

**MINUTES  
CITY OF FARMINGTON HILLS  
PLANNING COMMISSION REGULAR MEETING  
FARMINGTON HILLS CITY HALL – COUNCIL CHAMBERS  
MAY 18, 2017, 7:30 P.M.**

Vice Chair Schwartz called the Planning Commission meeting to order at 7:30 p.m. on May 18, 2017.

Commissioners Present: Brickner, Fleischhacker, Mantey, McRae, Orr, Schwartz, Stimson

Commissioners Absent: Countegan, Rae-O'Donnell

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

**APPROVAL OF AGENDA**

**MOTION by Mantey, support by Fleischhacker, to approve the agenda as published.**

**Motion carried unanimously.**

**REGULAR HEARING:**

**A. REZONING REQUEST 1-5-2017**

LOCATION:	34918 Eight Mile Rd.
PARCEL I.D.:	22-23-33-376-024
PROPOSAL:	Rezone parcel currently zoned RC-2, Multiple Family Residential District to RC-3, Multiple Family Residential
ACTION REQUESTED:	Set for Public Hearing
APPLICANT:	Ari Kosterlitz
OWNER:	Sterling Land Ventures, LLC

Utilizing overhead slides and referring to the May 11, 2017 Giffels Webster review letter, Planning Consultant Tangari gave the background for this application, which was to request that the Planning Commission set a public hearing for the rezoning of the parcel zoned RC-2 Multiple Family Residential District to RC-3, Multiple Family Residential District, at 34918 Eight Mile Road.

The site was vacant, with the north half of the property heavily wooded. There was a sidewalk across the site's entire frontage. Adjacent properties included apartments zoned RC-2 on the east and west, single family homes zoned RA-2 to the North, and single family homes to the south in Livonia.

The property was designated Multiple Family on the Future Land Use Map. It did not fall into any special residential planning areas, or any other special study areas.

The residential densities map designated this land as high density. This category included all three RC districts.

The differences between the three RC Districts were modest – setbacks, height limits and permitted and special land uses were all identical. The same required conditions also applied to all three. Rezoning to RC-3 did permit slightly higher density. Under RC-2 the total number of rooms permitted on the parcel would be 144. Under RC-3 zoning, 192 rooms would be permitted.

Planning Consultant Tangari said the central question regarding this request was: Would approving the request grant a special benefit to a property owner or developer?

Vice Chair Schwartz explained that tonight the Planning Commission would not be approving the request, but would simply be setting the request for a public hearing. They would also be offering feedback to the applicant.

Commissioner Orr asked if, since any of the lots east and west of this property were developed, had the density changed at all? City Planner Stec he was not aware of any such changes.

Commissioner Orr asked where the nearest RC-3 District was located. Planning Consultant Tangari said the nearest RC-3 parcel was approximately 1 mile west, at Gill and 9 Mile.

Vice Chair Schwartz asked that at the Public Hearing, would the Planning Consultant address what would happen if the adjacent properties came in with the same request – would there be an impact on traffic, the neighborhood, the character, or would everything remain pretty much the same?

Commissioner Mantey noted that the RC-3 parcel at Gill and 9 Mile parcel was the section on the northwest corner, and that property was developed before Farmington Hills even existed. Where was the next closest RC-3 District? Were there any other RC-3 properties that were adjacent to residential districts?

Vice Chair Schwartz invited the applicant to speak.

Ari Kosterlitz said he was the applicant for this request. Regarding traffic and density, they might have the same amount of people, with larger units.

Commissioner McRae said that based on the configuration of surrounding properties, it appeared that the original plan was to have similar RC-2 developments.

Commissioner Orr asked if the applicants had recently purchased this property. Mr. Kosterlitz said the land was under contract, based on whether or not the rezoning went through. He understood the density would be a little tighter. They were willing to compensate for the greater density in terms of appearance and putting in different amenities.

Commissioner Stimson requested that for the public hearing, the information be brought regarding the densities of the properties to the east and west of this one. Did they have the maximum density allowed under RC-2?

Commissioner Fleischhacker explained that under a rezoning request, the City couldn't negotiate other improvements, or require a certain development plan. If other amenities were being offered, perhaps the applicants should pursue a Planned Unit Development (PUD), where there would be more give and take, and the City could allow a higher density if they applicants were going to give something back. He felt the applicants had an uphill battle in terms of a straight rezoning request.

Vice Chair Schwartz agreed that a PUD application might be a better way to go.

Rick Elkow, Sterling Land Ventures, 1042 N. Milford Avenue, Milford MI., acknowledged that a PUD would give the ability to raise density and in turn offer a tradeoff for structural amenities or design characteristics of the buildings, and would offer more flexibility regarding design standards.

Commissioner Brickner said one of the things that were raised in the Giffels Webster review was whether this would be considered spot zoning. He also liked the suggestion of going the PUD route. A PUD would be an agreement between the owners and the City as to how to develop the property, and would be a contract that ran with the land. He personally did not like the concept of spot zoning and he did like the flexibility a PUD offered.

Commissioner Mantey noted that it was not a matter of liking or not liking spot zoning; spot zoning was illegal.

In response to a question from Mr. Elkow, City Planner Stec said the City had approved PUDs for smaller sites; he would research whether there was an actual size qualification.

Vice Chair Schwartz indicated he was ready for a motion.

**MOTION by Orr, support by Fleischhacker, that Zoning Request No. 1-5-2017, petitioned by Air Kosterlitz, be set for Public Hearing on June 15, 2017.**

Commissioner Schwartz encouraged the applicant to make contact with the City as soon as possible, if they were interested in moving forward with a PUD.

Commissioner Fleischhacker wondered if the applicant could request a preliminary qualification and a preliminary site plan approval on the same meeting. City Attorney Schwartz said they should have a preliminary qualification hearing first.

**Motion carried unanimously.**

**B. SITE AND LANDSCAPE PLAN 72-12-2016**

LOCATION:	29141 Twelve Mile Rd.
PARCEL I.D.:	22-23-13-126-002
PROPOSAL:	Banquet Hall for existing Place of Worship in RA-2, One Family Residential District
ACTION REQUESTED:	Approval of Site and Landscape Plan
APPLICANT:	Lubin Ivanouski
OWNER:	Great Martyr St George of Kratovo

Utilizing overhead slides, and referring to the May 11, 2017 Giffels Webster review letter, Planning Consultant Tangari gave the background for this application, which was to build a 9,598 square foot banquet hall behind an existing church and add corresponding parking. Church services would continue to be held in the existing 2,713.64 square foot building.

The subject parcel was zoned RA-2, as were all surrounding properties south of 12 Mile Road. Property north of 12 Mile was zoned RA-1A.

Setback and building height requirements appeared to be met.

Regarding parking, per section 34-5.2, the proposed use required one parking space per 45 square feet of usable floor area. The applicant specified that 5,967 square feet of the new building constituted usable floor area. 133 spaces were required for the banquet hall; 149 spaces were provided. However, the plans did not provide parking calculations for the existing church. Would events be held simultaneously? This needed to be known in order to determine whether the proposed parking total was adequate to serve all uses on the site at all times.

Vice Chair Schwartz noted that if the applicants were having a church service at the same time they were renting out the banquet hall, there would not be enough parking. The Commission had to consider a future user that might be different than the specific church before them this evening.

City Attorney Schultz said there needed to be sufficient parking for the banquet hall as well as the church. From the aerial photograph shown, it appeared that the church currently did not have sufficient parking. The applicant needed to address whether there would be two unrelated events at any time.

Vice Chair Schwartz pointed out that there was a huge front lawn. Could a parking lot be installed there? City Attorney Schultz said it would depend on whether the applicant could meet setback requirements. The question remained whether the current parking conformed to ordinance requirements.

Planning Consultant Tangari said they didn't know if the current parking was conforming because they had not been provided calculations regarding the sanctuary space.

Commissioner Mantey pointed out that according to the aerial photo, there were more than 2 dozen cars parked on the lawn, with the actual paved lot being full.

Planning Consultant Tangari said that according to the calculations presented, if the banquet hall were full, there would be room for 16 cars for church use.

Commissioner Mantey said that the evidence provided by the aerial photo showed that at a minimum another 30 spaces would be required. The applicants should be prepared to answer questions about this.

Planning Consultant Tangari returned to his review.

Regarding exterior lighting, new lighting was proposed for the new parking lot. The photometric plan did not meet the 4:1 average minimum uniformity ratio required by section 34-5.16; it appeared that the calculation might take into account areas beyond the surface intended to be illuminated. The lighting plan raised several other issues:

- The cut sheet included for the wall packs showed a fixture that was not full cut-off as required.
- Why was fixture C-17 on the west side necessary? It seemed to be just illuminating grass.
- Mounting heights were given as ranges on the cut sheets. The maximum mounting height for a fixture in that district was 15 feet.
- Lighting levels were above 0.0 over the property line in a couple of places along the rear property line.

Planning Consultant Tangari said that some of the lighting issues could be more easily addressed by switching to LED fixtures, which were easier to aim.

Regarding pedestrian connections, there was no existing pedestrian connection to the sidewalk on 12 Mile. The plan did not provide one.

Regarding the detention pond, the City of Farmington Hills Landscape Design Principles for Storm Water Detention Basins required all detention basins to have a natural shape. This basin was essentially square; the Commission should determine whether this met the standard.

No rooftop equipment was shown. However, if any rooftop equipment was proposed it must be screened and this should be indicated on the plan.

Other site plan requirements were met.

Regarding the landscape plan, the site plan showed landscaping that was completely different than the landscape plan. Landscaping needed to be removed from the site plan.

Regarding screening of the parking area, the plans showed a berm along the western property line that was 3 feet tall. There was no screening mechanism shown on the southern property line. The plans should use a combination of walls, berms, and plantings to demonstrate compliance with the ordinance.

The water main on the western property line was not noted on the plan as running all the way down the property line. The applicants were not going to be able to plant in the easement on top of the water main. It was likely the entire parking lot and landscaping would have to shift to the east to avoid the easement. Also, based on conversations with Engineering, the applicants were also likely going to have to change the shape of their retention basin.

Planning Consultant Tangari completed his review.

Commissioner Orr noted that the detention basin would be in the southeast corner, which was the lowest corner of the property, where there were desirable trees. Would it be possible to move the detention basin to save the existing trees?

Planning Consultant Tangari said many of the trees in that location were not of the highest quality, though it was the most forested part of the site. The conversations that had taken place with Engineering staff seemed to indicate that the shape of the detention basin would need to be changed. Detention basins were typically shaped so that they were longer than they were wide; square shapes did not work that well. If the basin were changed and made narrower, perhaps some of the trees could be preserved.

Commissioner Orr thought that with the detention pond as currently shown, the majority of the trees that would remain would not live longer than a couple of years or so. He recommended that the location and shape of the basin be reviewed in order to save as many trees as possible.

Commissioner McRae summarized that the Commission's comments so far were not making an issue of whether or not the banquet hall should be built, but rather were directed toward issues of parking, drainage, etc. What he was hearing was that the parking lot should be moved to the east. Changes being recommended this evening would also help circulation and be better for traffic flow. Regarding lighting, part of the challenge was that the church was in an RA District, where the lighting had to be at 0 foot-candle at the property line. He felt the property needed more light poles. Shifting the parking lot to the east would also help the situation.

Commissioner McRae asked if there was a special event the day the aerial was taken, thus resulting in more than usual cars being parked there.

Commissioner Mantey said the aerial photo showed 34 cars in the rear yard parked on the grass. It now appeared that another 50 spots would need to be provided in excess of banquet hall parking.

In response to a question from Commissioner Schwartz, City Planner Stec said the aerial photo represented one day in time – whatever day the airplane flew over and took that photo. Commissioner Fleischhacker pointed out that even some of the cars parked in front were parked on the grass.

Commissioner McRae remained doubtful that the picture was taken on a normal day.

Commissioner Brickner initiated a discussion regarding whether the RA-2 Zoning District prohibited churches from using banquet or community halls simultaneously with church services, or whether the hall could be rented out for anything unrelated to the church itself.

City Attorney Schultz said the community center was an allowed use for the site.

City Planner Stec said that the banquet hall would be owned and operated by the church, i.e., they couldn't have a private company come in and start operating it for profit.

Vice Chair Schwartz invited the applicant to speak.

Lubin Ivanouski was present on behalf of this application, as was Adman Al-Sati, A&M Consultants, 835 Mason St., Suite B-290, Dearborn, MI.

Mr. Ivanouski said that during church services, nothing would be held at the banquet hall. The banquet hall would be just for the members.

Vice Chair Schwartz asked if every seat in the sanctuary were full, how many people would be in the services?

Mr. Ivanouski said that full capacity would be about 100 people.

Vice Chair Schwartz asked what was the maximum number of cars that would use the site during a festival period?

From the audience, an audience member said "100."

Vice Chair Schwartz asked if the new parking lot were shifted to the east to avoid the water main, would that cause problems?

Mr. Al-Saati said there was an existing pond that was located at the eastern part so they would have a hard time pushing the parking lot toward the east.

Vice Chair Schwartz asked Staff Engineer Darnall to address this issue.

Staff Engineer Darnall explained that one of the City Engineer's suggestions was to combine the proposed pond with the existing pond into one feature. The shape of the pond was more related to landscape standards.

Commissioner Orr asked if the existing parking lot was normally enough for their services on a normal Sunday without parking on the grass in the back.

Mr. Ivanouski said the existing eastern parking lot was normally enough, but for Christmas and Easter it was not.

Commissioner Orr asked if it was possible to bring the building closer to the church and thus reduce the amount of space between the building and the parking, so that another couple of rows of parking could be installed there.

Mr. Al-Saati said there were quite a number of trees in that area so the parking lot could not be pushed further to the north.

Commissioner Stimson said that the festivals were now predominately outside. With the banquet hall, would they now move the festivals inside? Would they still need a tent to accommodate festival activities?

Mr. Al-Saati said the building would now suffice and no additional tent would be required. Mr. Ivanouski agreed.

Commissioner Stimson initiated a discussion regarding ordinance requirements for shielding neighboring residences from car lights. Commissioner Fleischhacker advised that a 3-foot high berm with 3-foot hedges would have to be planted so that the hedges immediately formed a dense green wall, not allowing light from headlights to escape. If this could not be done, a wall would need to be constructed.

Vice Chair Schwartz asked if the Commission and the City were satisfied with answers given regarding the parking situation, in terms of having enough spaces to accommodate both buildings.

City Planner Stec said the applicants needed to meet zoning standards for parking spaces. There needed to be a calculation of floor space in the existing church in order to do this.

Commissioner Orr said that with the unresolved issues regarding the berm, the number of parking spaces, and the detention basin, he was not ready to act on this application this evening. He offered the following motion:

**MOTION** by Orr to table this matter until the June 15, 2017 Planning Commission meeting.

Vice Chair Schwartz said that he would like more clarification on the details required from the applicant before allowing a 2<sup>nd</sup> on the motion.

City Planner Stec also advised that there could be significant changes to the site plan in order to meet Fire Marshal requirements, especially regarding the placement of the fire hydrant.

Commissioner Fleischhacker summarized his concerns as: shielding all the residents on east, south, and west from car headlights. The requirement was for a 6-foot wall. The tree removals for the new detention pond were also going to impact how headlights were controlled.

Commissioner Fleischhacker said that when the Planning Commission first approved this site for a church, they had made several exceptions because it was an existing home converted to a very small

church. However, this wasn't a small church anymore, and now it needed to comply with zoning standards for a church in a residential neighborhood. The residents needed to be protected from headlights, etc.

Commissioner Mantey said he remained concerned regarding the water main on the west side, with a legal easement that could not be built on or planted over. A parking lot could not be built on the easement.

Commissioner Fleischhacker said that everything had to be shifted because of the water main.

Vice Chair Schwartz said that speaking only for himself, this project appeared to be doable, with some alterations to the plan.

Vice Chair Schwartz recognized church board member Voado Sertenkovski. Mr. Sertenkovski said they had talked to the Fire Marshal, and had a plan in place to resolve the issue of fire hydrant. Right now, for normal Sunday services, they had more than enough parking spaces. The only time they used the rear parking was on special event days.

Mr. Ivanouski said that many times the residential neighbors asked if they could park cars there when they had birthday parties or other family celebrations. The church let them do it for free.

Mr. Sertenkovski advised that they had spoken with the residents to the west, and they hated the idea of a wall. They did not want to get blocked in.

At this time Vice Chair Schwartz asked for a second on the motion, which was to table this matter until the June 15, 2017 meeting. Commissioner Fleischhacker said he would second the motion. The motion read:

**MOTION by Orr, support by Fleischhacker, to table Revised Site Plan and Landscape Plan 72-12-2016, dated April 17, 2017, submitted by Lubin Ivanouski, to the June 15, 2017 meeting.**

**Motion carried unanimously.**

City Planner Stec advised the applicants that the City would need the revised plan by May 31.

**APPROVAL OF MINUTES: April 20, 2017**

**MOTION by Fleischhacker, support by Brickner, to approve the meeting minutes of April 20, 2017 as published.**

**MOTION carried unanimously.**

**PUBLIC COMMENT:**

There was no public comment.

**COMMISSIONERS' COMMENTS:**



Commissioner Brickner noted that his daughter was married Saturday in Chicago.

Commissioner Orr asked if City Planner Stec had had a chance to look at the Muirwood Shopping Center to see whether they had revised their landscaping. City Planner Stec said he would have a response by the next meeting.

Commissioner McRae asked if City Planner Stec had checked on the SAD policy. City Planner Stec said any changes to that policy would occur at the City Council level. No action was proposed at this time.

Commissioner McRae asked about the constant backups at the 14 Mile Roundabout, going west, especially between 7:00-8:30 a.m.

Vice Chair Schwartz said that the paving work on Drake between 12 and 13 Mile was moving quickly and close to being done.

Vice Chair Schwartz also noted that he had driven through the new Hamilton Boulevard hotel area, where one motel appeared to be complete and another well on its way. He wondered if the older hotels/motels could eventually be repurposed as senior housing. Would this be appropriate for a study session discussion?

Commissioner Fleischhacker said the Comfort Inn had just been totally renovated. The Extended Stay was fully booked all the time, as was the Residence Inn. The Rasmussen was not always full.

Vice Chair Schwartz reiterated that senior housing was clearly in demand and it might be worthwhile to consider older facilities for this use.

Based on questions from previous meetings, City Planner Stec said that the right-of-way work at 13 Mile and Orchard Lake was by Consumers' Energy and it was complete. The deer survey was in the hands of Bryan Farmer.

June meetings were scheduled for June 8 study session, and June 15 regular meeting. Commissioner Fleischhacker said he would be absent on June 8.

City Planner Stec advised that next Monday the City Council would hopefully approve the distribution of the CIA plan so that the process could move forward to make the CIA plan part of the Master Plan.

Commissioner McRae noted that the former Harley Davidson building was re-occupied by a computer service company.

**ADJOURNMENT:**

Seeing that there was no further discussion, Vice Chair Schwartz adjourned the meeting at 8:43 p.m.

Respectfully submitted,  
Steven J. Stimson  
Planning Commission Secretary  
/cem