. Rezoning the area for this use would be detrimental to other businesses in the area.

Howard Weinberger, 4977 Hickory Point Drive, Orchard Lake MI said that his family had owned the north half of the strip shopping center since 1971. He opposed the rezoning. Businesses such as a casual restaurant drive-thru required a defined outlot; the subject property was not defined in this way. It was normal and appropriate for the nearby corners to be zoned B-3 and to have such businesses as gas stations and drive-thru drugstores/pharmacies. However, the subject parcel seemed too tight to have ingress and egress for a drive-thru restaurant, especially from Thirteen Mile Road, which was often congested. Mr. Weinberger continued that businesses in his portion of the strip mall included ACE Hardware, the Bake Station bakery, Sunrise Café, a nail salon, and a dry cleaners. His family had invested significant money in this shopping center including upgrades and remodels in 2014. The proposed rezoning with its attendant use and additional traffic would be a nightmare.

Robert Dawson, 29556 Orchard Lake Road (Leeza's Café), Farmington Hills MI, opposed the rezoning request. He felt there would not be enough room for parking for the proposed use, especially if a drive-thru were added.

Howard Weinberger added that there were Michigan Department of Environmental Quality monitoring wells somewhere in the area, made necessary after the Mobil Gas station tanks leaked toward the current Gordon Food Service location.

Seeing that there was no more public comment, Chair Topper closed the public hearing.

Mr. Liebowitz addressed concerns raised during the public hearing. Regarding truck usage of the subject parcel, he noted that this property was not zoned or designated a truck turnaround area. Under the current B-2 zoning he could construct a building as long as met Zoning and Code requirements. The monitoring wells were a non-issue, as that situation had been remediated. He was proposing a small building of minimal construction. The only difference was that such a facility would require a drive-thru window, and that was the reason for tonight's rezoning request.

Commissioner Schwartz said that the rear of the strip shopping center provided truck access; a truck could enter from Orchard Lake Road, utilize the rear access, and exit onto Bond Street, turning right for a return to Orchard Lake Road.

Commissioner Schwartz agreed with Commissioner Fleischhacker that a parking/traffic analysis needed to be done to ensure that should this proposal go forward, a non-conforming situation would not result.

Staff Planner Stec said that while he understood the Commissioners' concerns, rezoning the property would not create a non-conforming situation in and of itself or have any impact on the parking situation, since the entire parcel was under single ownership. However, when a site plan came in for a specific proposal, parking issues might arise at that time. Without knowing exactly what was proposed, questions regarding parking, shared parking, etc., were difficult to answer.

City Attorney Schultz added that a lot split would require looking at parking requirements. Also, as already stated, when a proposal came in for a use on the rezoned property, enough parking would need to be available for whatever was proposed.

Commissioner Schwartz said that the question remained whether the remainder of the property would meet B-2 parking requirements, if the proposed area for rezoning was split from its parent parcel. The Commission needed to know that before moving forward.

Commissioner Fleischhacker also emphasized the need to know how many parking spaces would be left for the existing uses, should the subject parcel be rezoned, split, and developed. He was opposed to creating a situation where any new project would need a variance before proceeding.

In response to a question from Chair Topper, Mr. Liebowitz said that the existing strip shopping center under the ownership of Farmington Commons LLC contained about 27,000 square feet. He further explained that they were trying to enhance the value and use of the property, which was currently under-utilized. Rezoning the property was virtually risk-free for the City, because any proposed construction/use would have to meet the City's parking requirements or not go forward.

Commissioner Fleischhacker affirmed that if a lot split should occur, there had to be enough parking for the other permitted uses – current and future – on the remaining property to the north. He reminded Mr. Liebowitz that prior development on this property had excluded parking lot trees because every parking space was needed.

MOTION by Fleischhacker, support by Orr, to adjourn Zoning Request No. 4-1-2014 to January 2015 to give time for a determination to be made whether a parking deficiency would be created for existing uses in the northern shopping center.

Motion carried 7-2 (Blizman, Orr opposed).

B. PUD PLAN 1, 2014

LOCATION:	33045 Hamilton Court
PARCEL I.D.:	22-23-15-101-035
PROPOSAL:	Planned Unit Development Plan, for three (3) hotels in OS-4, Office Research District
ACTION REQUESTED:	Recommendation to City Council
APPLICANT:	Scott Bowers of Bowers & Associates
OWNER:	Hamilton Court Development, LLC

Utilizing overhead slides and aerials, and referring to his review letter of December 11, 2014, Planning Consultant Arroyo gave the background for this Planned Unit Development (Final PUD Determination) and Tree Removal Permit on a request to develop a phased hotel development. The property was located on the northeast corner of I-696 and Farmington Roads, with access from 12 Mile Road (via Hamilton Court). There was a private easement to Farmington Road that was not currently utilized. The property was zoned OS-4, and was approximately 10.7 acres. The applicant was proposing to construct three hotels on the subject property. Documents including a proposed site plan, elevations, floor plans, a photometric plan, and a preliminary conceptual landscape plan had been provided.

Planning Consultant Arroyo explained process for PUD determination.

At their June 19, 2014 meeting, the Planning Commission had made a preliminary finding that the application for PUD 1-2014 would qualify for the Planned Unit Development Option under Section 34-3.20, subparagraph (2), (A), (B), (C), (D), and at least one of items (i-viii) of (E) or more specifically (E) vi. to promote the goal and objectives of the Master Plan for Land Use, of the Zoning Chapter; and that it be made clear to the petitioner that final granting of the PUD Plan and Contract must be approved by the City Council, after recommendation by the Planning Commission. The applicant provided a statement of intent submitted on October 10, 2014 to the City of Farmington Hills Planning Department.

The Planning Commission, at their regular meeting of November 20, 2014 set a public hearing on the final determination of a PUD for December 18, 2014. Per Section 34-3.205.B.ii., the Planning Commission shall hold a public hearing on the PUD, with notice given in accordance with Section 34-6.2, Public Hearings.

Tonight's public hearing was a request for final PUD qualification and recommendation to City Council. City Council would make the final determination to approve or deny the requested development.

A PUD allowed the applicant to request certain deviations from ordinance requirements in exchange for community benefits provided by the application and final development.

Planning Consultant Arroyo said that ordinance items that required specific attention included:

- The traffic analysis had not been completed which would determine the demand on the current infrastructure. Without the traffic study, the impact of the PUD on public facilities could not be adequately determined. This was a requirement of the Final Determination of the PUD Qualification. While the applicant had indicated a traffic study was in progress, it had not yet been submitted.
- The Planning Commission might wish to request a shared parking study, in addition to the traffic study. There was a 48-space parking deficiency on the conceptual site plan. If the applicant submitted a shared parking study a deviation might not be necessary.
- There were design questions regarding the connection to Farmington Road that should be addressed prior to action by the City Council. The applicant was proposing access to Farmington Road through an existing developed site; issues with this had been called out in the Engineering Department November 3, 2014 review letter. Also the Engineering Department review letter had noted that Hamilton Boulevard needed rehabilitation. This was something that could be discussed and perhaps required as part of the public benefit portion of the PUD.
- Details were lacking on the signage being proposed, specifically setback (corner-clearance), wayfinding and free-standing (whether they were including advertising, sign design and material details). Two proposed signs would be considered off-premise signs. The applicant should also address the inclusion of the other Hamilton Court property owners on the free-standing entry sign. The applicant had not requested a deviation as part of the PUD application; therefore, all signage should meet ordinance requirements. As proposed, the signage did not appear to meet ordinance requirements. Also, the Planning Commission could request additional signage as part of the PUD process. The Commission could also ask for more details in terms of attractiveness, durability, and the signs' benefit-adding characteristics to the area.
- There were inconsistencies in the plan on the extent and location of the sidewalk connecting to 12 Mile Road. The plans were showing the sidewalk on one side of Hamilton Boulevard; there was a

note on the Engineering Plan that there would be sidewalks on both sides of Hamilton Boulevard. Crossing areas were shown in different locations on different documents. The applicant had identified this sidewalk connection as a benefit to the community; this should be clearly and consistently delineated on the plan.

- The Planning Commission should pay special attention to the elevation drawings of the proposed hotels that had a high percentage of EIFS (Exterior Insulation and Finish System) materials. Consideration of higher quality and more durable façade materials was appropriate given the visibility, proximity to I-696, and height of these structures and the application's status as a PUD. Did those materials add aesthetic benefit to the area relational to the deviation from height standards that was being requested?
- The Planning Commission should review with the applicant and confirm all requested ordinance deviations.

Regarding the proposal generally, the applicant proposed to remove an existing approximately 127,000 square foot three-level office building. In its place, the applicant proposed a 367-room hotel complex, which would be comprised of two 4-story buildings and one 6-story building, a 4,018 square foot meeting room and a 4,000 square foot restaurant. The development also included additional meeting rooms, recreational areas and an indoor pool, off-street parking and other site improvements and amenities.

The applicant was proposing a phased development. The proposed plan identified the following phased improvements:

- Phase I (east portion of the site) included a four story hotel (Hotel 2 on the site plan) containing 61,979 square feet with 106 rooms, dining, and lounge and meeting areas. Phase I also included the construction of 214 parking spaces.
- Phase II (center portion of the site) included a six story hotel (Hotel 3 on the site plan) containing 92,621 square feet with 140 rooms and 176 parking spaces. Phase II also included the construction of a 4,018 square foot meeting room and a 4,000 square foot restaurant (sports bar) located on the first floor of the hotel.
- Phase III (west portion of the site) included a four story hotel (Hotel 1 on the site plan) containing 88,038 square feet with 121 sleeping rooms with kitchenettes and with 108 parking spaces. The final phase was designed as an extended stay hotel. (The letter of intent indicated 122 rooms)

Planning Consultant Arroyo explained that the Planned Unit Development option was designed to permit flexibility in the regulation of land development by encouraging innovation through an overall development plan to provide variety in design and layout; to achieve economy and efficiency in use of land, natural resources, energy and in the provision of public services and utilities; to encourage the creation of useful open spaces particularly suited to the needs of the parcel in question and provide appropriate housing, employment, services, and shopping opportunities suited to the needs of the residents of the city.

The applicant's letter of intent identified the following qualifiers for using the PUD option:

- Pooled or shared parking between buildings to minimize hardsurfaced and excess parking. In the instance of dual or multiple use sharing off-street parking spaces, the Planning Commission could reduce the number of required parking spaces upon review of a shared parking study submitted by the applicant that appropriately documented that fewer spaces were necessary than required to serve the peak demand of all uses combined. The applicant was requesting a deviation from the ordinance provision for the number of parking spaces. The Planning Commission might wish to request a shared parking study, in addition to the traffic study. If the applicant submitted a shared

parking study a PUD deviation might not be necessary, as it could be granted as part of site plan review.

- Installation of 'Green' specific parking and electric plug-stations, with 10 electric car stations to comply with LEED (Leadership in Energy and Environmental Design) requirement of minimum of 2% of parking. The city ordinance did not require LEED parking spaces and electric plug-stations.
- Landscaped islands to break up large expanses of surface parking. Section 34-5.14.4, required that one tree be provided for each 2,800 square feet of paved surface area and that they be distributed evenly throughout the paved area. The applicant noted the proposed number of trees and included that the number of trees proposed were in excess of the requirements for parking lot separation from the public thoroughfares.
- Installation of hardscape with a Solar Reflective Index of at least 29 to lessen solar gain and increase solar reflectance in order to reduce the heat island effect. The city ordinance did not contain a provision that addressed this item.
- Planting of indigenous species of trees and shrub. Section 34-5.143.E recommended indigenous species of trees and shrubs; the planting of indigenous species was consistent with the existing requirements of the ordinance.
- Pedestrian path with benches and decorative light fixtures. Internal pathways would connect the hotels/buildings. This was not specifically required by city ordinance.
- Connection of a sidewalk from the development site to Twelve Mile Road. This was not required by city ordinance.
- Stormwater management system using a combination of a detention basin (west side) and underground detention system (east side). Stormwater management system was required to meet minimum requirements.
- Instituting measures to reduce construction activity pollution (controlling soil erosion, water sedimentation and airborne dust during construction). This was required by city and state regulations.
- Compliance with Dark Sky requirements to reduce light pollution. Use of LED light fixtures. Section 34-5.16 required that lighting be in keeping with the city's goal of prohibiting unnecessary illumination of the night sky.

Regarding the Planning Commission review of the proposed PUD Plan, Planning Consultant Arroyo said that if the PUD recommendation were moved forward this evening, and City Council also approved it, the PUD site plan, landscape plan, lighting plan, etc. would return to the Planning Commission for detailed review.

Tonight's review should include the proposal's qualification for the PUD option and for adherence to the following objectives and requirements:

The proposed PUD must adhere to the conditions for qualification of the PUD option and promote the land use goals and objectives of the city.

As part of the PUD qualification, the applicant must provide evidence that the proposed land use would not materially add service and facility loads beyond those contemplated in the Future Land Use Plan or that they could effectively accommodate or mitigate them as part of the proposal.

- The applicant should provide an evaluation of the traffic flow internally and on the public road network, including but not limited to 12 Mile Road and Farmington Road. As noted above, this had not been provided.

- In response to prior Planning Commission comments, the applicant was showing a sidewalk connection to 12 Mile Road. Sheet A2 plan view and C2 notes and plan view were inconsistent. Sheet C2 notes a 5-foot sidewalk on both sides of Hamilton Boulevard but did not show it in plan view. Sheet A2 showed a cross walk across Hamilton Boulevard with 5-foot sidewalks on the west side. The Planning Commission might wish to direct the applicant on the type of sidewalk configuration that would be best suited for the proposed development and community.
- There was a 30-foot wide easement for a driveway and right of way easement to Farmington Road noted on Sheet C6. The plans noted that a “No Trespassing” sign would be removed from the site but did not propose improvements to the easement that might permit access to Farmington Road.
- A traffic impact study was requested by the City Engineering and Planning Departments. The applicant indicated at the November 20, 2014 Planning Commission meeting that a traffic impact study was being prepared. The City had not received a traffic impact study; therefore a final determination of the PUD qualification should be postponed until evidence regarding the “service and facility loads” or methods to “accommodate or mitigate them” had been provided.

Planning Consultant Arroyo continued that there had to be an adequate means of disposing of sanitary sewage and of supplying the development with water and that the road system and storm water drainage system were adequate. The Engineering Review letter had addressed this; all Engineering Department issues had to be resolved.

Planning Consultant Arroyo referred the Commissioners to the charts on pages 7-10 of his review letter. He specifically noted:

- The applicant had provided the height of the buildings on each sheet. The deviation requests had been rounded for Hotel 1 and Hotel 2. The applicant should provide the total height specific to the inch as reflected on the elevations, instead of rounding the numbers.
- The applicant was requesting a deviation from the required minimum parking spaces and had corrected the inconsistencies that were on the previously submitted plans.
- Regarding signage, there was insufficient information related to setbacks and corner clearance to determine Ordinance compliance. The applicant had not requested a deviation from the Ordinance to permit the proposed signs. The freestanding sign, located adjacent to 12 Mile Road, was proposed for the three hotels. Section 34- 5.5.3.E. allowed for entranceway structures to identify a development in which individual parcels or uses were accessible only by way of public streets that served more than two zoning lots. The Planning Commission might wish to consider allowing an entranceway sign that identified the businesses on Hamilton Boulevard and Court. Additional details on the wayfinding signs/directional signs on 12 Mile Road should be provided to confirm their location and informational content.
- The OS-4 Zoning District required that all activities should be conducted within a completely enclosed building; therefore a deviation from the ordinance requirement was required for the outdoor seating areas associated with the restaurant and recreation areas and additional seating areas associated with the hotel.

Planning Consultant Arroyo noted that while a landscape review for the conceptual landscape plan was provided in the review letter, he would not speak to this in detail since landscape plan review was not part of tonight’s requested action.

Regarding the tree removal permit, Planning Consultant Arroyo said that the applicant had stated 12 landmark trees were to be removed. However, the ordinance stated that all trees over 24 inches were

considered landmark trees; trees 518, 520 and 627 needed to be revised to reflect landmark status. The tree replacement summary was therefore incorrect and should be revised to show a total required replacement of 159 trees. The submitted concept plan showed 139 trees provided; the applicant would need to provide 20 more trees.

Planning Consultant Arroyo concluded his review.

In response to a question from Commissioner Blizman regarding the impact of not having a traffic study, Planning Consultant Arroyo said the question was whether the Planning Commission could make a determination to recommend approval to City Council without a traffic study. This was something the Planning Commission needed to discuss this evening.

In response to a further question from Commissioner Blizman, Planning Consultant Arroyo said that the applicants were proposing to use the easement access to Farmington Road. Without a traffic study, it was difficult to know what the impact on Farmington Road traffic might be. This was not a formally dedicated right of way, and the Engineering Department did have some questions regarding this. A question that needed answering was: will the additional traffic generated by this development have a detrimental impact to the traffic already using Farmington Road, and to the parking lot through which the access was located?

Noting that there was a pedestrian bump-out on the east side of Farmington Road, Commissioner McRae asked Civil Engineer Darnall to address the November 3, 2014 Engineering Department memo, item 3.:

A public sidewalk exists along the majority of the east side of Farmington Road. It does not exist at the south portion of the Farmington frontage of this site. The proponent needs to address the means to extend the current walk to access the freeway overpass as part of this project.

Civil Engineer Darnall said that the bump-out was for a bus stop, and did not relate to the sidewalk on the other side of Farmington Road. However, there were plans to see if an extended sidewalk and pedestrian cross-over bridge might be provided, in order to provide a connection to the pedestrian bridge on the west side of the I-696 bridge.

Commissioner Rae-O'Donnell asked what type of information had been submitted regarding signage. Planning Consultant Arroyo explained that his review was referring to ground signs such as internal wayfinding signs and the monument sign planned for Hamilton Boulevard. The applicants were proposing identification for all three hotels on the monument sign but had not provided much detail for that sign or for the other smaller internal signs. The list of deviations did not mention signage, but the plans suggested that deviations might occur. This needed to be clarified.

In response to a question from Commissioner Stimson, Planning Consultant Arroyo said that no signage was planned for the Farmington Road access.

Commissioner Orr commented that there might be some resistance from the owner of the property where the easement was located.

Scott Bowers, Bowers and Associates Architects, 2400 South Huron Parkway, Ann Arbor, spoke on behalf of this PUD request.

Regarding the traffic impact study, Mr. Bowers said that the traffic study was in process and would be complete before the January meeting. They had been unable to complete the study earlier due to the construction on Farmington Road, followed by the Thanksgiving holiday season.

In terms of community benefit, Mr. Bowers pointed out that the long-vacant Hamilton office building would be demolished; this would cost over \$1 million. Also, they were extending the walkway down Hamilton Boulevard. The notes would be corrected to show accurately that there would be one sidewalk down one side of the Boulevard, with pedestrian style lighting and wayfinding signs.

In response to a question from Chair Topper, Mr. Bowers said there would be a sidewalk interior to the site along Hamilton Court.

Regarding signage, Mr. Bowers said they had the dimensions of the monument sign, which would be constructed of prefinished aluminum. The same manufacturer would be used for the wayfinding signs. They were in the process of determining what would be on the wayfinding signs – general labels (“food,” “restaurants”) or specific names of businesses. The wayfinding signs were intended to direct hotel patrons to local businesses. Wayfinding signs were located along the walkway as well as internally to the site.

Regarding building heights, the dimensions were as represented on the elevations. They would correct the rounding and make the measurements specific.

Mr. Bowers said that all mechanical systems would be placed rooftop, and would be screened. Some parapets were six feet high and would act as an effective screen.

Regarding loading, there was a loading space for the first hotel (Hotel 2), to the far east of the site. A generator and a couple of ground mounted air conditioning units would be adjacent to the building and screened as shown on the plans, next to the meeting room.

A separate dumpster and generator would be attached to all 3 buildings, all surrounded by their own masonry enclosures, matching each building, as required.

Regarding the open area, Mr. Bowers presented a graphic that showed the open areas. They had corrected the open areas by adding the 7.5% that had been deficient.

Regarding landscaping, they would add in the extra trees as required.

Regarding other benefits, they would resurface Hamilton Court.

Regarding parking, they had an agreement with Level One Bank to share parking.

Regarding the easement to Farmington Road, this would be improved to a better standard than just a parking lot.

Regarding bringing the sidewalk to the bridge over the overpass to the south, the cleanest way to do this would be to bring a sidewalk north on Farmington Road to 12 Mile Road so that pedestrians could use the light there. An inferior option was to construct a sidewalk south to the overpass, cross Farmington Road south of the overpass, and then return north to the bridge. No decision had been made regarding either option.

Mr. Bowers said they were making headway with MDOT (Michigan Department of Transportation) regarding cleaning up and improving their land in front of this site.

Mr. Bowers concluded his presentation.

In response to a question from Commissioner Blizman, Mr. Bowers said that the time frame for the completion of all 3 hotels was approximately 2017.

Commissioner Blizman spoke to the dangers of having a partially completed project in the middle of the city. Mr. Bowers said that the demolition of the current building represented the bulk of the center of the site. All the utilities and retention areas had to be completed during the first phase, as did the improvements on Hamilton Boulevard. The paths would be seeded from the beginning.

In response to questions from Commissioner McRae, Mr. Bowers confirmed that Hamilton Court would be resurfaced with an asphalt topping, and that the road names would not change. Commissioner McRae pointed out that as referenced in a letter submitted to the Commission, changing road names had a negative economic impact on other businesses located in that area.

Commissioner McRae commented that as Planning Consultant Arroyo had noted, the buildings would be enhanced by upgrading the EFIS materials, even partially.

Mr. Bowers pointed out that the Marriott Courtyard hotel was “pretty much all EFIS.” They had added cultured stone to the stair tower masses and also around the entire base of the building, on all four sides. The EFIS materials represented the product’s brand, and it was difficult to change beyond what was already shown. However, Mr. Bowers felt they could raise the line of cultured stone 3.5 feet, to the first floor level.

In response to a question from Commissioner McRae, Mr. Bowers said that they had no issue with other businesses along Hamilton Boulevard cohabiting the monument sign.

Discussion followed regarding the positive impact of installation of “human-scale” lighting and connectivity to the businesses on 12 Mile Road.

In response to a further question from Commissioner McRae, Mr. Bowers said that the 30-foot wide easement to Farmington Road would be improved, and would be a “legitimate” exit.

Commissioner Stimson asked about resurfacing Hamilton Court; in 2013 at least half of this had been replaced with new concrete. It was Hamilton Boulevard that was in poor shape.

Mr. Bowers said they felt Hamilton Court did need significant improvement. They were not opposed to resurfacing or helping to resurface Hamilton Boulevard – perhaps other businesses on the Boulevard could help with this also. Their goal was to get all the roads associated with this development up to standard.

Commissioner Fleischhacker said that the access entrance to Farmington Road had to be improved so drivers who wanted to go south on Farmington Road could use it for that purpose, thus avoiding the back-up traffic on 12 Mile Road during peak hours. Additionally it was inevitable that the access would be used as a cut-through. More plan details were required for this.

Commissioner Stimson thought a traffic signal might be required at the Farmington Road access.

In response to a question from Commissioner Orr, Mr. Bowers said that they had attempted, but had not been successful, in getting a firm written response from MDOT regarding the development maintaining the state property along the expressway. They had received indications that this was doable, however. Commissioner Orr emphasized how important it was to have a nice landscaped view all the way from the freeway to the new buildings.

Chair Topper was pleased that Hamilton Court was going to be resurfaced and Hamilton Boulevard would be improved.

Noting that Mr. Bowers had mentioned a loading area for Hotel 2, Chair Topper asked if there would be loading areas for Hotels 1 and 3. Mr. Bowers said they would not have separate loading areas. Typically their drop offs were on 2-wheeled carts through the front door. They didn't take anything off site rather than trash, and dumpsters were provided.

Regarding EFIS, Chair Topper asked for more detail about the exterior appearance. Mr. Bowers said the EFIS would be textured and dyed, and would have the standard sand pebble EFIS finish. This would be the treatment for all 3 hotels.

Chair Topper opened the public hearing.

Brian Yessian, 33117 Hamilton Court, Farmington Hills MI, said that he was excited about this project, but he did have some concerns: 1) The entrance to Hamilton Boulevard currently had a brick wall on each side. Fifth Third Bank had improved the brick wall on the west, but the one on the east needed work. Would this improvement be part of this project? 2) Some of the trees down the center of Hamilton Boulevard were dead and falling over. Would these be replaced and/or the strip improved? 3) Regarding helping resurface Hamilton Boulevard, Mr. Yessian noted that there were usually about 15 cars in his parking lot; they were not the ones who were going to be significantly increasing traffic up and down the Boulevard and should not be responsible for the cost of improving the boulevard. 4) How would traffic flow and congestion on Hamilton Boulevard be handled? 5) Noting that he operated a music-recording studio, Mr. Yessian spoke to concerns regarding construction noise. They recorded every day, and having pile driving and other noisy construction along with ground shaking for upward of 2-3 years was going to be hardship for them. They needed to have a facility in which they could work. 6) Security and lighting during construction and beyond was a concern. Greater traffic due to hotel business would also affect the security of the area, including his business which used expensive equipment, and this needed to be addressed. 7) How would parking spillover into his parking lot be avoided? Could signage be posted prohibiting hotel guests and employees from parking in his lot?

Attorney Kevin Macaddino, 39555 Orchard Hill Place, Suite 245, Novi, MI referred to a letter submitted earlier today on behalf of his clients QTO, Inc., and QTF, LLC, each of which owned office buildings on Farmington Road west of this proposed development. He also represented QTP LLC and QTP 1 LLC, which owned buildings to the east of Hamilton Boulevard. Mr. Macaddino was concerned about the need for a traffic study for this proposed development, especially regarding whether ingress and egress to their properties would be adversely affected. They were also concerned about hotel guests bringing overflow parking onto their properties.

Jerry Troskey, 27500 Farmington Road, said that his building was next to the easement to Farmington Road discussed this evening. While he generally supported redevelopment of the subject property, he was concerned about traffic flow for his customers and employees as they accessed his building. He was also concerned about the maintenance of the easement and parking lot. Recently he had installed a new \$50,000 parking lot, much of which was on the easement corridor because the parking lot there had to be taken down right to the ground.

Chair Topper acknowledged two letters received regarding this PUD application, including one from Mr. Macaddino, who had spoken this evening, and one from Bob Bowman, property manager for Level One Bank at 32991 Hamilton Court. Level One Bank was opposed to changing the name of the street, and would also like to be part of any signage on 12 Mile Road at Hamilton Boulevard.

Seeing that there was no further comment, Chair Topper closed the public hearing.

In response to a question from Commissioner Fleischhacker, City Attorney Schultz said that the sign at 12 Mile and Hamilton Boulevard could include signage for other off-site businesses in the area. This could be required as part of the PUD agreement.

Chair Topper asked Mr. Bowers to respond to the comments made during the public hearing.

Mr. Bowers said that he understood the concerns stated this evening. Their intent was to have pedestrian lighting going down Hamilton Boulevard. They also opposed hotel guests parking in other properties. They had a friendly agreement with Level One to use the bank's parking. They would be willing to put up discreet signs that stated parking rules and prohibitions. Construction would be ongoing, and would be active during hours permitted by ordinance.

In response to a question from Commissioner Rae-O'Donnell, Mr. Bowers said demolition would take about six weeks, and would begin immediately upon project approval.

In response to a question from Commissioner Mantey, Mr. Bowers said that the demolition might require pile driving, depending on what they found during the demolition process. The construction of the first hotel would not require pile driving, but would have standard footings. However, there would be unavoidable heavy machinery that might cause vibrations and other effects.

In response to questions from Commissioner Blizman regarding requiring a shared parking study, Planning Consultant Arroyo said that typically the same type of expert that was preparing the overall traffic study could also prepare a shared parking study. There were specific guidelines from the Urban Land Institute (ULI) that regulated shared parking studies; these should be followed. A shared parking study was recommended in this case. If a shared parking study was received, the Planning Commission had the ability during site plan approval to allow a reduction in parking spaces, if appropriate. The deviation from ordinance standard in this case was 48 parking spaces.

Commissioner McRae said that he was not comfortable moving forward with this PUD recommendation without first having a traffic study; he opposed making the traffic study a conditional of approval. While traffic under this proposal might be less intense than the original use (Hamilton Insurance Company), the Planning Commission would not be performing due diligence if it recommended approval to City Council without the traffic study in hand.

Commissioner Fleischhacker was concerned about recommending approval at this time. Three major

issues remained: 1) Traffic study had not be received. 2) Signage had not been detailed and/or finalized. 3) The improvements to the access at Farmington Road had not been detailed.

Commissioner McRae confirmed with City Attorney Schultz that off site signage should be part of the PUD agreement.

Chair Topper was also uncomfortable recommending approval of this PUD to City Council without the traffic study. While she was in favor of this project, the Planning Commission needed more information before they could move the recommendation to City Council.

A discussion of timing and process followed. The PUD Plan needed to contain all upgrades, community benefits, and improvements that were specific to the PUD and that would not be required by the regular site plan approval process.

In response to a question from Commissioner Blizman, Mr. Bowers said that Level One parking would provide over 60 spaces in a shared parking agreement. The developers had removed 20 parking spaces from their original plan in order to better utilize the Level One parking spaces, and provide ease of vehicular connection. The parking lots would be connected the same as currently configured. Mr. Bowers also explained that the bulk of their parking was in the middle of the site, close to the middle hotel.

In response to questions from Planning Consultant Arroyo, Mr. Bowers said that they would bring in a formal agreement with Level One Bank regarding parking. If there were an event at the center hotel, valets would help park cars in the eastern lot.

Planning Consultant Arroyo said that if there was a formal shared parking agreement between this development and Level One, and if the applicant could show the differences in peak parking demand between this development and Level One Bank, this would probably satisfy the Commission's need to see documentation regarding this issue.

In response to a question from Commissioner McRae, Mr. Bowers affirmed that they would install tasteful, small, "no hotel parking" signs on driveways and/or parking lots of other businesses, where appropriate.

MOTION by Schwartz, support by Blizman, that PUD Plan No. 1, 2014, dated December 10 2014, submitted by Scott Bowers of Bowers & Associates be adjourned to either the January 8 or January 15, 2015 meeting, in order to give the applicants time to provide the following information:

- 1. Traffic impact study.**
- 2. Shared Parking Agreement between the applicant and Level One Bank.**
- 3. More complete information regarding shared parking on site for the 3 proposed hotels.**
- 4. As discussed this evening, reduce the amount of EIFS proposed for the building exteriors, including raising the line of cultured stone to the first floor level on Hotel 2.**
- 5. Provide the cross access easement allowing access across property fronting Farmington Road, and provide information regarding the improvements for this access.**
- 6. Details on all proposed freestanding signs, including the monument sign on 12 Mile**

Road and Hamilton Boulevard.

- 7. Agreement with MDOT (or best efforts to obtain this) to allow the applicant to maintain the right of way along I-696.**
- 8. Number and details on pedestrian wayfinding signs**
- 9. Correct all discrepancies and inaccuracies on the plans, including the height of the proposed buildings.**

Commissioner Blizman said that it appeared it was the consensus of the Commission to move the PUD forward; this motion simply reflected further information that was needed before a recommendation could be made to City Council.

Motion carried unanimously.

Chair Topper closed the Public Hearing and called a break in the meeting at 9:41 p.m. She reconvened the meeting at 9:49 p.m.

REGULAR HEARING

A. SITE AND LANDSCAPE PLAN 70-11-2014

LOCATION:	24600 Hallwood Ct.
PARCEL I.D.:	22-23-19-426-003 and 005
PROPOSAL:	Parking lot addition in LI-1, Light Industrial District
ACTION REQUESTED:	Site and Landscape Plan approval by Planning Commission
APPLICANT:	Kevin Wetzel of Contracting Management Corp.
OWNER:	Props, LLC

Utilizing overhead slides and aerials, and referring to the review letter of December 11, 2014, Planning Consultant Stirling gave the background and review for this site and landscape plan approval request, which was to expand parking for an industrial/office business (Latcha). A photometric plan had also been submitted with this application.

The property was located at 24600 Hallwood Court, to the north of Grand River Avenue, west of Halsted Road with frontage on Hallwood Court.

Planning Consultant Stirling summarized her findings as follows:

Existing Conditions:

Zoning: The property was zoned LI-1, Light Industrial with FWR-2, Freeway Overlay District 2. The surrounding properties to the west and south were zoned the same. Property to the east was zoned LI-1, Light Industrial and property to the north was zoned IRO, Industrial Research Office District.

Site Configuration: The property had Hallwood Court frontage on the south and west side. Hallwood Court terminated to the west at a traffic circle, which provided vehicle access for the property to the northwest. The subject property included two parcels consisting of 10.33 acres. The site was improved with a one story industrial building. The site had three access points: one along the south frontage and two along the west frontage. The approximately 75,230 square foot building had hardsurfaced parking areas at the perimeter of the building.

Setbacks: There were no proposed changes to the building or existing surface parking areas.

Parking: The overall plan identified 176 existing parking spaces, with the majority of these (133 spaces) located to the south of the building. The plan also identified 20 spaces to the west, 15 spaces to the east and eight spaces to the north. Section 34-5.2.13, Minimum Off-street Parking spaces, required industrial or research establishments and related accessory offices to provide the following: 3 + 1 for every 1.5 employees in the largest working shift, or 3 + 1 for each five hundred fifty square feet of usable floor area, whichever was greatest.

The building contained approximately 75,230 square feet (60,184 square feet based on 80% of gross). A minimum of 112 parking spaces was required to meet Ordinance requirements, using the latter calculation. The subject property currently exceeded the minimum number of parking spaces required by ordinance.

Loading/Unloading: There was an existing loading/unloading area on the north side of the building.

Lighting: The existing lighting consisted of a combination of pole and wall mounted fixtures.

Utility/Cellular Tower: There was a tower located to the south of the proposed parking lot expansion. This area appeared to be undisturbed by the proposed development.

Parcel Configuration: The subject property consisted of two parcels (22-23-19-426-003/005), and the northerly parcel line transected a portion of the building. This created zoning issues such as lot frontage, access, signage, and the like. As part of the site plan approval, the Planning Commission might wish to direct the applicant to make application with the city of Farmington Hills Assessing Department to combine the two parcels.

Proposed:

Proposed Use: The applicant proposed an 80-space parking lot with a new access drive from the traffic circle on Hallwood Court and a detention basin expansion. Based on information provided by the applicant in a December 3, 2014 email, 32,000 square feet of the building was proposed to be renovated to allow the business to add approximately 60 to 70 new employees. The future projection for number of employees after renovation was estimated at 240.

Parking Design and Ratio: The proposed site plan added five parking spaces accessed from the drive that ran along the east side of the building. This parking area was adjacent to the loading/unloading area and eight existing parking spaces. This area was proposed to be fenced with an emergency access gate linking the north side of the building with the proposed parking area on the west side of the building.

The majority of proposed parking was located at the southwest corner of the property, adjacent to the west wall of the building. A concrete sidewalk and new door were proposed to provide access. The parking lot included two landscape islands. The applicant proposed security fencing along the perimeter of the parcel with a security gate at the drive entrance.

The 256 parking spaces provided were in excess of the minimum. 163 parking spaces were required based on projected total number of employees. 112 parking spaces were required based on usable

floor area.

Off-Street Loading and Unloading: Per Section 34-5.4, the building required one loading/unloading space plus one space for each 20,000 square feet in excess of 20,001 square feet. The existing building required three loading/unloading spaces. It appeared that there were two loading/unloading areas; the applicant should confirm that this provision had been met.

Exterior Lighting: Per Section 34-5.3, all lighting used to illuminate any off-street parking area must be installed in accordance with Section 34-5.16, Exterior Lighting. The site plan showed five new light pole fixtures; two along the access drive, two within the parking island and one at the perimeter of the parking area. The metal halide fixtures were consistent with the “nighttime friendly criteria.”

The light fixtures measured 37 feet from the top of the fixture to the finish grade. The fixture/pole measured 35 feet but the concrete base elevated the light an additional 2 feet. The applicant should confirm that the light fixtures, measured per 34-5.16.3.A, met ordinance requirements with a maximum of 35 feet.

Other lighting requirements regarding shielding and illumination levels had been met, except at the proposed access drive, where the lighting levels exceeded the one-third foot-candles limitation.

Planning Consultant Stirling recommended that the applicant revise the plan to show the fixture height and foot-candles in compliance with ordinance provisions and submit these for administrative review. Alternately, should the Planning Commission determine that there were public safety issues that would require a greater lighting value along the property line adjacent to the proposed traffic circle access point, the applicant should cite the reasons and allowances for the record.

Landscape Plan:

The applicant was proposing a parking lot and detention pond expansion to the west and north of the existing building. Plantings included maples, oaks, lindens and honey locust.

Per Section 34-5.14.3.B. the applicant should provide the following information on the plans for administrative review:

- Ground cover must be called out for the parking lot islands. Lawn areas must be specified as seed or sod.
- A landscape cost estimate must be provided.
- The City’s planting details must be shown.

Per Section 34-5.14.5, all parking lots must be separated from a public thoroughfare by a planted hedge of small shrubs or by a masonry wall or berm a minimum of two feet high. This parking lot was located within existing woodland that acted as a natural screen from the right of way with an approximately 216-foot setback. This requirement had been met.

Per Section 34-5.14.4.C, one tree should be provided for each 2,800 square feet of paved surface area on the zoning lot. A total of ten trees were required and provided. This requirement had been met.

The storm water detention pond was designed in accordance with Section 34-5.14.F. & G. The proposed plans met the size, spacing and diversity requirements of the section. The plan identified native seed mixes meeting the requirements specified in the “Landscape Design Principles”

document.

Tree Removal Permit

There were 328 regulated trees surveyed. This woodland area was made up of hickory, sugar maple, basswood, oak and walnut. Removal summary was as follows:

Total trees	328 trees
Regulated trees removed	111 trees
Landmark trees removed	19 trees (576 inches)
Landmark replacement	48 trees (576 x 25%)
Total required replacement	159 trees
Replacement shown	38 trees
Trees to be paid into tree fund or planted	121 trees

Planning Consultant Stirling concluded her review.

Commissioner McRae confirmed with Planning Consultant Stirling that under the useable floor space calculations, the applicant would only need 112 parking spaces. As they were requesting 256 parking spaces, they would have over 200 excess parking spaces from the ordinance requirement.

Kevin Wetzel, Contracting Management Corporation, Linden, MI., spoke on behalf of this application. He explained that his client, Latcha & Associates, was a marketing firm that created brochures for the auto industry. The company was growing and was currently hiring to meet that growth. The additional parking was needed for those employees as well as guests who would be visiting the facility. They were planning to have 240 employees; the requested 256 parking spaces included extra spaces for future employees beyond the 240. Guests and vehicles were brought to the facility for photo-shoots inside the building.

In response to a question from Chair Topper, Mr. Wetzel said that there was no room on the site to plant 121 new trees; they were willing to pay into the tree fund to make up for this.

Commissioner Blizman asked about the illumination levels for the proposed access drive. According to the consultant's review letter the lighting levels exceeded the one-third foot candle required by ordinance. Mr. Wetzel said that the lighting could be reduced there.

Commissioner Blizman asked about the required three loading/unloading areas. According to the consultant's review letter, only two were shown. Mr. Wetzel said that they could add an additional loading/unloading space.

Commissioner Blizman asked about combining the two parcels into one parcel. Mr. Wetzel said that the property was purchased with the two parcels; a major renovation was completed in 2006 and it did not seem to be a concern at that time. Why was this a problem now?

Commissioner Blizman said that having the property line go right through the building could create problems regarding frontage, signage, setbacks, etc.

Mr. Wetzel asked if this was a request or a requirement. City Attorney Schultz said this was not a requirement for tonight's action. However, the two Sidwell numbers had been noted and the Assessor

should be so notified. Commissioner Blizman suggested the applicant speak to the City Assessor – this might be an easy correction to make.

Commissioner Mantey commented on the need to regulate such things that the Engineering Department now called a “good idea,” such as rain gardens, planting native trees, grasses and shrubs, having a “no mow” or landscaped buffer zone, etc.

Commissioner McRae said that his company did the photometric plan for this proposal. Regarding reducing the light at the access to the cul-de-sac, he pointed out that there was a security need there.

MOTION by Blizman, support by Rae-O’Donnell, that Site Plan No. 70-11-2014, dated November 18, 2014, submitted by Kevin Wetzel of Contracting Management Corporation, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the following conditions:

- 1. The applicant should make application to the City Assessor to combine the two parcels on this property into one.**
- 2. Submit a revised plan showing the parking lot lamp posts no taller than 35 feet.**

Commissioner Blizman said he would not make the lighting at the access drive part of the motion as there appeared to be a security need for the greater light there.

Motion carried unanimously.

MOTION by Blizman, support by Orr, that Landscape Plan No. 70-11-2014, dated November 18, 2014, submitted by Kevin Wetzel of Contracting Management Corporation, 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 conditions, which conditions could be resolved administratively:

- 1. Funds for the 121-tree deficit in replacement trees be paid into the City’s tree fund.**
- 2. Conformance as much as possible with the December 2, 2014 Engineering Department memo regarding storm water systems and suggested environmental improvements, with the understanding that this condition is a Planning Commission request and not a requirement.**

Commissioner Orr noted that many indigenous trees were being removed as a result of this plan; he looked forward to a time when a plan came in for approval that would plant indigenous trees.

Commissioner McRae wanted to make clear regarding the second condition, that the landscaping suggestions in the December 2, 2014 Engineering Department memo were suggestions and not requirements.

Motion carried unanimously.

APPROVAL OF MINUTES: November 20, 2014

MOTION by Orr, support by Rae-O’Donnell, to approve the November 20, 2014 minutes as published.

Motion carried unanimously.

PUBLIC COMMENT: none

COMMISSIONER'S COMMENTS:

Regarding the new Burger King at 12 Mile and Orchard Lake Roads, Commissioner Stimson thought that there should have been a "no left turn" on the access to 12 Mile Road. This did not seem to have happened – arrows showed left or right turn. Staff Planner Stec said the motion for that project allowed the Engineering Department to make the final determination regarding having a left turn there.

In response to a question from Staff Planner Stec, Staff Engineer Gushard said that if left turns caused significant issues at that location, she thought the City could require a change to a "no left-hand turn" status there.

Commissioner Orr thanked the Engineering Department for cleaning up the new Auto Zone at Drake and Grand River, since they were not able to get their pavement in before winter, gravel had been laid. Mr. Orr also said he would be gone for the next 3 months.

Noting that businesses were requesting parking in excess of the ordinance parking requirement, Commissioner McRae thought the Commission should discuss whether or not a maximum parking ratio should be adopted.

Commissioner Blizman noted that the new Burger King and Starbucks at 12 Mile and Orchard Lake visually blocked the rest of that shopping center.

Commissioner Schwartz noted that parking was tight at the 12 Mile and Orchard Lake shopping center; employees should be instructed to park behind the buildings.

Future meeting dates were set as follows:

January 8 study session
January 15 regular meeting
January 22 Capital Improvements Plan meeting

ADJOURNMENT:

Hearing no further comment, Chair Topper adjourned the meeting at 10:17 p.m.

Respectfully submitted,

Steven Schwartz
Planning Commission Secretary

cem