



PLANNING COMMISSION MEETING
Monday, September 10, 2018 – 7:00 p.m.
City Council Chambers
23600 Liberty Street
Farmington, MI 48335

AGENDA

- 1. Roll Call**
- 2. Approval of Agenda**
- 3. Approval of Items on the Consent Agenda**
 - A. August 13, 2018 Minutes**
- 4. Request to Schedule Public Hearing for Special Land Use and Site Plan Review for Proposed Outlot Building – World Wide Center, LLC, 34701-34801 Grand River Avenue**
- 5. Site Plan Review for Rear Residential Building Addition – Paul Buchanan, 33315 Shiawassee Road**
- 6. Public Comment**
- 7. Planning Commission Comment**
- 8. Adjournment**

FARMINGTON PLANNING COMMISSION PROCEEDINGS
City Council Chambers, 23600 Liberty Street
Farmington, Michigan
August 13, 2018

Chairperson Crutcher called the Meeting to order at 7:00 p.m. at City Council Chambers, 23600 Liberty Street, Farmington, Michigan, on Monday, August 13, 2018.

ROLL CALL

Present: Chiara, Crutcher, Gronbach, Kmetzo, Majoros, Perrot
Absent: Waun

A quorum of the Commission was present.

OTHER OFFICIALS PRESENT: Director Christiansen, Recording Secretary Murphy

APPROVAL OF AGENDA

MOTION by Gronbach, seconded by Majoros, to approve the Agenda.
Motion carried, all ayes.

APPROVAL OF ITEMS ON CONSENT AGENDA

A. July 9, 2018 Minutes

MOTION by Majoros, seconded by Chiara, to approve the items on the Consent Agenda.
Motion carried, all ayes.

**PUBLIC HEARING AND CONCEPTUAL/PRELIMINARY PUD SITE PLAN REVIEW -
SAMURAI STEAKHOUSE RESTAURANT, 32905 GRAND RIVER AVENUE**

Chairperson Crutcher introduced this agenda item and turned it over to staff.

Christiansen stated this evening is the scheduled Public Hearing and Conceptual/Preliminary PUD, Planned Unit Development Plan Review with the Planning Commission on the proposed PUD, Planned Unit Development Plan, for the redevelopment of the former Ginger's Café site. At the June 11, 2018 Planning Commission Meeting, the Commission held a preapplication conference, a discussion and review with the Applicant on a proposed PUD concept plan. At the July 9th, 2018 meeting, the Planning Commission scheduled the required PUD Public Hearing for this evening as requested. A copy of the Public Hearing Notice is attached with your staff packet.

The Applicant has submitted a preliminary, PUD plan for the redevelopment of the former Ginger's Café site. The preliminary plan includes a conceptual preliminary site plan,

preliminary proposed floor plans, and preliminary proposed building elevations. Also attached is an aerial photo of the site and a copy of the June 11, 2018 Planning Commission preapplication conference staff report and meeting minutes. The following additional information is attached: a PUD site plan, conceptual design review letter from OHM Advisors dated August 6, 2018, and a PUD site plan engineering design review letter from OHM Advisors also dated August 6, 2018.

The Applicant and his representative are here this evening to present the preliminary PUD plan to the Commission.

Chairperson Crutcher thanked Christiansen and asked if the Applicant was present.

Sal D'Aleo, from D'Anna Associates, the architects for the project, came to the podium. He stated as the site plan shows they want to bring a Samurai Steakhouse to Farmington. As everyone should be aware, they are proceeding with the existing building which is the Grand Café Building which is being retrofitted currently to house a sushi bar, and with the idea of creating a second structure to house the second half of their business which would be the hibachi restaurant. In all, these two buildings would essentially continue that urban feel of the street front.

The idea is to take the adjacent site and combine it, creating one development, utilizing the existing Ginger's Café Building and adding a new structure would be a total of four stories, the first floor would be the hibachi restaurant and three stories above that would be apartments.

The in between space would be a patio space, to bring outdoor life to the streetscape and also provide connectivity to the rear parking lot, a pedestrian friendly façade.

Architecturally, the same kind of architecture will continue, obviously the same façade of the Grand Café Building, again, great visual continuity and reinforce that kind of urban edge.

So the plan as designed has some deficiencies, mainly parking, that is the biggest deficiency. There is a breakdown of the intent of parking spots. Seventy spaces are required, and they are providing thirty-nine onsite and they're asking for approval of utilization of the street parking to get the number required. If you look on the aerial of the site plan, from Groves Street to Mayfield, they are picking up a total of thirty-one parking spaces on street and that would satisfy the parking requirement for seventy.

There are some other deficiencies that they are again asking for approval for, mainly the parking, but they are also maximizing use of the site outside of the zoning standards to make the project viable and also to create the urban edge that the City is looking for.

There is a parallel plan that shows basically this development would look like if they were forced to adhere to the current zoning standards, a very undesirable development, a building that really has no frontage, doesn't meet the frontage requirement for the zoning to begin with just to accommodate the parking that it needs.

Lastly, they are certainly open-minded to utilization of adjacent properties, again agreements would need to be put in place. But there is on the aerial overlay, several areas of shared parking that they'd like to identify, one at the rear at the apartment development directly behind the site where they deem it a good potential for residents of the building to actually park there so it would be compatible use in terms of parking with a shared access to that because that is basically a piece of the property not being developed so they would essentially be using their property but using access off of Orchard Court to access that, so again that would be residential parking. And then a crosswalk at the front of the building to connect to what seems like an underutilized parking lot across Grand River at the shopping center.

So those are potential alternatives but that is the product in a nutshell and he stated he'd be open to answer any questions. He stated he did not receive the review letters that were put out, so he can't address any specific concerns in those letters but would be welcome to answer any questions.

Chairperson Crutcher opened the floor to questions from the Commissioners.

Chiara asked if the parallel plan was in their packets and Christiansen responded it is one the screen and he further inquired if it was a preliminary site plan and Christiansen responded through the Chair that what the Planning Commission is reviewing tonight is a conceptual preliminary PUD site plan, that's in the packet, and what is up on the screen currently is what is referred to by the Applicant's architect, is the parallel plan, alternative plan as he's calling it, with parking.

Chiara then asked where the number of seventy parking spaces were needed and D'Aleo responded it is from the Zoning Ordinance based on use, the tabulation for restaurant use as well as apartment dwelling use. So basically they're looking at a dedicated space per dwelling unit. This is cumulative parking for both buildings, both the existing one, and there's three apartments above that that they are including dedicated parking for those dwelling units. It's basically apartment parking and the rest of it is based on restaurant use, I think it's one per three seats.

Chiara then asked Christiansen if that is something in their Code, one for three seats. Christiansen responded through the Chair is to allow for the City's Engineering and Planning consultants to provide their reviews and some of these questions may be answered by them in their review letters.

Chairperson Crutcher called the consultants to the podium.

Matt Parks, OHM Advisors, came to the podium to speak on the engineering report and that Marguerite Novak is present to give the summary of their planning review.

He stated in the Commissioners packets they should have a letter dated August 6th, 2018, a three-page letter. He stated the Applicant did a good job of summarizing the site as a whole. He stated their review was primarily focused on the PUD plan as it was presented, although they do acknowledge the alternative was submitted to them as well, they spent the majority of time and their comments on based on the PUD plan as submitted.

Starting on page 2 he indicated they have all of their preliminary review PUD site plan concepts, there are quite a few but he would like to note none of them are earth shattering, show stopping type comments, he thinks they are all things that can be worked with and worked on with the Applicant, their engineer and architect.

In general, he stated at this stage they are looking from an engineering standpoint how the site fits, how it circulates, how the parking fits in and how the utilities work and then also they look at adjacent properties on Grand River. At this stage they are not looking for detailed grading, per se, but a basic preliminary grading sheet. There are some elevation changes between the property and the property to the south, the property to the west and east, so they are looking for a little more information there, but these are things that can be dealt with later on should this be moved forward.

He indicated they are also looking for a little bit of clarification from the Applicant in general on the removal plan and what is going to be preserved of the existing parking lot of the Samurai Steakhouse and what's their today that is going to be removed. He stated it's pretty obvious when you go out there and look at the site and look at the drawings on what's coming out, but they are looking for a little more clarification on the drawings to make that more clear.

The third comment they had is just the Applicant has a very nice and it shows very well in the architectural drawings, there is a walk-thru proposed between the buildings, they are showing onsite dining and through there so they are asking for clarification on whether that is going to be strictly outside dining between the two buildings with the Pergola type thing they are showing on the drawings or if it is meant to be kind of a walk-thru and that

they would stress if it is going to be a designated walkway in between Grand River from the parking lot, that to make sure it is ADA compliant so it's accessible and some notes on the plan would help clarify what the intention is there.

The fourth comment is one of the bigger ones in the letter, it is something that the consultants can help work the Applicant on, which is parking spots and offsite parking spots to help supplement the onsite parking spots. There is a number of newly painted parking spots on Grand River, and Parks asked that those be preserved, and they agree they should be counted and utilized as far as their parking counts go. He indicated they noticed that some of the markings on the plans weren't necessarily how it exists today and if they intend on moving them they need to coordinate that with OHM as they were put in place and that any changes and anything out on the Grand River right-of-way has to be permitted and approved by MDOT.

He went on to say the potential crosswalk that is shown, that they support that and applaud the Applicant for doing that, he stated it adds to the connectivity of this site to the rest of the downtown, sidewalks on the north side of Grand River as well as the south side and it helps promote access to other available parking within the vicinity that may be convenient for users to use.

One thing they would recommend is seeing that it is proposed midblock, that potentially a rapid flashing beacon could be installed there, and it would need to be permitted by MDOT but that could potentially be a public benefit to the site and for the safety of the pedestrians as well as help traffic in that area.

He stated a number of other very minor comments follow, some turning templates just to show vehicle navigation in and out of the site to make sure everything is wide. Looking at it and measuring it out from what he reviewed it doesn't look like there are any problems, but they like to see those printed on the plan sheet just so it's obvious and shows usually the largest delivery vehicle is what they're looking for, any kind of food delivery service, food trucks or trash collection vehicles would be acceptable.

One of the unique things he did notice was they do have some possible parking shown on the very south side, that they would actually have to access through the apartments to park there and maybe those are meant for the tenants living upstairs, he stated he has no objection as long as the apartments would be agreeable to it and an ingress and egress agreement would be required if those are to be constructed as proposed.

Minor comments about storm water were made, drainage, something very simple to deal with later, and some preliminary storm water calculations. It's typical at this stage not to

have full blown storm water calculations but something very preliminary needs to be shown.

He stated that existing utilities be shown on the plans, some clarification on separation between lots, on existing fences that should be improved along the south side of the property and just general dimensions of parking spaces and labeling, all minor things.

He indicated included in his letter was a list of potential permits and approvals, probably the most major one is the Michigan Department of Transportation, which basically is anything in the Grand River right-of-way. Then a final PUD Agreement is something that the City would enter into with the Applicant, soil erosion permit, and any kind of building department permit.

In general, he stated 99 percent of the comments made in his letter are minor ones that they like to point out now to the Applicant so they can be made aware now versus later.

Parks then stated he'd be happy to answer any questions in his report now or after the planning letter is reviewed.

Chairperson Crutcher opened the floor to questions from the Commissioners.

Majoros recommended that they hear the planning review letter and then questions.

Marguerite Novak, OHM planner, came to the podium to address the planning review letter.

She stated her letter addresses compliance with the Zoning Ordinance, Master Plan, Downtown Area Plan and Downtown Master Plan and Downtown Parking Study.

She indicated she would start by giving a background on the site and then a summary of their comments on the matrix of fulfillment of Land Use Requirements. She stated it then lists items that need to be addressed according to the Zoning Ordinance and discusses compliance items.

In terms of zoning, the PUD designation and underlying Zoning District, that being Central Business District, it generally meets requirements with the exception of a few discrepancies in light of keeping pedestrian oriented designs, building designs, and then parking.

Starting with pedestrian orientation, she stated they would echo the engineering letter and defer to them on safety standards for this crosswalk and talked about how the

proposed design supports pedestrian activity to adjacent properties, but more information is needed on the proposed crosswalk to ensure safety and usability.

In terms of setbacks, the site setback is currently less than what is required under the Central Business District zoning but is compatible with adjacent development and that there is flexibility in the PUD process on setback requirements and especially in light of current existing development on adjacent properties.

She indicated the proposed landscaping abutting the residential zone does fall short of meeting the zoning requirements. There are also no street trees proposed on this plan and that is something that may be required by the Planning Commission.

Parking is one of the larger items here, while this does fall short of the numerical standards of the zoning ordinance, reciprocal parking agreements and other offsite parking options would really allow for a reduced parking ratio for this site.

She discussed the signage, that the entrance should be pushed back rather than pulled out on the street front.

In terms of planning, the land use of this site does directly comply on the Future Land Use Designation set forth in the City Master Plan and the 2016 Downtown Master Plan calls for an increase in pedestrian crossings along Grand River, so that it's important to note this plan does have potential crosswalks as called out in the Downtown Master Plan.

Another note on these plans is that the Downtown Parking Study identifies the parking area to the north of the project site as underutilized and again, this is where the proposed design shows a potential crosswalk to the lot that the Downtown Parking Study on page 4 currently calls out as the Village Commons Parking Area as underutilized.

In conclusion, she stated she wanted to reiterate the recognizable benefit, and that the items in her letter she would defer to the Planning Commission on determination of those items and the letter is just intending to facilitate Planning Commission discussion and the developer is encouraged to work with the City to make any changes.

Chairperson Crutcher thanked Ms. Novak for her review. He then opened the floor for questions from the Commissioners.

Majoros stated his questions are probably best addressed to the Applicant, and indicated that the last time they saw the plans for this project it was a two-story building with three apartments or four, and today it's a four-story with fifteen and asked for an explanation in

the change of the fundamentals of the building, is it economically driven, is it that there is a need to develop more apartment units, seeing as it's a pretty big change.

D'Aleo responded it is an economic move, the idea is to maximize the potential for the site.

Majoros asked if there was an anticipated rental charge for the units established yet and cited the Maxfield Training Center in his question and asked for the size of the units and rental rates.

D'Aleo responded they would charge approximately \$1,000 monthly.

Chairperson Crutcher confirmed that these are market rate apartments and not subsidized and D'Aleo responded in the affirmative.

Majoros then asked for an update on the barn.

Michael Kelmsey, owner, came to the podium to respond to the question. He stated they are working with the Pioneer Preservation Society and has a representative present at the meeting tonight to answer any questions. He indicated they had hired a contractor to start the barn and had given him a large sum of money to start and that they walked with his money and that matter is presently in litigation. He went on to say they reached out to Dave Decker, who has assisted them, from Pioneer Preservation Society, to get that barn moved over there. Money and time does play a factor in this as they weren't expecting the expense and they had to come up with another \$20,000 to get this barn moved and that is where they are at. They were supposed to begin today but the construction company that was hired by Pioneer is delayed in starting.

Majoros stated that they should have Plan B in place and Kelmsey replied that initially they had no intention of preserving the barn but thought it would be a good faith effort to the City when they were approached about it. Kelmsey then asked if the Pioneer representative could come to the podium to give the update.

Dave Decker, board member at Oakland County Pioneer Historical Society, came to the podium and stated that they have contracted with a barn preservation company to relocate the barn and that starts next Monday and they hope to have it done by the Friday following and stated he was assured it would be off the site by August 31st as long as weather permits. He indicated it would be taken down in sections, trucked to Pontiac, and stored there and that next year they will re-erect the barn.

Majoros stated there has been a good deal of discussion and asked Kelmsey to describe the outreach he's made to adjacent potential parking locations and what the discussion and outcomes have been.

Kelmsey stated over the past three months they've had meetings with every surrounding parking lot or building owner. Starting to the east, Mother Mary's Toffee, they offered to purchase their building but couldn't come to a set price. He indicated they stated where they would be willing to sign something that would allow them to use his parking lot, given that their hours are a little different and that they could use their parking lot as well, so that is one reciprocal that may be in place. He stated they attempted to buy that building and tear it down to accommodate the parking requirement but that their numbers were too far off.

Kelmsey went on to state that Farmington West, to the south, that they had met with one of the principals two months ago, asking to extend their parking lot pretty much connecting to theirs, and there was a rendering of it, that would provide another eight spots, and that they've reached out to her and said they would take care of the wall in exchange. The new owners of Ace Hardware complex, the Hurleys, that they approached them about a pass-thru between the two parking lots and unfortunately at this time he doesn't want to do that as he is looking to do something vertical with his building.

The shopping center across the street, Kelmsey stated he had reached out to one of the owners and he couldn't give a definitive answer as he had a lead anchor coming in, a bar, and he didn't know how many parking spaces that establishment would require.

Majoros asked if there was a set strategy in place for employee parking versus resident parking versus patron parking.

Kelmsey stated they were going to rely on their engineer for the answer to that. He said on the south side of the Ace Hardware building there is a large parking lot and that that was a possibility they were going to pursue as far as employee parking back there as there is a pathway behind that building that leads to their parking lot.

Chairperson Crutcher asked if there were any more questions from the Commissioners, hearing none, he called for a motion to open the Public Hearing.

MOTION by Chiara, supported by Majoros, to open the Public Hearing.
Motion carried, all ayes.

(Public Hearing opened at 7:35 p.m.)

PUBLIC HEARING

Bob Steinhaus, a founding member of the Grand River Cruisers Car Club, which is held at the Village Commons Shopping Center for the past decade, spoke of his concerns with restaurant parking interfering with their event.

Mike Liades, managing agent for Farmington Village Commons, asked the Petitioner to look into putting parking under the building to remedy the parking situation and not impose on surrounding neighbors.

Dave Decker, Oakland County Pioneer and Historical Society, returned to the podium to reply to any questions from the Commissioners.

Chris Halas, 33660 Hillcrest, spoke about the current trend in people using ride sharing services and that that should be kept in mind when anticipating parking counts. He then indicated that he was provided with data from the Director of Public Safety, stating that there was a 34.5 percent decrease in DUI arrests in Farmington, since the popularity of ride sharing services has increased.

Hearing no further public comments Crutcher called for a motion to close the Public Hearing.

MOTION by Majoros, supported by Perrot, to close the Public Hearing.
Motion carried, all ayes.

(Public Hearing closed at 7:52 p.m.)

Chairperson Crutcher asked if there were any further comments from the Commissioners.

Majoros asked Christiansen if there was any action required from the Planning Commission this evening.

Christiansen responded that the requested action of the Planning Commission this evening is in considering the conceptual preliminary plan and acting on the conceptual preliminary PUD plan as requested by the Applicant and forwarding the action to the City Council for their consideration and then a draft PUD Agreement and then the final step is that it comes back before the Planning Commission for the final PUD site plan. He stated this is Step 3 of the five step PUD process.

Kmetzo inquired if the developers had a chance to review the letters provided by OHM and Christiansen responded through the Chair that the architect stated he had not seen them but that his firm was copied on them and sent on August 6th, 2018, as well. He went on to say they had spoken in detail with the Applicant/Petitioners on all of the items in the review letters.

Kmetzo then asked if based on those discussions, if all of the issues could be addressed in the letters and Christiansen responded in the affirmative and stated there are several places in the Ordinances that deal with parking and parking requirements, etc., and in looking at the parking regulations themselves they talk about parking onsite, and possible parking offsite. And in the City Parking Regulations, Article XIV, General Code of Ordinances, is that where parking cannot be provided completely onsite to meet numerical requirements, that if there is convenient parking, municipal parking, on street parking adjacent to and in proximity, that that is allowed to be counted and that's is what is being done here in this case to offset some of the parking spaces not on site and also municipal lots are allowed to be counted and there are a lot of municipal lots in the downtown area.

Another provision in the Ordinance, and this is in the Central Business District's regulations, is that where there are opportunities to use offsite parking, that it is encouraged in the Central Business District and there is specific language to that. So that review has been done with the Applicants, with the City and their consultants as well looking at alternatives.

The initial interest of the Petitioner, was to see if there was opportunity to create some connectivity with the adjacent properties to them and that they have exhausted those alternatives and to date they have not been successful.

Kmetzo then said that was where her question was leading, but asked if the other issues had been discussed equally as well, such as pedestrian oriented design, setbacks, landscaping and Christiansen responded that yes, after referral from the Planning Commission to Council, the draft PUD Agreement will specify the detail elements that are required and then the final site plan will come back to the Planning Commission who will look at all the items in the final site plan for final approval.

Majoros asked Christiansen for an answer on the realities of if the City, if at all, has to get involved in parking disputes. That if a formal agreement is not in place between the Petitioner and whoever owns adjacent property, what is the City's role in refereeing a potential dispute.

Christiansen replied that the City does not get engaged with parking enforcement dealing with private properties, so if there is something that is of issue with a particular property on a private property then that rests with that property owner and that situation, whatever it is or isn't. The City has responsibility over its public parking spaces which include parking in municipal lots which are within the area and also the off-street parking that's available so that is the extent of the City's responsibility and its role.

Chiara stated there is a property owner that doesn't want anyone to park in his lot and put up a sign which you will find in some places near the Mexican restaurant that the car may be towed.

Christiansen then stated he would like to finish with Commissioner Majoros' comments by saying that one of the scenarios in a thriving downtown is the situation where the sharing of infrastructure is a necessity and it's desired and that means you have interests, you have demands, you have desire in your community, in your downtown and that situation exists in Farmington where it is a very desirable community, a very desirable downtown and the dynamic is very unique. And a thriving downtown requires them to look at all these items, parking, and other infrastructure, sewer, roads, sidewalks, connectivity and that they do that on a daily basis in their planning efforts and a review like this. Some would say it's a challenge, but it's a good challenge to have because it requires them to work together and that's one of the goals they try to do. If it can't be done directly they'll look to other alternatives, our ordinances and plans provided in that.

Kmetzo asked as a follow-up to the issue of the Car Club that occurs every Monday, if there can be a little more structure that the City can put on events like this.

Chairperson Crutcher replied that the representative of the Car Club indicated there is a structure, but as far as the start and end date and times are flexible.

Christiansen responded that that event, that activity is a very unique event in the community and certainly one that the City enjoys having in the community but that it is a private event on private property, but certainly anything related to it that might require some community involvement, the City is always willing to have discussion about or try to help, whether it's Public Safety coordination or other issues.

Chairperson Crutcher called for a motion and asked Christiansen what language should be included in the motion

Christiansen responded that the action is to act on the Conceptual Preliminary Plan for Samurai Steakhouse as presented and he suggested that the review letters by OHM, planning and engineering, be included in the action and considered as conditions.

MOTION by Majoros, supported by Chiara, to approve and forward on to the City Council, the Preliminary/Conceptual PUD, Planned Unit Development Plan for Samurai Steakhouse, 32905 Grand River Avenue, contingent on and accompanying that with the two OHM Advisor letters for engineering and planning conceptual review, both dated August 6, 2018.

Gronbach asked to consider a Friendly Amendment to the motion, that with that motion that the Petitioner prepare a more detailed specific plan for parking so that the Commission would know where the assigned parking for the number of apartments will be located and would be on the site and come back with a schedule of however many parking places, including the public parking and so on is available and so that the Commission can determine if it meets the Code and know that there would be adequate parking provided for the apartment dwellers.

Majoros accepted the Friendly Amendment to his motion.
MOTION carried, all eyes.

PUBLIC COMMENT

Pamela Carney, 32718 Grand River, B23, Farmington, who lives in the River Glen condos spoke about the changes she has seen happen in the City since she moved in eighteen years ago and inquired if there had been market research done with the various businesses that have come in and out of the areas along Grand River and the volatility of those businesses.

Perrot responded to the statement by Carney relating to the immediate downtown area being solid and that it touches on a couple of different plans that the City has, the Master Plan and getting the Master Plan updated, and part of that is strengthening and extending the downtown to the east and other ways and that is a big part of it. The City is going to do whatever they can to strengthen that area which will then bring in the private investors which will enhance it even more, and that as a Commission they feel this is a project they feel will succeed and extend the success area.

Kelmsey responded by saying that his partner has a restaurant in West Bloomfield, a Samurai Steakhouse, for over a decade that is really successful and that they are ready for the challenges that come with this project and did do some research before they bought both parcels, that the apartments and condos surrounding were at 100% occupancy which is good. He also spoke about other sushi restaurants that had been or were in existence and they would like to keep theirs in the downtown as well as the steakhouse and that they are very confident about that area.

PLANNING COMMISSION COMMENTS

None heard.

ADJOURNMENT

MOTION by Chiara, supported by Perrot, to adjourn the meeting.
Motion carried, all ayes.

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Secretary

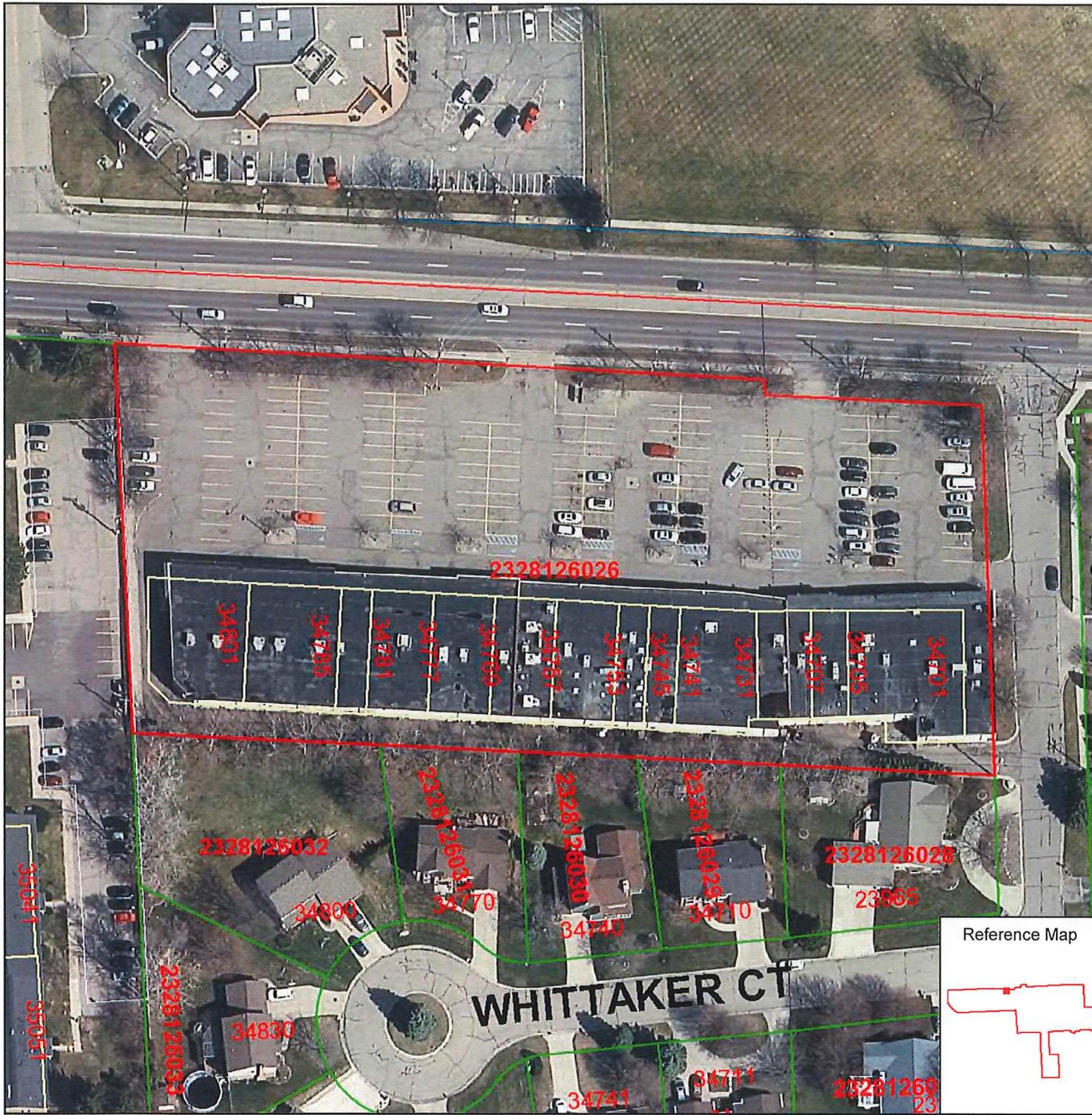
Farmington Planning Commission Staff Report	Planning Commission Date: September 10, 2018	Reference Number 4
Submitted by: Kevin Christiansen, Economic and Community Development Director		
Description Request to Schedule Public Hearing for Special Land Use for Proposed Outlot Building – World Wide Center, LLC, 34701-34801 Grand River Avenue		
<p><u>Background</u></p> <p>The applicant/petitioner has submitted a Special Land Use Application and plans to construct a 1,700 square foot one-story outlot building with drive-thru on the east end of the existing parking lot of World Wide Center located at 34701-34801 Grand River Avenue. The applicant went before the Planning Commission at the June 11, 2018 meeting with their preliminary site plan review for the proposed project (see attached minutes). The proposed project would result in a reduction of the center’s existing parking spaces by an additional 37 as well as a reduction in the stacking spaces of the proposed drive-thru from ten (10) to seven (7) was approved the Zoning Board of Appeals at their July 11, 2018 meeting (see attached minutes). The existing commercial property is zoned C-2, Community Commercial. Drive-thru establishments are a Special Land Use in the C-2, General Commercial District. A public hearing and site plan review and approval are required.</p> <p>The purpose of this item this evening is to schedule the required public hearing for the October 8, 2018 Planning Commission meeting.</p> <p>Attachments</p>		



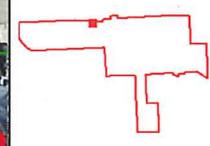
City of Farmington CivicSight Map

MAP LEGEND:

- CITY BOUNDARY
- / RIVERS-STREAMS
- MULTITENANTBUILDING (Type)
- BUILT
- PROPOSED
- COMM_INDUST BLDGS
- RAPHAEL STREET(POLY)2
- RAPHAEL STREET(POLY)
- PARCELS
- ROADS OUTSIDE FARMINGTON
- RIGHTOFWAY
- MULTITENANTPAVING
- ROW EXTEND
- / LOT HISTORY
- OPEN WATER (FEATURETYP)
- DetentionPond
- StreamRiver
- LakePond
- Channel
- SwampMarsh
- 2015 AERIAL PHOTOS (Image)



Reference Map



Map Scale: 1 inch = 98 feet

Map Date: 6/07/2018

Data Date: May 11, 2018

Sources: City of Farmington, Oakland County GIS
Utility, River's Edge GIS, LLC.



Disclaimer:
Note: The information provided by this program has been compiled from recorded deeds, plats, taxmaps, surveys, and other public records and data. It is not a legally recorded map or survey and is not intended to be used as one. Users of this data are hereby notified that the information sources mentioned above should be consulted for verification of the information. Once again, USE AT YOUR OWN RISK !!!



CITY OF FARMINGTON

For office use only

Date Filed: _____

Fee Paid: _____

Special Land Use Application

1. Project Name WORLD WIDE CENTER -
2. Location of Property PROPOSED OUTLOT BUILDING
& EXISTING BUILDING FACADE AND
SITE IMPROVEMENTS
Address 34701 - 34801 GRAND RIVER AVE
Cross Streets GRAND RIVER AVE. & WHITTAKER STREET

3. Identification

Applicant WORLD WIDE CENTER LLC
 Address 7499 MIDDLEBELT RD
 City/State/Zip WEST BLOOMFIELD, MI 48322
 Phone 248-426-8200 Fax 248-426-2116
 Interest in the Property (e.g. fee simple, land option, etc.)
 Property Owner Other (Specify) _____

Property Owner WORLD WIDE CENTER LLC
 Address 7499 MIDDLEBELT RD
 City/State/Zip WEST BLOOMFIELD, MI 48322
 Phone 248-426-8200 Fax 248-426-2116

Preparer of Site Plan SCOTT MONCHNIK & ASSOCIATES
 Address 1700 STUTZ DRIVE #104B
 City/State/Zip TROY, MI. 48064
 Phone 1-248-654-1010 Fax 1-248-654-3002

4. Property Information

Zoning District C-2 Area _____

Width 560' Depth 250'

Current Use COMMERCIAL SHOPPING CENTER

Zoning District of Adjacent Properties to the

North FARMINGTON HILLS South RIA East C-2 West R-3

5. Proposed Use

- Residential Number of Units _____
- Office Gross Floor Area _____
- Commercial Gross Floor Area EXISTING 41,725 SF
- Industrial Gross Floor Area _____
- Institutional Gross Floor Area _____
- Other _____ Gross Floor Area _____

PROPOSED 1,700 SF TOTAL 43,425 SF

6. Special Land Use Criteria. The applicant must provide written responses to the special land use criteria as noted on page 3 of this application.

A copy of the complete legal description of the property and proof of property ownership should accompany this application.

I, Joe Barbat, WORLD WIDE CENTER LLC (applicant), do hereby swear that the above statements are true.

[Signature] 8/20/18
Signature of Applicant Date

[Signature] 8/20/18
Signature of Property Owner Date

I, Joe Barbat, WORLD WIDE CENTER LLC (property owner), hereby give permission for City of Farmington officials, staff, and consultants to go on the property for which the above referenced site plan is proposed for purposes of verifying information provided on the submitted application.

City Action

Approved/Denied: _____

Date: _____

By: _____

Conditions of Approval: _____

- a. The proposed special land use shall be compatible with and in accordance with the general goals, objectives and policies of the City of Farmington Master Plan.

THE SPECIAL LAND USE THAT WE ARE PROPOSING
(IE: DRIVE-THRU IN A C-2 DISTRICT) WILL BE
COMPATIBLE WITH THE GENERAL GOALS,
OBJECTIVES AND POLICIES OF THE CITY OF
FARMINGTON, INCLUDING THE CITY MASTER
PLAN AND REDEVELOPMENT PLAN.

- b. The special land use shall promote the intent of the zoning district in which the use is proposed.

SPECIAL LAND USE OF A DRIVE-THRU USE
IN 'C-2', DOES PROMOTE THE INTENT OF THE
'C-2' DISTRICT.

IT ADDS TO THE EXISTING COMMERCIAL
DEVELOPMENT AND USE OF THE EXISTING WOOD
WIDE CENTER ALONG ~~THE~~ WITH THE ADJACENT
COMMERCIAL DEVELOPMENTS ALONG GRAND RIVER.

- c. The special land use shall be compatible with the existing or intended character of the general vicinity and shall not change the essential character of the area in which it is proposed.

THE SPECIAL LAND USE FOR A DRIVE-THRU IN
A 'C-2' ZONE, IS COMPATIBLE WITH THE
CHARACTER OF THE VICINITY.

IT DOES NOT CHANGE THE CHARACTER OF THE
AREA IN WHICH IT IS PROPOSED. AS IT
IS COMPATIBLE WITH ADJACENT COMMERCIAL
LAND USES,

- d. The special land use shall be served adequately by public facilities and services such as traffic operations, police and fire protection, drainage structures, water and sewer facilities and schools.

THE DRIVE-THRU USE WILL NOT ADVERSELY AFFECT ANY EXISTING PUBLIC FACILITIES, SUCH AS THOSE LISTED ABOVE.

THE EXISTING SITE AND PROPOSED DRIVE-THRU WILL BE ADEQUATELY SERVED BY EXISTING FACILITIES.

- e. The proposed special land use shall not involve uses, activities, processes, materials, equipment or conditions of operation that in comparison to the uses permitted in the district, will be detrimental to the natural environment, public health, safety or welfare.

THE USE OF THE DRIVE-THRU WILL NOT BE DETRIMENTAL TO THE PERMITTED USES IN THIS (C-2) DISTRICT.

* The special land use criteria included above is not the only requirement for special land use applications. For additional information please refer to ARTICLE 12 SPECIAL LAND USES of the City of Farmington Zoning Ordinance.

Christiansen responded that what is unique about that situation is the former Dimitri's Restaurant was acquired and became Los Tres Amigos and the DDA bought the property, they leased the building to the restaurateur but they kept the parking and the parking became a public parking lot that still provided parking to Los Tres Amigos and then the restaurateur of Los Tres Amigos bought the building from the DDA. So, what is there now is a former completely private site that is owned private, the restaurant is, but the parking is public parking but if you look at the CBD regulations where you don't have parking on site but there is public parking adjacent to the parking fields, municipal lots, convenient parking, and on the street, that gets to be counted in. So that is that scenario with that property.

In this case here you don't have a public parking field adjacent. You do have public parking in the streets so that's going to offset and provide some public parking, if you will.

Another thing too, that happens here, if this works, the way the discussions are going and the plans are showing, is there's greater connectivity and access from property to property and that also bodes well because it connects downtown businesses together physically with shared parking and access and circulation.

Waun thanked the Petitioner for choosing Farmington and investing in our community.

Kemsley stated that he appreciated the open arms from Farmington and thanked the City and its Administration for working with him.

Chairperson Crutcher asked if any action was required from the Planning Commission and Christiansen responded that this is an optional pre-application conference prior to completion of the formal application and moving forward with the preliminary conceptual plan step in the PUD and the next step is conceptual plans and a Public Hearing.

Chairperson Crutcher thanked the Petitioner.



PRELIMINARY SITE PLAN AMENDMENT REVIEW FOR PROPOSED OUTLOT BUILDING AND EXISTING BUILDING FAÇADE AND SITE IMPROVEMENTS – WORLD WIDE CENTER, LLC 34701-34801 GRAND RIVER AVENUE

Chairperson Crutcher introduced this item and turned it over to staff.

Christiansen stated that this is a preliminary site plan amendment review for a proposed out lot building and existing building façade and site improvements for the World Wide Shopping Center which is located 34701-34801 Grand River Avenue.

There is a little bit of history with respect to this property and a project had been brought to the Planning Commission a few years ago that moved forward to site plan review and was not realized. Currently the City has been working with the owner of the World Wide Shopping Center regarding a proposed out lot in the existing parking lot as well as façade remodeling to the existing building and site. The proposed out lot building addition as indicated in the plans that were attached with the staff report would be a 1,700 square foot one-story building with a drive-thru located on the east end of the existing parking lot. Additional site improvements include parking lot improvements, new site landscaping and lighting and new signage. The existing building site is located in the C-2 Community Commercial District and requires review and approval by the Planning Commission and the Zoning Board of Appeals in this case as it relates to site parking. No other changes to the existing site are proposed.

Again, past history, as indicated at the April 14, 2014 Planning Commission Meeting, the Planning Commission approved the site plan for the World Wide Shopping Center, the approved site plan included exterior changes to the existing building façade and shopping center site, those approved exterior changes at that time included façade improvements, revised modified site landscaping, revised modified parking lot and building lighting and new site as well as building as well as tenant signage. The site plan was approved at that time with the following conditions: that the proponent submit a parking lot lighting plan, also to address a more detailed landscape plan and be provided back to the Planning Commission. The Petitioner then reappeared back on the Planning Commission Agenda on June 9, 2014 and at that meeting the Commission approved the amended site plan for World Wide Shopping Center including support materials. Minutes of those meetings were attached with the staff packets. However, the approved site plan that was approved back in 2014 was never completed and the approval for that site plan did expire.

As indicated, the Applicant has submitted a new site plan, this site plan is for a proposed one-story building addition in the parking lot as well as improvements again to the building.

Also with the staff report is an aerial photograph of the site and the Petitioner is in attendance to present his preliminary plans to the Commission this evening.

Christiansen stated the aerial shows the World Wide Shopping Center on Grand River Avenue. This an older strip type center, commercial property with a big parking field, in this case out on Grand River and it has the building that is pushed to the south end of the site with a very small loading area, alley type access along the rear, there's residential, the rear yards you see here, Whittaker Court, this is Whittaker Street to the east and then Whittaker Court with the single-family units that have rear yards and the rear property

lines that share a common boundary with the south side of the center. So, there's a variety of fences there, it's an older building, it's an older development, there's been a need for property maintenance and upgrades for a period of time, that was the reason that the

Petitioner came before the Commission with a proposed plan in 2014 and unfortunately it wasn't realized for a variety of reasons but is now back with not only those improvements again to a certain extent but the building addition as well. The application has been submitted. He put an existing condition survey on the screen and stated he would let the Petitioner go through this. He stated there will be a new roof put on the building and some other treatments and façade modifications, a complete change to the façade on the existing building. Currently it's a mansard type façade, kind of a cedar shake on a mansard roof configuration. The proposed building addition is a 1,700 square foot addition and a new monument sign off the entrance off of Grand River.

Christiansen then stated the Petitioner is here to present this to the Commission.

Chairperson Crutcher invited the Petitioner to the podium.

Scott Monchnik, the architect for the project, came to the podium and stated he is working with Joe Barbatt, the owner of the center, and is here as representative of the center.

He stated that Kevin was correct, they were before the Planning Commission many years back, to do the façade remodeling. Over the course of trying to get funding for that and work that out with tenants and everything else, that was never able to come together.

He stated this opportunity for an out lot will allow the owner to get his funding to do the entire project, he has convinced his financial institutions if you build it they will come, so if the approval for the out lot is forthcoming that he will be able to get additional tenants, a new tenant list, some of the older tenants will probably move out and new life can be instilled into the project.

He stated they intend to improve the site lighting, landscaping, parking lot improvements and the building. The building is old, the roof needs to be replaced which is a substantial cost, it's a very large center in terms of lineal feet. The addition of the out lot will draw additional customers to the area, to the project, and also allow the out lot itself to thrive and be a good addition to the neighborhood.

He stated that's pretty much where we're at, the façade was intended to be redeveloped and the redevelopment is very similar to what it was intended to be previously, it's gone

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through a little bit of value engineering to allow it to be more affordable to the owner, without diminishing the esthetics to the public.

He said the number one objective is to get the site plan approved to allow them to move forward on the out lot which is as part of the lease, it is a super aggressive timeline to get it done. So, he is hoping that the Planning Commission agrees with them this evening and approves this project so they can facilitate the change for a long-needed project.

Chairperson Crutcher asked if there is a tenant for the out lot and Monchnik responded it is Tropical Smoothie Café.

Chairperson Crutcher opened the floor for questions from the Commissioners.

Waun asked if there was a reason they selected the east side of the lot versus the west side which is further away from the residential street?

Monchnik responded that the tenant on the west side of the property, their lease does not allow for an out lot.

Gronbach stated that on the proposed site plan they are showing removal of the existing trees which are pretty substantial but that there are no landscaping plans so that he expects the Petitioner will submit a complete landscape plan that meets the City's specifications.

Monchnik responded that the existing trees that are there are old and very full and makes it hard to see the center as you're passing down Grand River. So the idea is to take out the old trees, all of the islands up by the building, the landscape islands don't have trees in them now, but those will all have new trees put into them.

Gronbach stated that the islands along the driveway that are shown in the plan as remaining and existing, they are not showing changes, there are trees in those islands that may or not be okay, but the islands themselves are not in very good shape, there is asphalt curbing which a lot of it is busted up, there's a lot of weeds and stone and so on in these islands, so that he would think if you're going to leave the islands as proposed that you need to upgrade the islands to include concrete curbing, and it shows the existing asphalt paving will remain in the parking lot. He stated the parking lot is in pretty rough shape, it's been patched over many times and he stated if they are going to this extent, the parking lot needs to be redone and repaved.

Monchnik responded that the islands where it says they will remain means they are remaining in their shape and size but they do have to be addressed with landscaping,

curbing and then determine if it's going to be sod, or what's going to be on there. The parking lot is in need of repair and that's in the budget.

Gronbach stated that the Petitioner is going to need to submit a site plan that details these issues because he doesn't know how they could approve this site plan where it says existing, existing, existing, when you're agreeing it all needs to be replaced.

Monchnik stated they are preparing an upgrade, it won't necessarily be torn out and replaced, but it will be improved.

Gronbach stated that a lot of the asphalt curbs are in very poor condition and he doesn't see how they can leave those and the Petitioner responded he was speaking more of the parking repairs.

Gronbach also stated the sidewalk along the front of the building is very narrow and the site plan shows the existing sidewalk and he questioned if the sidewalk meets ADA requirements and certainly has no handicap access or ramps, it would seem to me if you're going to redesign this whole thing, it would be beneficial to widen the sidewalk along the store fronts which would be advantageous. The doors open directly onto the sidewalk, they come out and almost block the entire sidewalk as people are walking along there and it needs to be looked.

Monchnik stated they had not really intended to modify the sidewalk but in terms of making everything ADA compatible.

Gronbach stated it doesn't really show the width on the site plan but that is a very narrow sidewalk and he thinks it would be a very nice improvement if the sidewalk was widened out and had accessible handicapped ramps and appropriate placement of them.

Christiansen stated these are great questions and that is the reason they are having the preliminary review. He indicated one of the challenges they have in the City older centers were built under different standards at different times. When we're talking about a redevelopment of this center, it's more than just a fresh coat of paint. Now what's being proposed is a brand new building addition to an existing site which also allows an opportunity to look at enhancements and upgrades to the existing center. There is a lot of stuff that's nonconforming and one of them is the sidewalk and the lack of barrier free access. When this center was built there weren't barrier free requirements that were in place. So Mr. Crutcher alluded to the fact that if you change the sidewalk and he and Mochnick had this conversation and if it needed to be widened or bumped out from the front of the building, that goes into the travel lane that are in front of the units, which then affects the distance to those islands and might require reconfiguration of the parking lot.

That sometimes limits what an owner is willing to do, and they must together on these things. He stated they talked about the landscaping, needing a plan, if they're going to propose taking the trees out which would require the Planning Commission's approval,

what new landscaping will go in its place. There was a landscape plan with the 2014 approved plan, there were beds and flowers and other low profile type landscape plantings that were talked about and may need to be brought back.

Also, you'll note there's no dumpster enclosures here along the rear of the building where the dumpsters are at, it's a very narrow access. So there's a small wall that's about four feet high. He stated that Mochnick indicated they are willing to increase that wall back there and repurpose that wall. We've had residents come in and pull fence permits to create additional screening to themselves. But because of the way the shopping center was built and what isn't there that the residents want and that we can try and find a way to get those things. Short of the dumpster, there isn't a dumpster at the end of the building, we talked about some enclosure opportunities and they are still looking at that, don't know if we can facilitate it based upon where the building is at and its proximity to the rear lot line and to the west lot line, that's still a work in progress.

Lighting is a big one, too, and he thanked Commissioner Gronbach for taking a look at this site over time and also, too, he was involved when it came to the site plan in 2014, there was some temporary lighting that needs to be removed and needs to be redone.

The other item that he wanted to address is the 1,700 square foot building that is going in a location where there is existing parking, displacing or eliminating existing parking. If you look at the site plan, the existing building has 188 parking spaces required, there is 180 on the site. That is a current deficiency as it is but it's grandfathered in. With the removal of spaces and with the 1,700 square foot building, right now the building is about 42,000 square feet, with an addition of 1,700, it's going to need additional parking and it's going to end up being deficient probably by about 30 to 34 spaces.

Monchnik replied there's a net difference of 26 of what they are deficient now and what they will be deficient with the out lot.

Christiansen indicated the preliminary plan before the Commission tonight is to receive feedback but what has to happen here subsequent to the Planning Commission's preliminary review, if the Petitioner is moving forward, the Zoning Board of Appeals needs to consider a waiver for the deficiency of parking in order to accommodate the additional which needs to be done before coming back to the Planning Commission with a full formal site plan.

He stated the out lot building itself requires by ordinance a certain number of stacking spaces for the drive-thru and that it requires 10 and they have seven, so that will have to be modified as well by the ZBA.

Crutcher stated that if the out lot was put on the west end of the center, it would be more desirable and asked if it was possible to have the building further west.

The Petitioner replied that with the drives the way they are, even though the east side of the property is more parked right now, there is so much unused parking in that overall parking lot, that people will learn to modify where they park to go to the stores.

Crutcher stated he is more concerned with the traffic from Panera, there's a lot of traffic there and there will be an increase in noise activity on that corner.

The Petitioner replied Whitaker is a drive to go down to a residential neighborhood but there are no residential activities at that corner.

Crutcher stated that there will be with the new out building.

The Petitioner stated the drives and curb cuts are already there so there is activity, cars coming in and out of that area already, it's not like they are adding a new curb.

Crutcher asked if it possible to locate the building further west and minimize the reduction in the parking.

The Petitioner replied that they have looked at a number of locations all through the site and at the end of the day the out lot tenant was eager to be more on that corner and after showing him a number of derivations of where they could go and how they could circulate, they were eager to be on the east side.

Majoros stated that what helps is upon exiting you're pushed back to Grand River and you're most likely going to be exiting out on one of the Grand River outs rather than doubling back to Whitaker.

Christiansen stated that stacking and coming out of the stacking cue once you've gone through the drive-thru window, it puts you out to Grand River, that's the main entrance, or one of the three main entrances. On the east end of the site, too, the way you stack the maneuver on that building on a drive that you circulate next to, if you moved it over more to the middle of the site, you're in the maneuvering area for the main center of the site and all of a sudden you start to get involved and you're going to have to reconfigure all that parking because you're now in the maneuvering lane and how it all circulates,

pushing it to the east end you don't have that scenario, the stacking and the drive-thru can all be on its own end of the site.

The comment about the west end, that was the first thing we had dialogue with the Petitioner about and the owner of the center, utilizing the west end, and that was discussed early on but unfortunately based upon the current lease structure, they've indicated they are not able to do that with O'Reilly, the tenant on the end and what they have in their agreement.

Majoros questioned Christiansen in light of the 2014 approved site plan not coming to fruition, how the Planning Commission can ensure that all of the improvements will be accomplished and that once the out lot building is built, they won't complete the required upgrades and can a timeline be established for completion of everything.

Christiansen stated when a site plan is reviewed and approved by the Planning Commission, it needs then to move forward to the next step which is detailed construction drawings and engineering. Those drawings need to reflect the desired site plan and all elements of it and any conditions that the Planning Commission has approved the site plan under, all of it needs to be carried forward. Permits that are issued for the approved site plan, the permits need to be implemented in their entirety and there are fees for the permits and there are financial guarantees that are put up, there's escrow monies that are then utilized to move forward with any development, any construction project. And all of the elements of the site plan as approved and the project under which the permits were issued under it for, need to be completed, and if not, the City has to take other steps and that's something we don't want to do and typically we don't have that situation, we have pretty good developers, builders, contractors that we would closely with them. Site plans that are approved by the Planning Commission in Farmington are good for a year of the date of approval, and if they're not consumed, utilized within that time, construction plans are not moved forward and permits not applied for and issued, then that site plan approval becomes null and void and that's what happened with this one in 2014. The guarantee that is held is through the permit process and through the financial guarantees that are provided and the obligation the owner of the property has, that's what is used.

If there is nothing done, if there is no site plan that moves forward, like any other property in the community, properties have the responsibility to follow the City's property maintenance codes meaning that they have to comply with the City's maintenance standards.

One of the challenges Farmington has is that it has an older building environment in a lot of areas and they work very hard to work with property owners to enhance, give new life, repurpose properties and this is one of them. We hope that it will move forward, whatever it takes to do that.

Crutcher asked if there is anything else that can be done and cited that O'Reilly's moved in and nothing else happened.

Christiansen responded that O'Reilly's had a portion of the property that was occupying an existing portion of the center and they came in to that portion and that area and repurposed what they were intending to do. The rest of the center wasn't tied to O'Reilly's and vice versa at that time. Certainly there are concerns with the center and through the site plan process, some upgrades proposed and that the Commission is looking for, these can be tied together. If you're talking about with the building addition to the site so it's new construction and the impact of that and the reduction of parking and the basis for supporting all of that and changes to the site, all of those items can be tied together comprehensively so that they are all done.

Crutcher stated he would like to see some type of assurance that all of these things will be addressed. He pointed out on the outbuilding itself, according to the plans, it looks like there's an outdoor walk-in cooler and the Petitioner replied that it looks like it's bumped out but it's part of the building, it's accessed from inside the building. Crutcher asked that the cooler be incorporated into the building and the Petitioner said that could be done.

Perrot stated that a lot of the Tropical Smoothie Café's have outdoor seating, and asked the Petitioner if there are any plans for outdoor seating.

The Petitioner stated that he did not anticipate having outdoor seating at this location.

Crutcher stated that due to the nature of the neighborhood in this area it would probably be a good idea to include that. There is already a deficiency in parking but it would make it more pedestrian friendly by incorporating outdoor seating.

Kmetzo asked Christiansen what the next step for this would be and Christiansen responded by saying the Petitioner will take the comments heard tonight and come back with a revised site plan that includes the elements discussed and then go to the Zoning Board of Appeals requesting a modification for parking and then come back before the Planning Commission for a formal site plan review.

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Bertin stated there was one approval letter received from John and Julie Clark.

Crutcher asked if the Petitioner was planning on adding more landscaping and Abbott replied that they have budgeted for the fence this year so the landscaping will be put in next year.

Bertin stated that the sidewalk is not parallel there so landscaping would be restricted.

Aren asked if the foot traffic was from runners and the Petitioner replied there is a lot of foot traffic, and strollers and dogs.

MOTION by Schiffman, supported by Crutcher, to approve the variance with no conditions.

Aren suggested a friendly amendment be made to the motion to include that the fence be a natural color.

Schiffman stated that the only other fence visible is on Oakland and it is vinyl.

Crutcher stated he would like to see the fence be more natural and match with the neighborhood and that the color was more important than the material.

Aren asked if the vegetation that is depicted in the picture, is it going to be behind the fence and Crutcher replied it is adjacent to it.

MOTION by Schiffman, supported by Crutcher, to grant the variance request of Travus Brummette and Sarah Abbott, 35253 Drake Heights, Farmington, MI 48335, to allow the installation of a 6" privacy fence to replace existing 4' chain link fence that fronts on the sidewalk along Drake Road, with the condition that the fence be a natural color.

Motion carried, all ayes.



APPEAL OF:

**World Wide Center, LLC
Joseph Barbat
34701-801 Grand River Avenue
Farmington, MI 48335**

- 1. Request for variance to Sec. 35-206(D), Non-Conforming Buildings/Structures to allow for a reduction in parking spaces by an additional 37 spaces.**
- 2. Request for variance to Sec. 35-172, Off Street Parking Requirements by Use to allow for a reduction in stacking spaces from ten (10) to seven (7).**

Chairperson Bertin stated that this is a request for a variance to Sec. 35-206(D), Non-Conforming Buildings/Structures to allow for a reduction in parking spaces by an additional 37 spaces. The Applicant is proposing to construct a 1,700 square foot out lot building with a vehicle drive-thru on the east end of the property. In front

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of the China Merchandise. The World Wide Center is currently deficient eight parking spaces and the total amount of deficiency would be 45 spaces.

The variance to Sec. 35-172(I), Off Street Parking Requirements for a new drive-thru restaurant, to allow the waiver of three out lot stacking spaces, ten (10) spaces are required and seven (7) are being provided.

Building Official Koncsol added that the proposal for the World Wide Center which has drawn a lot of people who have lived in the City awhile and are aware that this center has been in need of a lot of attention over the years and hasn't gotten band aids basically over a long period of time. With that being said there have been a number of approaches to the City to do different things from a façade upgrade, parking lot, landscaping, some of that occurred three or four years ago but never came to fruition. It was presented as a great idea but never materialized. That proposal didn't include any expansions relative to adding square footage to the building, it was a façade, site improvement that we were hoping it would come but it never materialized as everybody knows.

At this time the proposal seems to involve an increase now with the construction of what is called an outbuilding, a 1,700 square foot new building in front of the China Merchandise portion of the center next to the Panera Bread and in doing so looking at some of the numbers that were presented to the architects and design people, they were eight spaces deficient as they exist without doing anything. And to do this, if we add the square footage in and the stacking spaces, there is a two-fold issue here.

Initially the first one is dealing with the square footage of the building, and with that increase they are deficient another 37, so 8 plus 37 makes it 45. So, theoretically that is what the issue is and there are a lot of opportunities here depending on how this swing goes one way or another is ultimately to try at this point to get a much needed overall site improvement in conjunction with what is being proposed with this out building which will take care of some roof problems that have been leaking on tenants for years and then to do some façade remodel, landscaping, remove some of the unsightly lighting that's currently there to light the parking lot, so it's felt that we hope this does it, cross my fingers on that but if that's the way it materializes at the end of the day when it's all said and done. So at this point the Zoning Board is being asked to look at the numbers and waive the parking requirements to allow this to move forward which would then go to the Planning Commission for site plan approval to which they would then look at the overall site plans and what that allows for and hopefully present that as a cohesive development project one with the other.

Chairperson Bertin asked if this was the first step to getting it done and Koncsol replied in the affirmative.

He then asked if the Applicant was present and Dan Blugerman, with the Thomas Duke Company and Scott Monchnik, architect came to the podium.

Blugerman stated that he had received a phone call from Rob Kull on Monday morning stating that Kull called him as a courtesy to let him know that there were going to be a group of people in attendance at tonight's ZBA meeting to voice their

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concerns about the Center. Blugerman then stated he then called Joe Barbat, whom Blugerman had represented for the prior year to do the leasing for the center. Blugerman told Barbat that if he fixed up the Center then they could get new tenants in there instead of the long term month to month tenants that had been there. He stated he then asked Barbat to write a letter that says if there's an approval of the plan with the improvements, that he will move forward with them. Barbat also stated to Blugerman that several years ago he had gotten the façade plans approved but the bank would not provide the capital because he couldn't get the additional rent to pay for it because he wants this property to pay for itself.

Blugerman went on to stated he sees this as an opportunity for the City to apply a judo move to him, to pin him down, to either fix it or not fix it, and Barbat stated he has a commitment from a private bank in Michigan, an elite private bank in Michigan who will provide him the money to do all the work that's included. Blugerman then said he talked to City staff who stated that the Zoning Board's approval could be conditioned on the improvements and then backed up when he goes to the Planning Commission to get the final and that also can have the conditions of all the work being done as well as having an appropriate amount of bond or guaranty or whatever economics are held so that he can't come back later and say no, so the money will be there to finish the job, whether it's a bond or some other form.

He then stated he talked to Economic Development Director, Kevin Christiansen, he stated these standards were from twenty, thirty years ago, maybe longer, he wasn't certain when the ordinance was written for the amount of parking. He indicated today if this was being done with the modern parking counts and understanding how businesses have different peak times, under modern standards there probably wouldn't be a deficiency.

As far as the stacking spaces, seven, if there's five cars in the line, four cars, you're moving on. How many people have the patience to wait for more than two cars ahead of you. He stated as a practical matter the deficiency in the stacked parking is not going to create a problem. He said he goes by that Center every day as he works at Grand River and Halstead and he welcomes the chance to see the Center get some needed attention. He indicated Barbat agreed to building façade work, parking lot improvement, the landscaping.

Monchnik, architect for the project stated they are requesting that the trees in the front be removed because of their maturity and the blockage they create along Grand River and they're heavily grown over all of the power lines that are going right through all those trees so it would be an improvement to the power system to remove those trees to let the power flow freely and not have branches moving, flailing, breaking and bringing down lines.

Blugerman went on to talk about the lighting changes and the signage. The one item he heard discussed and he saw in past notes was about a bigger, higher screen in the rear and asked Monchnik to address that item.

Monchnik replied that the brick wall on the back more on the west side of the property, about five feet off the drive then it tapers down to four feet along Whitaker, coming in off of Whitaker about a quarter of the way someone has installed an 8'

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high privacy fence that is thirty some odd feet, so that is screening the center already. And the vegetation that is there now is way overgrown but it provides substantial screening between the residents and the building itself just due to the nature of its density.

Blugerman stated that Barbat said the lighting that was installed by DTE that are not shielded, so he is going to eliminate those and put in conventional improved lumens that shine down and don't spill onto the neighbors.

Blugerman stated that a practical difficulty exists because of the configuration of the lot is really wide but shallow. We said when they sold Dunleavy's to Smile Dental, they had to find a way to squeeze it around, they actually put the building in front and the parking in back because those narrow lots are a challenge to develop.

He stated that World Wide Center has three access points, you can move around, you can find a space which might be six or seven spaces down but if you drive along there is always parking in the Center, not like the other centers that don't have enough parking.

If you grant the variance it would add interest and good economic turn to an aging retail structure so it would be a benefit to the community. He doesn't believe the public safety and welfare would be diminished because it's not going to create back-ups onto Grand River or other problems, so there's not a safety hazard or a nuisance to deny it.

He went onto state he doesn't believe it will have an adverse effect on the character of the neighborhood, but rather it would be a long overdue improvement that they can require be made. He said Barbat is asking for the minimum necessary to get the out lot, to get the financing so the property itself can support the additional financing to do the work and otherwise he'll collect cheap rents and not do the right thing.

Chairperson Bertin then called up one by one the people who signed up for public participation at the meeting.

The following people spoke against the granting of the variance:

Steve Amani, tenant of the World Wide Center, 34773 Grand River, spoke on behalf of several tenants of the Center and the disrepair of their spaces, with water dripping from the roof onto power circuits and stated his concerns with parking and the alley in back of the center and egress and ingress to that alley for the big truck deliveries.

Susan Hanley, 23871 Longacre, stated that she has lived on the corner of Longacre and Whitaker for over twenty years, and spoke about her concerns with Whitaker being a main thoroughfare to get kids to school, that she would like to see a traffic study done before anything happens and that there is a bus stop there and that the current lighting is very intrusive as she is the first two-story house on Longacre.

BOARD OF ZONING APPEALS MINUTES -7-

Matthew Muscat, 34771 Whitaker, stated his concerns with cars going in and out of the drive-thru, and that he drove through the parking lot on his way to the meeting and it was three quarters full so the parking is going to be an issue by taking away more spaces, the parking lot is in need of repair, as well as the landscaping and the alley itself. He stated the dumpsters smell from the food from all of the restaurants and suggested that the new tenant move to an out lot at the Drakeshire Center.

Robert Kull, 23917 Whittaker, stated he and his wife have lived there for twenty years and that they have seen many changes. He stated Panera was a welcome addition but that the World Wide Center is unsightly and everyone would like to see improvements made to the center. He said that Mr. Barbat was not the original owner, there was a prior owner, and the concept was that Mr. Barbat was going to come in and fix up the center and it never happened. He stated there was the removal of the sign and the installation of the auto parts store, but that was never finished, they blocked off glass with darkening material, that was never finished. He talked about the lights at the liquor store, and the lights in the parking lot that have no shields that shine into his home. He said there is a bad relationship between the owner and the community. And that the real problem is the parking which is what this variance is about. He stated he feels that basically that Mr. Barbat, with this proposal, is holding the community hostage by him promising to do these repairs if the variance for the nonconforming use is granted, that Barbat has a history of not following through on promises. He also stated his concerns about reducing the stacking space which will only increase the problems with traffic which is an enormous problem. He expressed concerns with delivery trucks backing up into the alley, trucks hitting the building, getting stuck. He talked about the rules for granting a variance, that the Applicant has to show a practical difficulty, that there is nothing about this site that would make it a practical difficulty and stated that adding a 1,700 square foot building with a drive-thru would be a nuisance, cause traffic jams, and is not consistent with the Zoning Act and that the ordinance is intended to eliminate uses, buildings and structures that do not conform and is not intended to allow expansion. He stated they are asking that the variance request be denied on the basis that the owner has not demonstrated a practical difficulty, that it is a self-created situation by the fact that the items that Mr. Barbat wants the City to give as conditions, that he has created them by not maintaining the site, and to ask for a variance violates the Zoning Ordinance and the standards in asking for a variance, that the expansion itself is a self-created issue and would be harmful to the public and a danger to public safety due to the pattern created on Grand River.

Bob Doyle, 34740 Whitaker, stated that he backs up to the alley and the vegetation is good for screening for six months but when the leaves fall that he can see the back of the building which is an eyesore. He stated he has lived there for seven years and loves Farmington and his home and neighborhood and had been hopeful for improvements to the center but does not believe the variance should be granted to the owner of the center without improvements happening first and that he would like a traffic study done also.

Mary Anne Holloway, 34801 Whitaker Court, said she represented both her and her husband and stated that their neighborhood is one of the best kept secrets in Farmington. She had concerns with the statement that if the variance isn't granted, the owner won't do any work on the center. She indicated there are existing

BOARD OF ZONING APPEALS MINUTES -8-

violations, the lights, garbage, rat problems in the neighborhood and back-up of sewage and that the actual location of the out lot that there is flooding problems on the site and that the Great Lakes Water Authority is a regular visitor to the area. She expressed her concerns about the traffic, whether there would be a new dumpster at the proposed site, and the deliveries made to the center through the alley and that she is not looking forward to additional noise and traffic and the negative impact this would have on the value of her property and is against the approval of the variance.

Al Attee, 23965 Whittaker, indicated he is the first house when you turn on Whittaker and he has seen semi-trucks back into the alley which is bad, and that the trash collectors bang the dumpsters so hard and loud because they are packed so full that is the only way to empty them and that he strongly opposes the granting of the variance. He said you never cut trees down, they add to the center and that there are lighting problems on the site and he would like to see the wall in the back of the building built higher.

After public participation comments ended, Scott Monchnik came to the podium and told the audience that he appreciated all of their comments and the intent all along is to improve the center, that the issues that were brought up are all of the issues they are looking to repair, replace, the lighting issue, and the design of the out lot is not to increase traffic.

Chairperson Bertin stated he appreciated all of the comments but indicated there are things that the Planning Commission will take care of when they have the opportunity to review the site plan and how they are going to implement everything and that the Zoning Board is not responsible for taking care of all of those issues, but only to see if there is a reason for granting the variance and that the Planning Commission would act on what's appropriate at the site taking into consideration the concerns of the neighbors.

Chairperson Bertin opened the floor for questions from the Commissioners.

Aren inquired who would be responsible for inspecting the site if a variance was granted and permits issued and Koncsol responded when it moves forward to the Planning Commission that that is the Board responsible for making sure all the I's are dotted and T's are crossed and if there is a timing issue from a legal realm that that can take place and Planning can dictate one.

Chairperson Bertin asked Attorney Zalewski what authority ZBA has the ability to set conditions at a level of specificity that they feel are necessary to address any impact on the neighborhood and then ultimately before any occupancy occurs, those conditions would have to be met. As far as timing in terms of if there is a variance granted, if there isn't proper progress made, it is possible that the variance could lapse and the Planning Commission could also set conditions as well as the Zoning Board and if the Board needs more time to study what conditions should be set, this matter could also be tabled to enable the Board more time to study the issue.

BOARD OF ZONING APPEALS MINUTES -9-

Perrot questioned on the site plan, the detail that shows the traffic pattern along the drive-thru on the south side of the building, is that an actual barrier that will be installed and Monchnik stated that would be a raised curb. Perrot then asked if that would pose a concern to people backing up onto Whitaker and Monchnik responded that it would be impossible to get into that lane from Whittaker.

Perrot then stated he is concerned that the owner of the center is not present at the meeting and Monchnik responded that he is out of the country.

Chairperson Bertin asked how long he will be out of the country and Monchnik responded until the end of the month. Bertin then asked why this variance request couldn't be tabled until his return and Blugerman responded that he is up against a performance deadline with Tropical Smoothie and that he needs to have a decision on this matter in order to get financing.

Chairperson Bertin asked if any consideration had been given to putting this out lot at the other end and Perrot responded that there is a restraint from O'Reilly that no out lot can be put on their end of the center.

Crutcher stated that there are issues that have come up in the comments from the public that should be addressed as conditions in any approval that may be made.

Further discussion was held concerning the conditions that could be placed on the variance and the timetable in which they would have to be accomplished.

Chairperson Bertin stated he was uncomfortable in feeling under the gun and that there are a lot of issues that need to be addressed and asked if there had been a traffic study done.

Building Official Koncsol stated he doesn't know if there had been a traffic study or not.

Chairperson Bertin asked if the matter was tabled, would there be a Planning Commission meeting held between tonight's date and the next scheduled Zoning Board meeting.

Kevin Christiansen, Director of Economic Development and Planning, came to the podium to respond to Bertin's question.. He introduced himself to the audience and stated what his responsibilities were in his position. He stated that the Zoning Board of Appeals has before them a request for two variances, one for a parking deficiency and one for a deficiency in the number of stacking spaces. He stated this particular proposal was presented to the City in the fall of 2017 and the Applicant has been working with the Administration and the Planning Commission over that period of time and that the preliminary site plan was reviewed by the Commission and it was duly noted that variances would be required before any steps going forward.

Rob Kull, who had previously spoken during audience participation, stood up and stated that he objected to Christiansen interjecting comments in that the Board was in the process of their own discussion.

BOARD OF ZONING APPEALS MINUTES -10-

Christiansen stated he was responding to the question of the Chairperson as to if the Planning Commission had considered this matter before it came before the ZBA and that he stated they are waiting until the Zoning Board acts on the variance before but that they are very familiar with this project and a lot of work has been done on it already.

Kull stated he objects to bartering with the Applicant.

Attorney Zalewski responded that as a member of the Administration, the Chair recognized Christiansen and allowed him to speak.

Aren asked Christiansen if there was a precedent of success in these two step processes.

Christiansen stated that the City is under a period of redevelopment and that it has planned this redevelopment for a number of years. The site is old and has existing construction that needs to be maintained and is nonconforming and has certain deficiencies and has had to go through a lot of Code Enforcement. He stated if nothing happened today or tomorrow the City would still be looking at these issues and before they push forward on this, that there is an opportunity to do those things as part of this process, that no one is bartering or negotiating. If this doesn't happen, the existing conditions still exist and they will be dealt with. He stated the Zoning Board can either accept his application and move him through due process, knowing there are two steps necessary and in the work sessions with the Planning Commission, the Applicant was told to go to the ZBA first. If the variances are not granted, the site plan is moot. This is a building addition in a parking lot and if the variances aren't granted this will not go forward and if they are, they will come back before the Planning Commission.

Chairperson Bertin thanked Christiansen for his input and the input given by the neighbors, and stated he realizes that this sounds like this may be a way to get things repaired and fixed so they can either have this condition continued to exist or grant the variances, and that is where the Board stands. He stated there can be a motion to deny, approve or table the matter. He then opened the floor for a motion from the Board.

MOTION by Aren, supported by Crutcher, to approve the variance as stated, with the condition that the alley lighting and wall for the residents be added as conditions.

Zalewski stated that the motion must be read in full into the record.

MOTION by Aren, supported by Crutcher, to approve a variance from Section 35-206, Nonconforming Buildings/Structures, to allow an additional 37 parking space deficiency in an existing retail center that is currently deficient 8 parking spaces, for a total parking space deficiency of 45 spaces, in order to permit the construction of a stand-alone retail building and drive-thru on the basis of the following findings and conditions, without which conditions the Board would not grant the variance:

BOARD OF ZONING APPEALS MINUTES -11-

- A. A practical difficulty exists by virtue of the configuration of the lot, which is wide but shallow, which limits the potential configuration of an addition to the existing building and precludes the establishment of additional spaces elsewhere on the property.
- B. The granting of the variance would do substantial just to the applicant, who is attempting to add interest and increased economic return to an aging retail structure, and also to other property owners in the district, who will not be adversely affected by the proposed relief, as there appears to be sufficient parking elsewhere on the applicant's property to accommodate all uses on the property.
- C. The requested variance will continue to observe the spirit of the ordinance because sufficient parking still exists from the uses on the property even after construction of the new building, and public safety and welfare will not be diminished.
- D. The need for the variance does not appear to be self-created – we will strike that.
- E. No safety hazard or nuisance appears to exist because the availability of other parking on the property appears to be sufficient for all uses located on the property.
- F. The proposed new building and related façade and landscaping improvements will relate well to the adjacent properties, and will not adversely affect the essential character of the neighborhood, but will improve it.
- G. The variance requested is the minimum necessary to permit the proposed additional building on the property.

The foregoing findings and conclusions are dependent upon the following conditions being observed as the new building is added to the property and are only true and accurate if such conditions are implemented:

1. All of the other improvements shown on the site plan submitted to the City and reviewed by the Zoning Board of Appeals, being Job No. 16036, dated June 15, 2018, prepared by Scott Monchnik & Associates, Inc., and consisting of Sheets SP1.00 and SP1.01-SP1.05, including but not limited to new proposed landscaping, new proposed lighting, a new proposed sign, new façade on the existing building and a new roof on the existing building. Without these improvements to the remainder of the center, including the existing building, the Zoning Board of Appeals would not grant the relief requested, and would not make the findings set forth above.
2. The improvements to the existing building (including the new façade and new roof shall be completed, and certificate of occupancy for such improvements shall be issued for such existing building before any building permits for the new structure may be issued.

BOARD OF ZONING APPEALS MINUTES -12-

3. The landscaping improvements, lighting improvements, and sign improvements shall be installed and completed before any temporary or final certificate of occupancy for the new building are issued.
4. The City Administration may, at its sole discretion, accept performance guarantees in the form of cash or letter of credit in an amount sufficient to secure the completion of the improvements to the existing building if the applicant requests buildings permits for the new building before completing improvements to the existing building and that the service area in the rear is updated and repaired with sufficient lighting and drainage improvement.

Attorney Zalewski stated that if the motion maker was striking Item D, then the variance could not be granted because the applicant needs to demonstrate all of the elements unless there's an amendment that can gain sufficient support.

Aren then restated her motion, with support from Crutcher, as follows:

MOTION by Aren, supported by Crutcher, to approve a variance from Section 35-206, Nonconforming Buildings/Structures, to allow an additional 37 parking space deficiency in an existing retail center that is currently deficient 8 parking spaces, for a total parking space deficiency of 45 spaces, in order to permit the construction of a stand-alone retail building and drive-thru on the basis of the following findings and conditions, without which conditions the Board would not grant the variance:

- A. A practical difficulty exists by virtue of the configuration of the lot, which is wide but shallow, which limits the potential configuration of an addition to the existing building and precludes the establishment of additional spaces elsewhere on the property.
- B. The granting of the variance would do substantial just to the applicant, who is attempting to add interest and increased economic return to an aging retail structure, and also to other property owners in the district, who will not be adversely affected by the proposed relief, as there appears to be sufficient parking elsewhere on the applicant's property to accommodate all uses on the property.
- C. The requested variance will continue to observe the spirit of the ordinance because sufficient parking still exists from the uses on the property even after construction of the new building, and public safety and welfare will not be diminished.
- D. The need for the variance does not appear to be self-created, since the property already houses an existing structure that will need to be upgraded, and those upgrades are being proposed in connection with the development at issue, and the inclusion of the additional building will assist in overall rehabilitation of the center.
- E. No safety hazard or nuisance appears to exist, because the availability of other parking on the property appears to be sufficient for all uses located on the property.

BOARD OF ZONING APPEALS MINUTES -13-

- F. The proposed new building and related façade and landscaping improvements will relate well to the adjacent properties, and will not adversely affect the essential character of the neighborhood, but will improve it.
- G. The variance requested is the minimum necessary to permit the proposed additional building on the property.

The foregoing findings and conclusions are dependent upon the following conditions being observed as the new building is added to the property and are only true and accurate if such conditions are implemented:

1. All of the other improvements shown on the site plan submitted to the City and reviewed by the Zoning Board of Appeals, being Job No. 16036, dated June 15, 2018, prepared by Scott Monchnik & Associates, Inc., and consisting of Sheets SP1.00 and SP1.01-SP1.05, including but not limited to new proposed landscaping, new proposed lighting, a new proposed sign, new façade on the existing building and a new roof on the existing building. Without these improvements to the remainder of the center, including the existing building, the Zoning Board of Appeals would not grant the relief requested, and would not make the findings set forth above.
2. The improvements to the existing building (including the new façade and new roof shall be completed, and certificate of occupancy for such improvements shall be issued for such existing building before any building permits for the new structure may be issued.
3. The landscaping improvements, lighting improvements, and sign improvements shall be installed and completed before any temporary or final certificate of occupancy for the new building are issued.
4. The City Administration may, at its sole discretion, accept performance guarantees in the form of cash or letter of credit in an amount sufficient to secure the completion of the improvements to the existing building if the applicant requests buildings permits for the new building before completing improvements to the existing building and that the service area in the rear is updated and repaired with sufficient lighting and drainage improvement.

The above findings and conclusions are subject to and would not be made in the absence of the conditions being set forth in 1-4 for the conditions in Motion No. 1 above.

A roll call vote was taken on the foregoing motion with the following result:

AYES: Aren, Bertin, Crutcher, Perrot

NAYS: Schiffman

Motion carried, four to one.

MOTION by Aren, supported by Perrot, to approve a variance to Section 35-172(l), Off-Street Parking Requirements by Use, Drive-In Restaurants, Drive-Thru and Fast

BOARD OF ZONING APPEALS MINUTES -14-

Food Restaurants, to waive three (3) lot stacking spaces, which would allow the establishment of a drive-thru window with seven (7) stacking spaces instead of ten (10) as is required.

- A. Practical difficulty exists by virtue of the shallowness of the site.
- B. Granting the variance would do substantial justice to the applicant, because it appears that the proposed use would likely not regularly require stacking of more than seven cars, and because there is sufficient room elsewhere on the site to allow cars to wait until spaces are available. The variance will also do substantial justice to other property owners in the district.
- C. The requested variance will observe the spirit of the regulation, as seven spaces appear to be sufficient for the proposed use.
- D. The variance is not self-created, given the shape and shallowness of the parcel in question.
- E. The requested variance will not pose a safety hazard or nuisance.
- F. The requested variance will assist in the redevelopment and upgrading of an existing shopping center and will result in a use compatible with adjacent properties.
- G. The requested variance is the minimum variance necessary.

The above findings and conclusions are subject to and would not be made in the absence of the conditions of approval being set forth in 1-4 for the conditions in Motion No. 1 above.

A roll call vote was taken on the foregoing resolution with the following result:

AYES: Aren, Bertin, Crutcher, Perrot

NAYS: Schiffman

Motion carried, four to one.

PUBLIC COMMENT

The height of the alley wall was further discussed.

Nathan Pitluk, Zoning Board alternate, came to the podium to clarify for the audience that there was also included in the Board's packets a prepared denying motion for the variances and Zalewski responded yes, and that it is not uncommon for communities to have prepared findings of facts and prepared approving and denying resolutions.

**Farmington Planning Commission
Staff Report**

**Planning Commission
Date:** September 10, 2018

**Reference
Number
5**

Submitted by: Kevin Christiansen, Economic and Community Development Director

Description Site Plan Review – Consideration to Approve Rear Building Addition, 33315 Shiawassee Road

BACKGROUND

Article 13 of the Zoning Ordinance, Site Plan Review, Section 35-162, Uses Subject to Review, specifies uses subject to site plan review and approval. Construction, renovation, and expansion of buildings and structures within the City of Farmington Historic District are subject to site plan review by the Planning Commission. The Zoning Ordinance further states, "Prior to submittal of a site plan to the Planning Commission, a site plan shall be submitted to the City Historical Commission for review and comment."

The City received an application from Paul Buchanan of 33315 Shiawassee Road, to construct a 128.63 square foot rear addition to the existing 2-story single family residence located in the City of Farmington Historic District. The proposed addition is a screened-in porch to be built on the rear entrance of the home. The existing porch and steps will be removed. The design and location of the home addition is shown on the attached information submitted by the applicant.

The Historical Commission reviewed the plans and approved the proposed project. The responsibility of the Planning Commission is to review the site plan for the proposed addition. The Building Department has reviewed the dimensional aspects of the plan and has indicated that it meets the requirements of the Zoning Ordinance.

Attachments

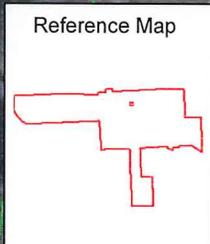


City of Farmington CivicSight Map

MAP LEGEND:

- CITY BOUNDARY
- / RIVERS-STREAMS
- MULTITENANTBUILDING (Type)
 - BUILT
 - PROPOSED
- COMM_INDUST BLDGS
- RAPHAEL STREET(POLY)2
- RAPHAEL STREET(POLY)
- PARCELS
- ROADS OUTSIDE FARMINGTON
- RIGHTOFWAY
- MULTITENANTPAVING
- ROW EXTEND
- / LOT HISTORY
- OPEN WATER (FEATURETYP)
 - DetentionPond
 - StreamRiver
 - LakePond
 - Channel
 - SwampMarsh

2015 AERIAL PHOTOS (Image)



Map Scale: 1 inch = 41 feet
 Map Date: 9/07/2018
 Data Date: July 13, 2018



Sources: City of Farmington, Oakland County GIS Utility, River's Edge GIS, LLC.

Disclaimer:
 Note: The information provided by this program has been compiled from recorded deeds, plats, taxmaps, surveys, and other public records and data. It is not a legally recorded map or survey and is not intended to be used as one. Users of this data are hereby notified that the information sources mentioned above should be consulted for verification of the information. Once again, USE AT YOUR OWN RISK !!!



CITY OF FARMINGTON

For office use only

Date Filed: _____

Fee Paid: _____

Site Plan Application

1. Project Name Screened-in back porch

2. Location of Property

Address 33315 Shiawassee, Farmington 48336
Cross Streets Shiawassee + Farmington

Tax ID Number 20-23-27-106-031

3. Identification

Applicant Paul Buchanan

Address 33315 Shiawassee

City/State/Zip Farmington, Mi 48336

Phone 248 225-9383 Fax _____

Interest in the Property (e.g. fee simple, land option, etc.)

Property Owner Other (Specify) _____

Property Owner _____

Address Same

City/State/Zip _____

Phone _____ Fax _____

Preparer of Site Plan Raymond Sebastian

Address _____

City/State/Zip _____

Phone 248 563-3755 Fax _____

raysebastian67@gmail.com

4. Property Information

Total Acres 14,781 sq ft
Lot Width 91.23' Lot Depth 162'
Zoning District R1
Zoning District of Adjacent Properties to the Same
North _____ South _____ East _____ West _____

5. Use

Current Use of Property Residence
Proposed Use

G Residential	Number of Units	<u>1</u>
G Office	Gross Floor Area	_____
G Commercial	Gross Floor Area	_____
G Industrial	Gross Floor Area	_____
G Institutional	Gross Floor Area	_____
G Other _____	Gross Floor Area	_____

Proposed Number of Employees _____

A copy of the complete legal description of the property and proof of property ownership should accompany this application. OR FILE WITH PLANS

I, PAUL E. BUCHANAN (applicant), do hereby swear that the above statements are true.

Paul Buchanan 9/5/18
Signature of Applicant Date

Paul Buchanan 9/5/18
Signature of Property Owner Date

I, PAUL E. BUCHANAN (property owner), hereby give permission for City of Farmington officials, staff, and consultants to go on the property for which the above referenced site plan is proposed for purposes of verifying information provided on the submitted application.

<p>City Action</p> <p>Approved/Denied: _____</p> <p>Date: _____</p> <p>By: _____</p> <p>Conditions of Approval: _____</p> <p>_____</p> <p>_____</p>



CITY OF FARMINGTON

Site Plan Review Checklist

a. Site Plan Descriptive and Identification Data	Provided	Not Provided
--	----------	--------------

Site plans shall consist of an overall plan for the entire development, drawn to an engineer's scale of not less than 1 inch = 50 feet for property less than three acres, or one inch = 100 feet for property 3 acres or more in size

✓		
✓		11x17

Sheet size shall be at least 24 x 36 inches

If a large development is shown in sections on multiple sheets, then one overall composite sheet shall be included

NA		
----	--	--

Title block with sheet number/title; name, address and telephone number of the applicant and firm or individual who prepared the plans; and date(s) of submission and any revisions (month, day, year)

NA		
----	--	--

Scale and north-point

NA		
----	--	--

Location map drawn to a separate scale with north-point, showing surrounding land uses, water features and streets within a quarter mile

NA		
----	--	--

"Not to be Used as Construction Drawings" must be noted on the site plan

NA		
----	--	--

Legal and common description of property

NA		
----	--	--

Identification and seal of registered or licensed architect, civil engineer, land surveyor, landscape architect or community planner who prepared drawings

NA		
----	--	--

Zoning classification of petitioner's parcel and all abutting parcels

NA		
----	--	--

Proximity to section corner and major thoroughfares

NA		
----	--	--

Net acreage (minus rights-of-way) and total acreage

--	--	--

b. Site Data	Provided	Not Provided
--------------	----------	--------------

Existing lot lines, building lines, structures, parking areas and other improvements on the site and within 100 feet of the site

✓		
---	--	--

Where grading is proposed, topography on the site and within 100 feet of the site at two-foot contour intervals, referenced to a U.S.G.S. benchmark

NA

Proposed lot lines, lot dimensions, property lines, setback dimensions, structures and other improvements on the site and within 100 feet of the site

NA

Location of existing drainage courses, floodplains, rivers and MDEQ regulated wetlands with elevations

NA

All existing and proposed easements

NA

Details of exterior lighting including locations, height, fixtures, method of shielding and a photometric grid overlaid on the proposed site plan indicating the overall lighting intensity of the site (in footcandles)

NA

Location of waste receptacle(s) and mechanical equipment and method of screening

NA

Location, size, height and lighting of all proposed freestanding and wall signs

NA

Location, size, height and material of construction for all walls or fences with cross-sections

Extent of any outdoor sales or display area

NA

Location, height and outside dimensions of all storage areas and facilities

NA

c. Access and Circulation	Provided	Not Provided
---------------------------	----------	--------------

Dimensions, curve radii and centerlines of existing and proposed access points, roads and road rights-of-way or access easements

NA

Driveways and intersections within 250 feet of site

NA

Cross section details of existing and proposed roads, driveways, parking lots, sidewalks and pathways illustrating materials, width and thickness

NA

Dimensions of acceleration, deceleration and passing lanes

NA

Dimensions of parking spaces, islands, circulation aisles and loading zones

NA

Radii for driveways and parking lot islands

NA

Calculations for required number of parking and loading spaces	NA	_____
Designation of fire lanes	NA	_____
Traffic regulatory signs and pavement markings	NA	_____
Shared parking or access easements, where applicable	NA	_____

d. Landscape Plans (city reserves the right to require plans be prepared and sealed by a registered landscape architect)	Provided	Not Provided
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The general location, type and size of all existing plant material, with an identification of materials to be removed and materials to be preserved	NA	_____
Limits of grading and description of methods to preserve existing landscaping	NA	_____
The location of proposed lawns and landscaped areas	NA	_____
Landscape plan, including location, of all proposed shrubs, trees and other plant material	NA	_____
Planting list for proposed landscape materials with callper size or height of material, spacing of species, botanical and common names, and quantity	NA	_____
Calculations for required greenbelts, buffer zones, parking lot trees, detention ponds and interior landscaping	NA	_____
Method of installation and proposed dates of plant installation	NA	_____
Landscape maintenance program	NA	_____

e. Building and Structure Details	Provided	Not Provided
--	-----------------	---------------------

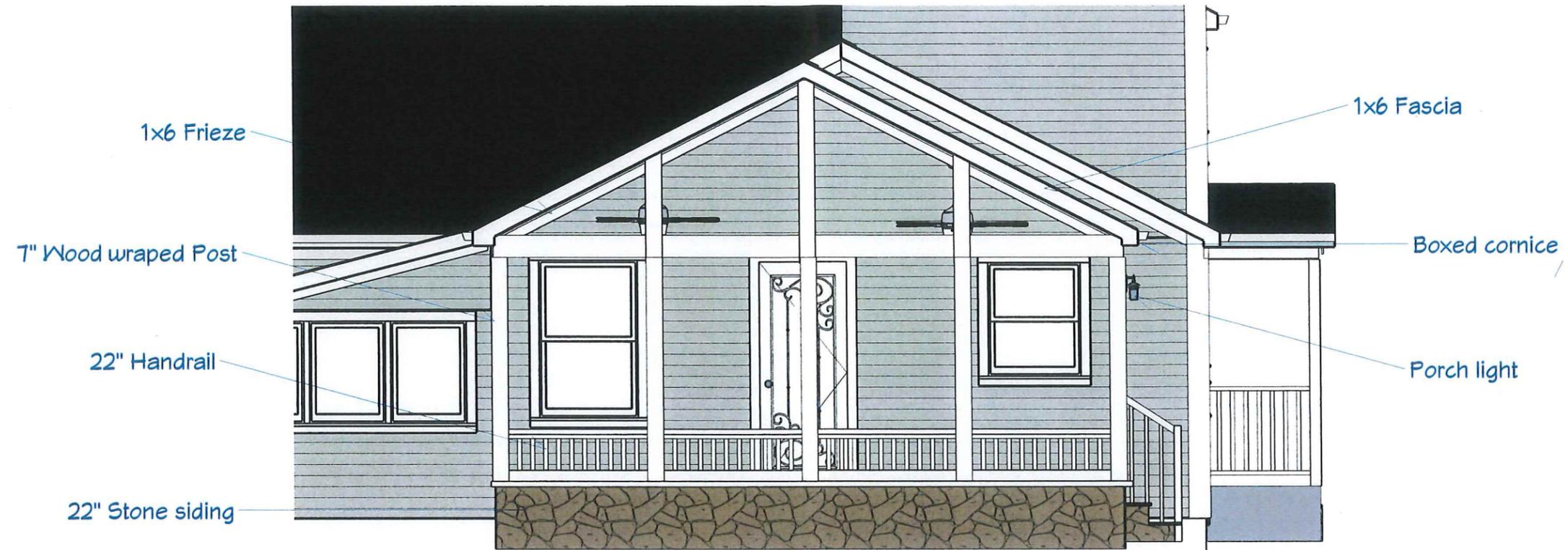
Location, height, and outside dimensions of all proposed buildings or structures	✓	_____
Building floor plans and total floor area	✓	_____
Details on accessory structures and any screening	✓	_____
Building facade elevations for all sides, drawn at an appropriate scale	✓	_____
Method of screening for all ground-, building- and roof-mounted equipment	✓	_____

For additions and expansions, a clear distinction between existing buildings, structures and impervious surface areas and any proposed development must be made

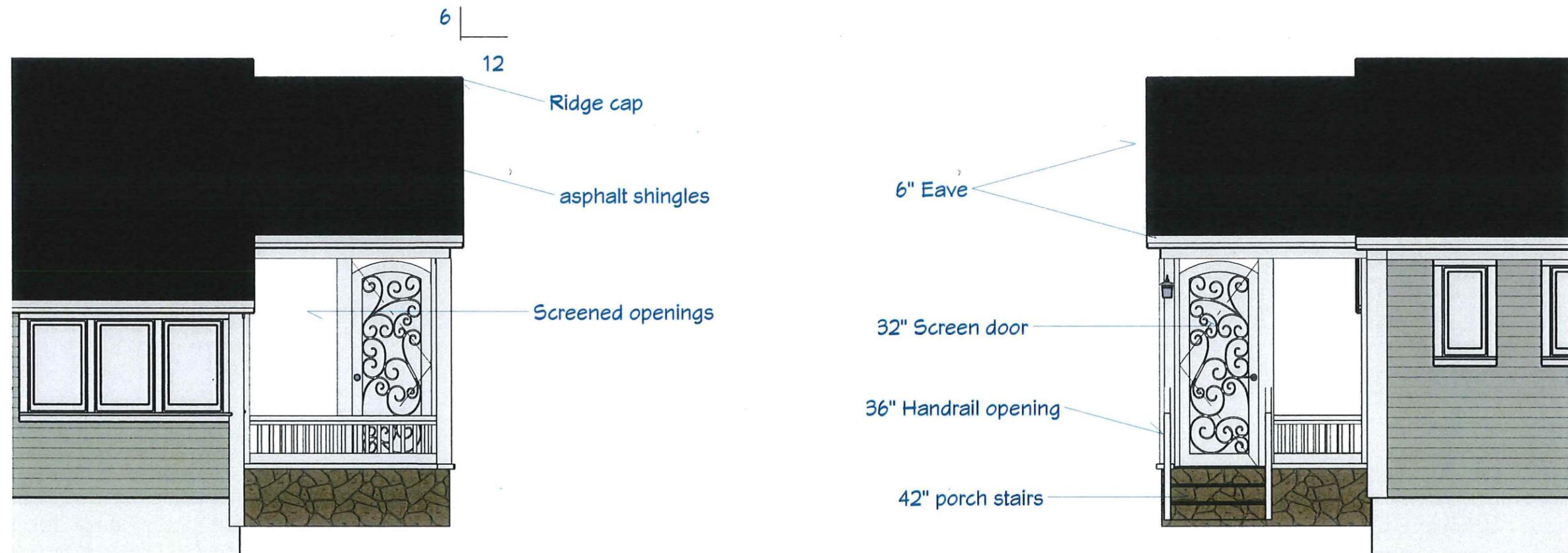
Any additional graphics or written materials requested by the planning commission to assist in determining the compliance with site plan or special land use standards, such as but not limited to: aerial photography; cross-sections which illustrate impacts on views and relationship to adjacent land uses; photographs; traffic impact studies and parking demand studies; and environmental impact studies; such information shall be prepared by a qualified individual or firm with experience in the specific discipline



33315 SHIAWASSEE STREET
FARMINGTON, MI 48336



FRONT ELEVATION

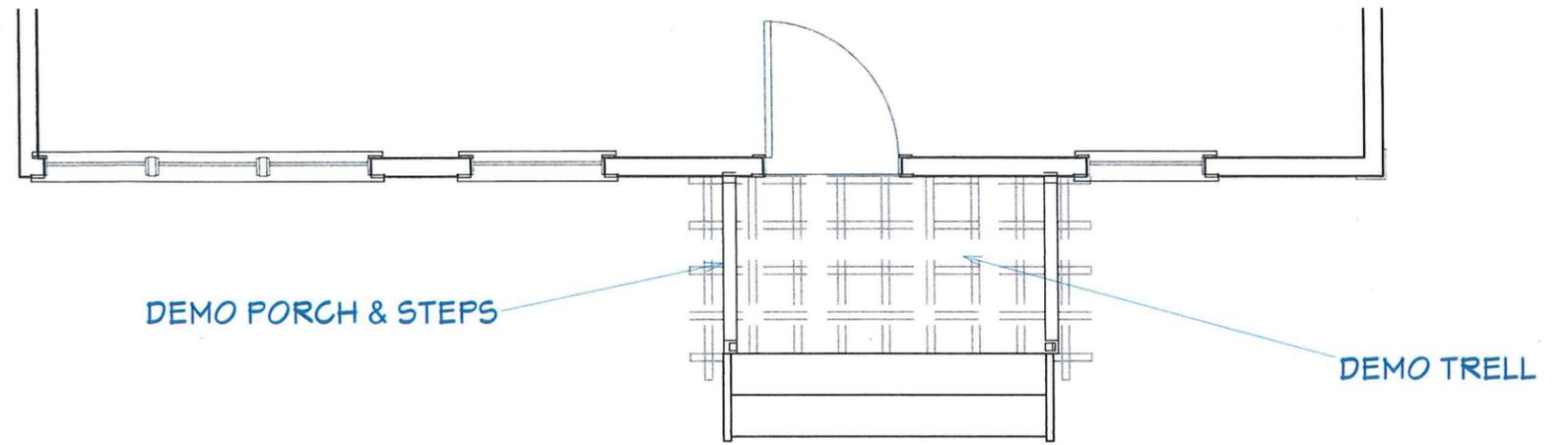


LEFT ELEVATION

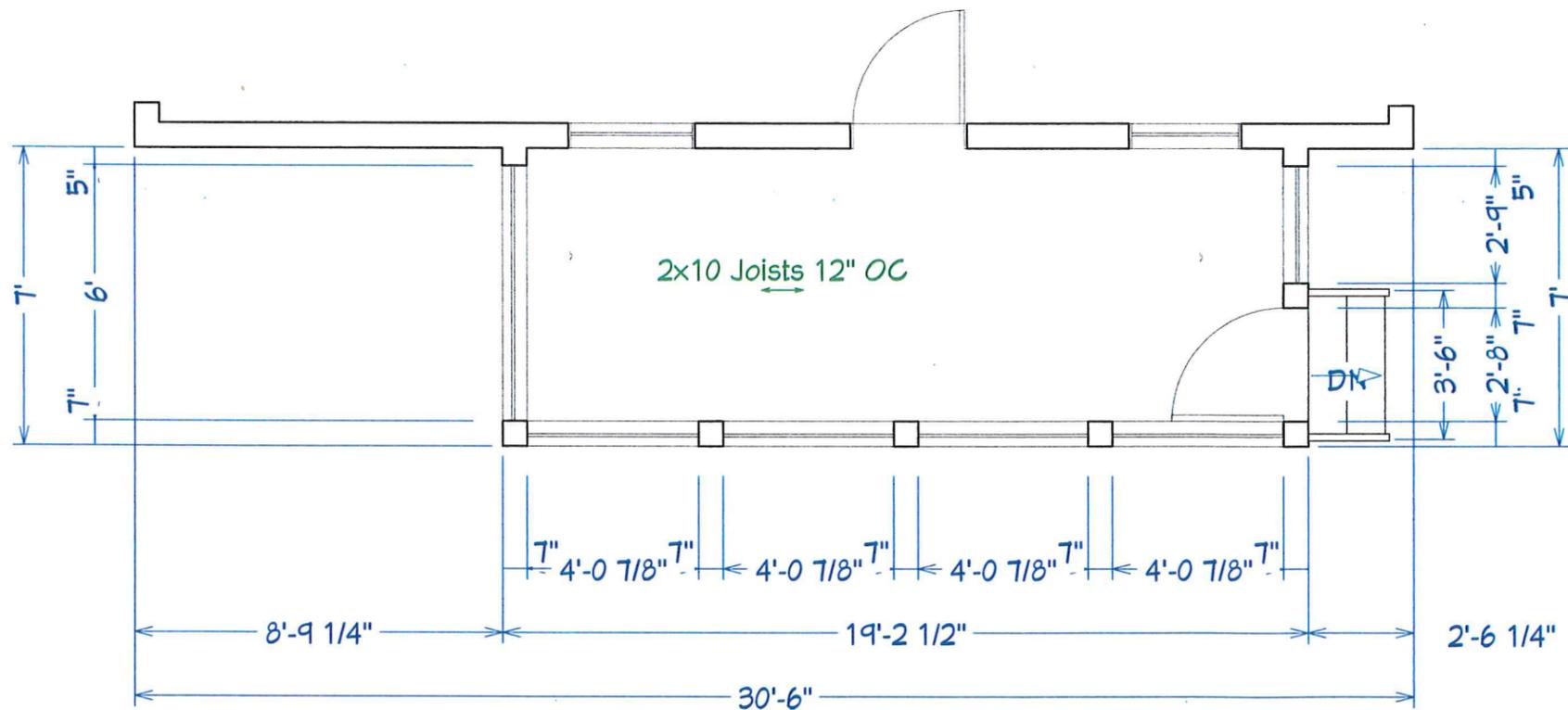
RIGHT ELEVATION



AS BUILT VIEW

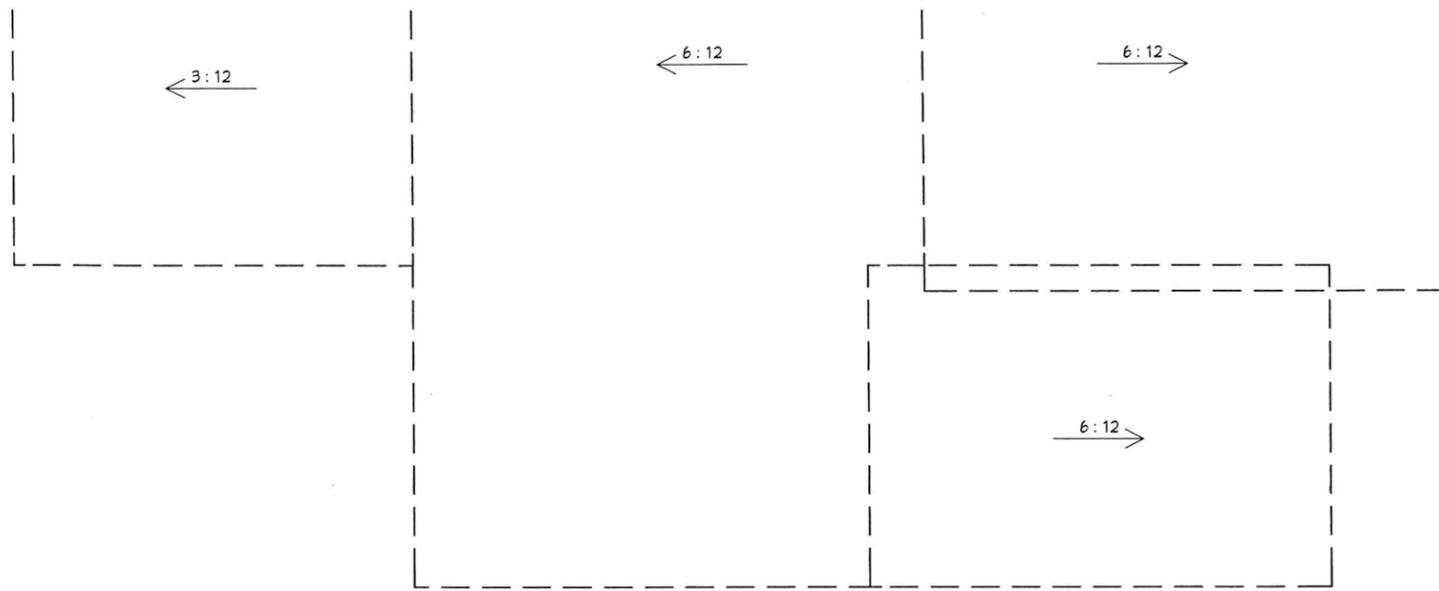


DEMOLITION PLAN

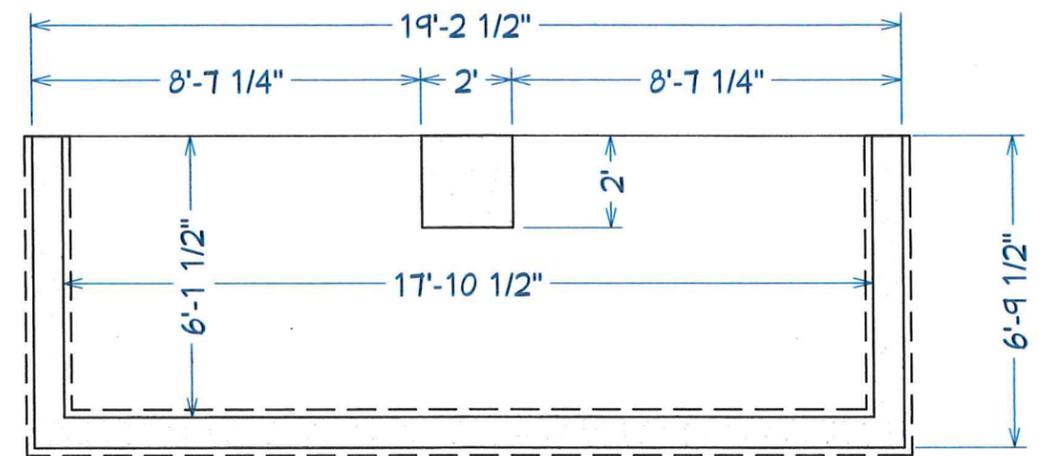


FLOOR PLAN

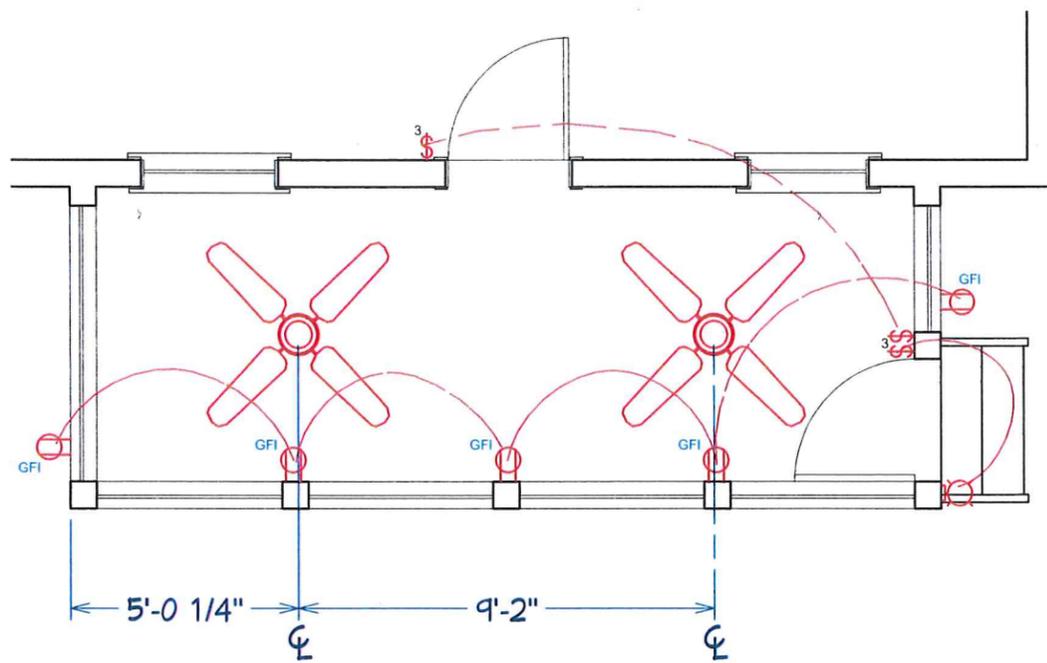




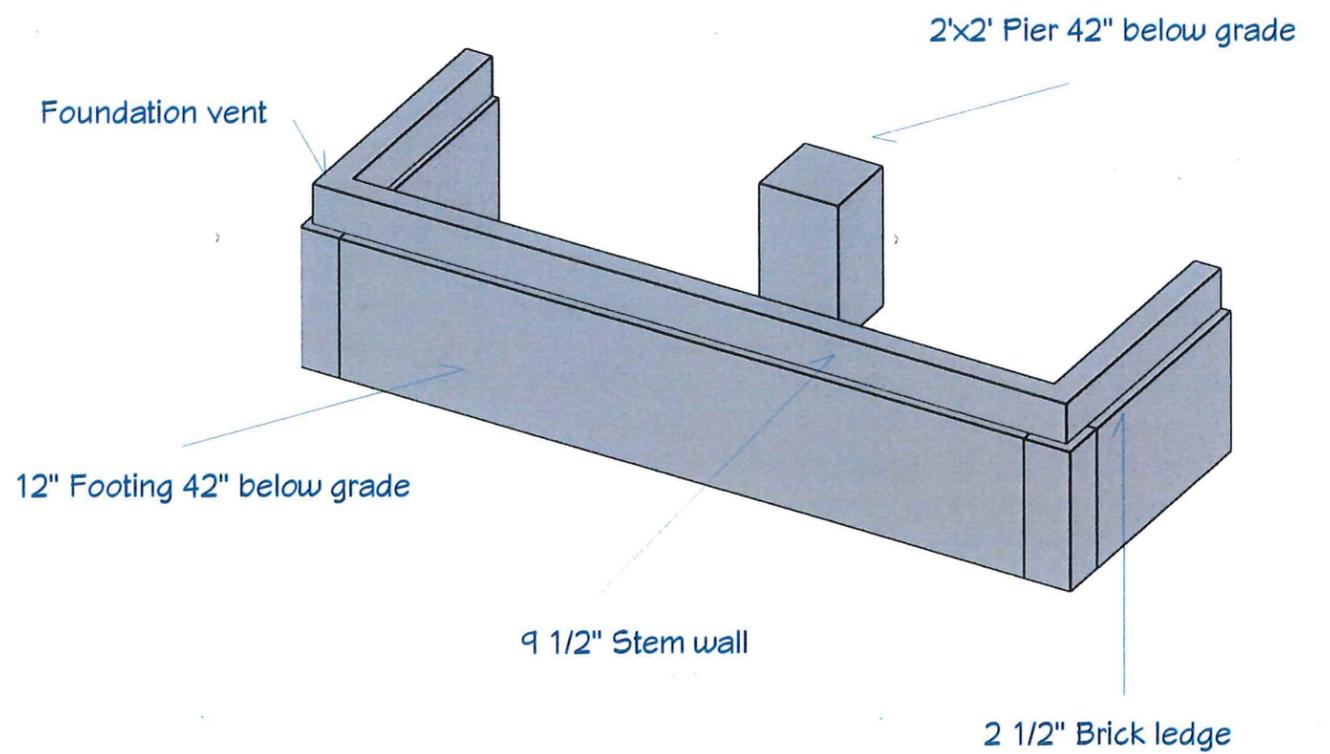
ROOF PLAN

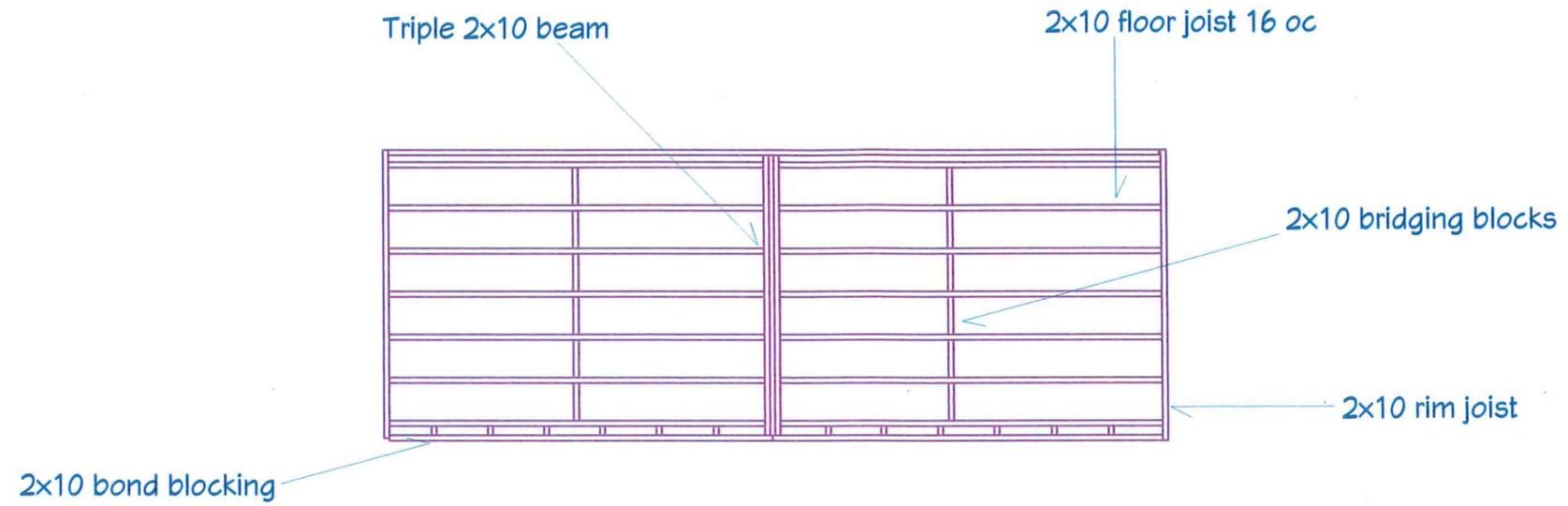


FOUNDATION PLAN

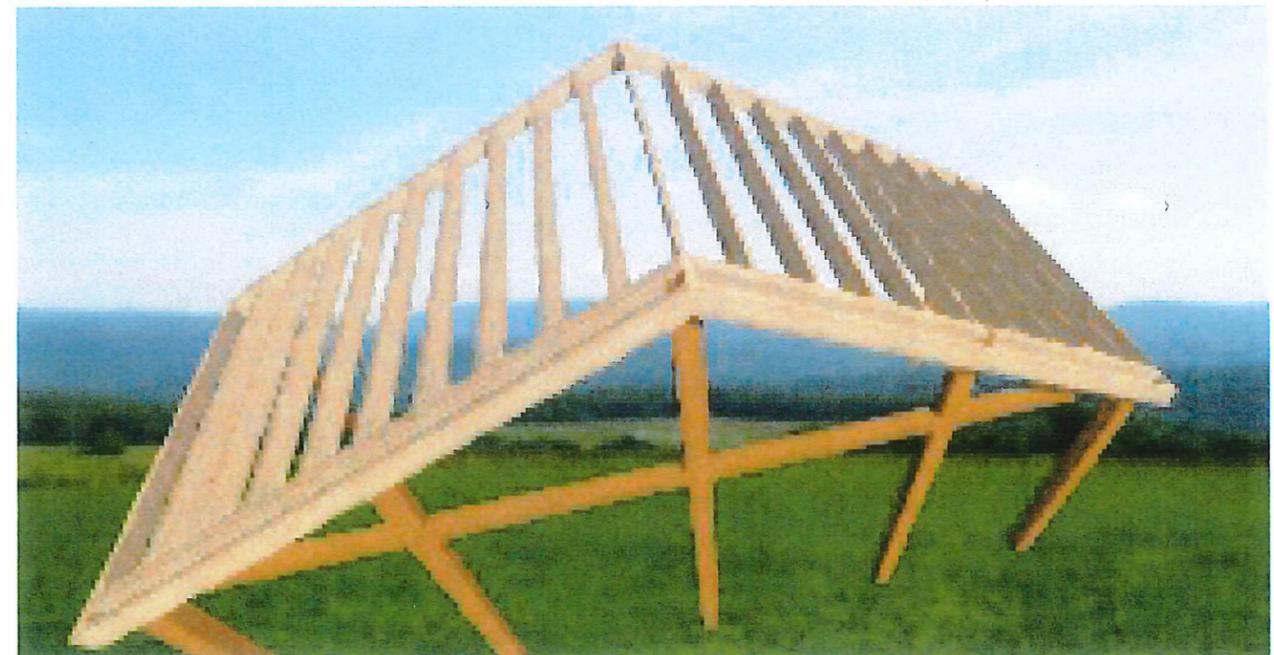
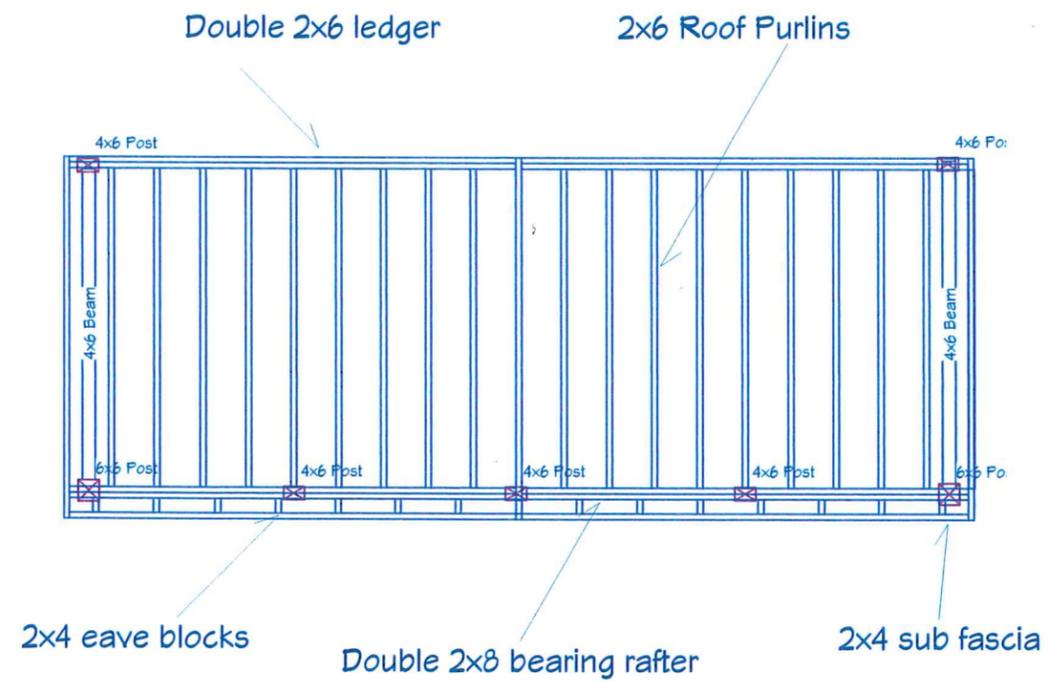


ELECTRICAL PLAN

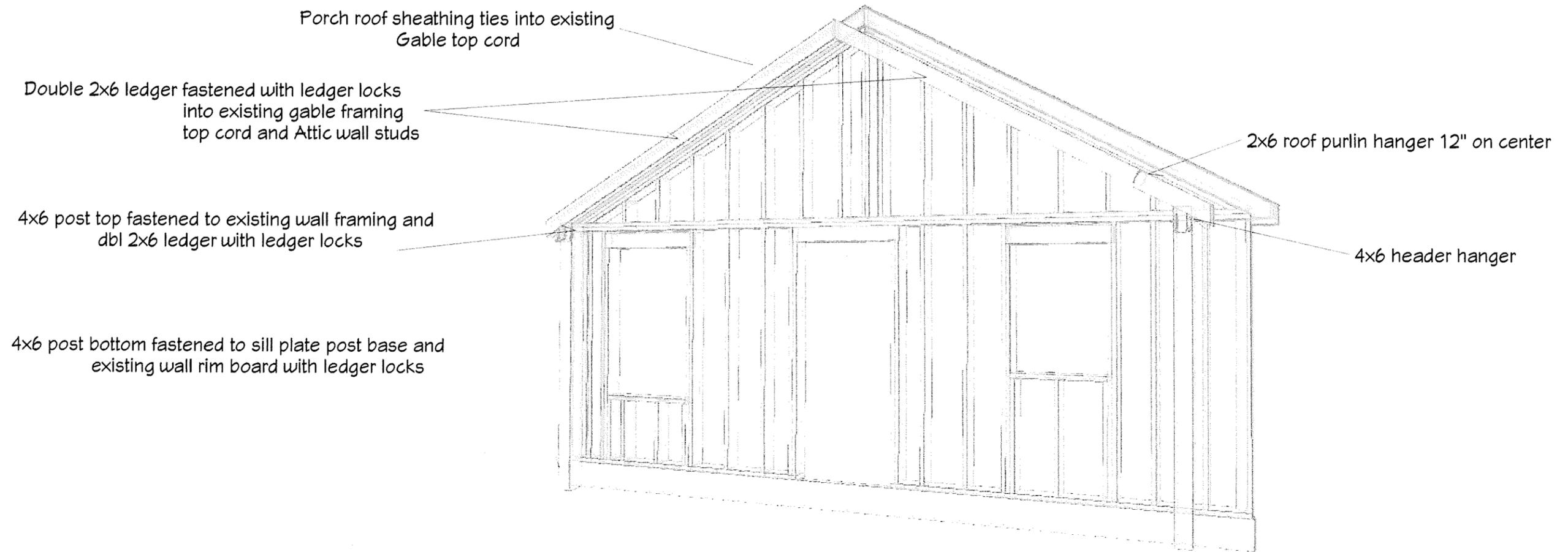




FLOOR FRAMING PLAN



ROOF FRAMING PLAN



PORCH ANCHORING AND JOINING DETAILS

