

FARMINGTON PLANNING COMMISSION PROCEEDINGS
May 11, 2009

Chairperson Gronbach called the meeting to order at 7:00 p.m. in the Farmington City Council Chambers, 23600 Liberty Street, Farmington, Michigan.

ROLL CALL

Present: Bowman, Christiansen, Crutcher, Gronbach, Ingalls, Kuiken, Scott, Sutton.

Absent: Buck.

A quorum of the Commission was present.

OTHER OFFICIALS PRESENT: Building Inspector Koncsol, City Manager Pastue, Recording Secretary Schmidt.

OTHERS PRESENT: Sherrin S. Hood, LSL Planning, Inc.

APPROVAL OF AGENDA

MOTION by Christiansen, seconded by Sutton, to approve the agenda as amended to move item no. 5 after item no. 7. Motion carried, all ayes.

APPROVAL OF ITEMS ON CONSENT AGENDA

MOTION by Kuiken, seconded by Sutton, to approve the items on the consent agenda as follows:

- Regular meeting minutes of April 13, 2009.

MOTION carried, all ayes.

SPECIAL LAND USE APPLICATION – SILVER DAIRY, 32323 GRAND RIVER

Present: Tim Nichols, Rouge River Group, Gary Bernstein, and Jason Smith.

Tim Nichols, Architect from Rouge River Group, presented a power point presentation reflecting changes on the site plan. He noted the drive through window would now be 18' 6" by-pass lane, plenty of stacking capacity, signage, striping, new entrance sign at the street, new landscape, bike rack, pathway for pedestrians, parking, 6 tables with 4 seats per table, change exit lane to create a buffer between the cars and standing area, concrete walkway, overhang signage, and there would be no speakers. Nichols noted the entire interior space would be for food preparation and storage. He commented on the ordinance requirements and felt they were in compliance. He reviewed the financial analysis and noted his client was investing in the future of his business.

PUBLIC HEARING

MOTION by Sutton, seconded by Bowman, to open the public hearing regarding the Silver Dairy's Special Land Use Application. Motion carried, all ayes.

Hearing no public comment, Gronbach requested a motion to close the public hearing.

MOTION by Kuiken, seconded by Sutton, to close the public hearing. Motion carried, all ayes.

Sherrin S. Hood, Senior Planner, LSL Planning, Inc., stated the proponent's application meets the general standards of the Zoning Ordinance since it meets the goals and objectives of the Master Plan and in keeping with the intent of the zoning districts, will not be changing the character of the area. She noted the only potential concern could be traffic, but did not foresee a problem with exits of one way out and one way in. She reviewed the specifications that had been met and requested the proposed clearance of the canopy be noted on the site plan.

She reviewed the Site Plan and noted according to Section 35-108, it is a non-conforming site. Hood stated there are reasonable site improvements to the site and that it would be advantageous for the proponent to list proposed improvements in writing. She noted there were no known safety-related issues on the overall site and it was an issue to be addressed by the City. She commented they try to remove excessive driveways when reviewing new site plans; however, in this case, the drive-through activity requires an ingress driveway and an egress driveway and that there is no room to move the existing driveway. She noted she was not concerned with the circulation due to one-way right turn in and right turn out. She discussed the landscaping and noted there was not ample room for a lot of landscaping, and that the proponent had included their ideas for landscaping. She stated the signs needed to be brought into compliance with the city's sign ordinance. Hood commented improvements or minor expansion should not increase non-compliance with site requirements.

She stated if MDOT says "no" to the parking signs in the right-of-way they could see if the applicant could install striping.

Ms. Hood stated they recommended approval of the Special Land Use and Preliminary Site Plan with the following conditions:

- The applicant should submit a legal survey of the site.
- Proposed future improvements should be noted in writing by the applicant.
- Details of the existing and proposed signage must be submitted with the Final Site Plan.

Commissioner Sutton asked what the City's authority was and why to have the applicant include future improvements in writing. Hood responded it would help the applicant's case with the Planning Commission. Sutton stated she did not see where it needed to be in writing since the applicant needed to appear before the Planning Commission for any changes. Hood noted the overhead bar showing the height and streetscaping might be of interest to the Commission.

Commissioner Kuiken questioned how the 3 diagonal spaces to the right of the window, would affect the vehicular flow through the drive-through. Nichols responded it would be awkward and noted the double lane width would be helpful.

Gronbach noted the spaces are behind the window and felt the intent of the ordinance is to have the spaces forward for vehicles to pull over. Nichols commented they could revisit the issue and felt it would be an improved circulation pattern.

Kuiken commented the modifications that were made on the island are an improvement.

Nichols noted the landscaping would be hard to maintain on the island. It would be safer and easier to maintain if it were a walkway.

Commissioner Bowman stated she thought they were in agreement regarding the existing signage. Gronbach noted it is an existing pylon sign, but the Site Plan shows not signage changes, but the power point presentation showed a sign in the right-of-way and an arrow regarding the drive-through with raised letters. He commented signage is a separate issue and must be reviewed by the Building Department and would come back to the Commission for separate review after decisions were made by the Building Department. Hood noted the applicant could come back for a variance and she was more concerned about directional signage.

Gronbach stated the applicant needed to review with Administration and MDOT the issue of the right-of-way.

Commissioner Christiansen replied to Bowman's comment stating the Commission had decided the existing pylon sign is part of the character and the only change was the addition of a drive-through and not change the character of the facility. He noted the only issue might be structural, but not as far as he was concerned.

Commissioner Crutcher asked what other items were on the menu besides ice cream. The applicant responded sandwiches and hot dogs. The applicant passed out samples of the menu.

In response to a question by Gronbach, Nichols responded there is a dumpster on the southwest corner and the expense would run around \$6,000 and not feasible at this time to enclose. Gronbach asked if the dumpster should be enclosed at a future date.

Ms. Hood replied the expense was beyond the scope of what they were proposing and she was all right without the enclosure at the present time as long as the site was maintained and tidy.

Sutton commented applicants who appear before the Commission and if they are given expensive conditions they will be apt to have no improvements at all.

In response to a question by Gronbach, Nichols responded the dumpster is there only on a seasonal basis.

Kuiken noted it was in the best interest of the applicant to keep the area clean.

Crutcher questioned if the dumpster needed to be enclosed since it would be on site on a seasonal basis. Ms. Hood commented if it were a new site plan they would need to enclose the dumpster.

Pastue commented they encourage applicants with new development projects to install an enclosed dumpster, but the context of the operation needs to be looked at.

Christiansen noted conditions did not merit having an enclosed dumpster.

Commissioner Scott discussed the raised concrete walkway. He voiced concern regarding the width of the entrance and signage reflecting the change from a two-way entrance to a one-way entrance drive.

In response to a question from Gronbach, Koncsol commented there is a 120 ft. right-of-way on Grand River, and it is 4 to 6 ft. back. Koncsol noted they could have signage to induce more traffic control.

Kuiken noted the sign at the Burger King location.

Christiansen suggested installing signs, which would read "Do Not Enter" within the right-of-way similar to "No Parking Signs". He commented he would like to see the signs at the street area.

Gronbach verified the applicant would be painting the pavement as shown on the plan.

Scott verified the signage would state the height.

Gronbach verified there should be two motions: (1) Special Land Use and (2) Site Plan.

MOTION by Christiansen, seconded by Sutton, to approve the Special Land Use for Silver Dairy drive –through addition, 32323 Grand River, and we have found that it meets the General Land Use Standards in Section 35-152 of the Zoning Ordinance, "Standards for Approval", that we also find that as proposed discussion the Special

Land Use meets the Special Land Use requirements for drive-throughs in Section 35-158 of the Zoning Ordinance. Motion carried, all ayes.

MOTION by Christiansen, seconded by Sutton, to approve the amended motion for the Site Plan, as submitted, for the Silver Dairy drive-through addition, 32323 Grand River, with the following conditions:

- The applicant should submit a legal survey of the Site Plan and a final Site Plan be properly documented, signed and sealed by a certified, registered land surveyor of the site.
- The final Site Plan details of the parking lot island and walkway in the rear of the building are provided.
- The details of the existing and proposed signage be provided and coordinated for approval with staff.

Motion carried, all ayes.

SITE PLAN REVIEW, GRAND DRY CLEANERS, 32871 GRAND RIVER

Present: Vincent Cataldo, Infuz Architects

Gronbach stated it is the third review of the Site Plan.

Mr. Cataldo, Infuz Architects, commented the Site Plan has been entirely redesigned. He commented they are planning on using the existing approach and the footprint meets the ordinance requirement of 50% frontage, second level changed to residential use, a partial basement level for mechanical units and storage for the business and apartments, and a transitional screen wall. He noted landscaping would not grow in the front and there would be a grouping of evergreen trees at the end of the driveway, and a photometric study was provided. He commented the front elevation has 70% glass on the main level and 50% on the second level. Cataldo noted the building is entirely brick and provided samples. He commented they would be using non-combustible materials. He stated they have included one parking space, not required by the ordinance, within the building with an overhead door for the access.

Mr. Cataldo commented the owner of the property has tried to find a home for the historic house on the property, but to no avail. He stated they are willing to donate the house to the City or the Historic Commission.

Mr. Cataldo referred to materials sent to Administration regarding site engineering including storm water management for the project.

He discussed detailed dimensions on proposed signage including placement and intent and placement of address.

Ms. Hood thanked the proponent for the changes that had been made to the Site Plan. She reviewed the findings of LSL regarding the changes.

Hood commented the proponent meets the required setbacks and noted it is the discretion of the Planning Commission whether the applicant needed to install a step up screen wall or have a 10-foot side yard setback.

She noted the applicant met the rear parking setback requirements and has adequate number of parking spaces. She suggested the driveway be moved as far east as possible, but noted complications in doing that and noted the drive could remain if the Commission determines no additional safety concerns will be created by this project.

Hood noted that the overhead door not be left open for ventilation.

She stated she had reviewed the storm water retention and the driveway and parking lot radius dimensions. She noted it should be adequate if the applicant is working with the engineers and they don't see a problem regarding the storm water issue.

She noted free standing sign information had been provided.

She commented the pedestrian circulation, mechanical equipment screening, landscaping, and exterior lighting requirements had been met. She suggested the applicant use some ornamental treatment on the western sidewall of the building.

Ms. Hood stated the Commission should discuss the screenwall on the east property line, miscellaneous building design, landscape locations, driveway location, and truck deliveries/use of overhead service door before granting approval.

Hood stated they recommend approval of the proposed Site Plan for the Grand Dry Cleaners at 32821 Grand River to be used for a first-floor dry cleaning store, with second-floor residential uses, with the following conditions:

- Any conditions that come as a result of the discussion shall be included.
- Details of the proposed stormwater retention system must be provided by the applicant and reviewed by the city prior to issuance of any permits.
- The commercial overhead door must remain closed except during times of loading and unloading.

He stated the second floor residential use and basement storage is what the Master Plan intends.

Sutton questioned the issue of keeping the overhead open. Hood replied it pertains to the noise. Sutton did not see a problem with the door being open for fresh air. She asked what the legal authority from prohibiting opening the door. Hood commented there is not a legal authority, but it is an issue of preventing a nuisance for the

neighbors. Pastue commented if the door were open occasionally it would not be a problem. Discussion followed regarding noise issues with the overhead door being open.

Kuiken noted she felt the 6 ft. screenwall on the east side of the property is appropriate on a step up basis. Hood stated the screenwall does not need to extend beyond the front of the building on the neighboring property. Scott commented he did not think the 6 ft. wall was beneficial. Discussion followed regarding the screenwall height and grading proportion.

Sutton concurred with Hood regarding different building materials on the blank wall on the side of the building.

In response to a question by Gronbach, Cataldo discussed the massive tree on the site and that they could do some detailing on the side of the building in order to make it look less massive.

Gronbach reviewed written comments from Commissioner Buck regarding the design of the right hand side of the building with consideration for some design character, windows or openings of some kind in that wall, reducing the intimidating facing.

Scott voiced concern regarding the introduction of another material. Discussion followed regarding design materials.

Discussion followed regarding type of glass to be used for the front windows.

Christiansen verified the step up dimensions for the screenwall, landscaping, overhead door, type of trucks on the property, glass used, and engineering issues. Christiansen thanked the proponent for the effort made to have their Site Plan conform to the City's requirements.

Sutton commented she liked having an apartment on the upstairs level.

Scott discussed the tight movement for refuse trucks. Cataldo replied they would work with the refuse company on space needed for the trucks.

Gronbach commented the motion could be made that there is approval from the Design Committee.

MOTION by Christiansen, seconded by Scott, to approve the amended motion for the Site Plan for Grand Dry Cleaning, which is located at 32821 Grand River Avenue, and that is verified by the Site Survey, with the following conditions: that the brick screenwall on the east property line at the point on Grand River, that is the east wall for the length of the planter back down to the south, be consistent with the 3 feet shown along for the wall on Grand River and that it be stepped up to 42 inches or 3 feet 6

inches of the screen wall from the edge of the planter box at the northeast corner back south be measured at 42 inches at its entire length back to the building from finished grade and then for the remaining portion all the way back to the existing building, that the window glass, which was discussed this evening, be an issue to be reviewed between the petitioner and staff for any modification from what is proposed, that the adequacy of the access, ingress and egress to the dumpster be reviewed between the petitioner and staff to determine its functional adequacy, that the west wall elevation treatment, any modification to the material as shown on the submitted plans this evening be reviewed, and if there is any modification, including landscaping, it must be coordinated between the petitioner and staff and that the Downtown Design Committee be afforded the opportunity then to review the plans as submitted.

Christiansen questioned if the petitioner was working on a solution to save the house that is on the property. Mr. Cataldo replied they have tried to address the issue to no avail. Christiansen noted the Commission would like to see that every effort be taken for the applicant to save the house.

Motion carried, all ayes.

OUTDOOR SEATING – JOHN COWLEY & SONS IRISH TAVERN, 33338 GRAND RIVER

Present: Steve Schneeman, S3 Architecture, and Greg Cowley, owner.

Steve Schneeman, of S3 Architecture, reviewed the request for outdoor seating in the right-of-way on the south side of their building, located at 33338 Grand River, once the north phase of the Streetscape Project has been completed. He noted the business is in the Central Business District. They would also like to make façade changes by installing awnings.

Gronbach requested information regarding the canopies. Mr. Schneeman commented the awnings would be simple and black.

In response to a question by Gronbach, Pastue replied there should be two motions: (1) for the outdoor seating and (2) for the addition of awnings.

Mr. Schneeman stated MDOT requires documented approval first from the municipality before they will review and approve any application.

He noted the table and chairs will be black with planters to keep the gates stable.

Sutton questioned if the two planters cut into the 5 ft. area. Schneeman replied they would move the planters back to maintain the proper clearance.

Christiansen verified the applicant would have full service for food and beverages. Schneeman stated if approved by the Commission they would also request permission from the Michigan Liquor Control Commission and MDOT.

Christiansen asked if the front entrance would remain open for all. Mr. Cowley stated it would remain open since it is the handicap access. Christiansen asked if the paint color would remain the same. Cowley responded the blue paint would be spruced up.

Kuiken asked how close the seats would be to the aisle. Schneeman replied there would be 3 ft. between the tables.

In response to a question by Christiansen, Schneeman responded there are no plans at the present for umbrellas since the canopy on the building would cover the tables. Cowley commented there is a lot of sun at that location and they will probably obtain umbrellas at a later time.

Scott questioned if the fence could be permanent. Schneeman commented the fence would be removed during the off-season.

Kuiken commented it was a great addition to the business.

MOTION by Bowman, seconded by Crutcher, to approve the amended motion for the outdoor seating for John Cowley & Sons, located at 33338 Grand River, as proposed and is subject to review by the DDA Design Committee. Motion carried, all ayes.

Mr. Schneeman stated the awnings would be simple in design and made of black canvas material and fade resistant. It would be affixed to the building, but could be removed. Gronbach verified it would be a minimum of 8 ft. off the sidewalk.

Crutcher asked if there would be lettering or graphics on the canopy. Mr. Schneeman commented there is currently lettering on the building.

Mr. Cowley stated they are moving the sign over the door within the approved height.

Discussion followed regarding lighting.

MOTION by Scott, seconded by Sutton, to approve the Cowley & Sons Pub and Restaurant's proposed awnings as prepared by the proponent with the contingency of proper review by the Design and Review Committee and relocation of the blade sign above the front door. Motion carried, all ayes.

FARMINGTON MASTER PLAN

- a. Review of Proposed Changes to Master Plan Expanding Text Regarding Historic Preservation.**

Sherrin Hood discussed suggested changes to the Master Plan draft regarding Historic Preservation in the city. She suggested the following be added to Chapter Two: Community Profile: the Farmington Historic Commission maintains historic records and documents for the city. They should review and comment on all proposed demolition or relocation projects within the District, based on established guidelines for such consideration. The Commission review and comment on construction or renovation projects and any demolition proposals within the Historic District. She reviewed the goals and Objectives in Chapter Three and suggested additions to be added regarding the Downtown, Housing and Neighborhoods and Community Facilities. She noted tax incentives offered by the State and Federal Historic Preservation Offices to encourage historic homes to remain in the proximity.

Hood suggested Historic District Overlay, which included tax incentives and programs when considering renovations or modifications in Chapter Four: Land Use.

Hood noted properties located within both the Central Business Future Land Use District and the Historic District overlay such as the map on page 2-7. She commented some locations in these areas have been designated on the zoning map as R1P, Residential Parking, which intends to convert sites on the fringe of the Central Business Zoning District into expanded parking facilities for downtown businesses and buffer areas for nearby residential uses. Hood stated the Zoning Ordinance should use more discussion of that district and what direction the applicant should take if it came up.

She stated decisions whether to demolish or reuse existing homes surrounding downtown should be made in connection with the City's Planning Commission, Downtown Development Authority and Historic Commission to make sure the utmost care is given and all options are explored before demolition occurs. Hood suggested an inventory and analysis of these sites should be conducted to provide future developers with clear direction.

She discussed the map reflecting the downtown with the Historic District noted and some of the R1P sites in order to see some expansion downtown versus historic preservation.

Pastue noted the 3 parcels on Warner and Thomas are in the Master Plan as Central Business District. They are zoned R1P and consequently the Historic Commission recommended they be Residential. He noted the Planning Commission decided to leave as Central Business District. Pastue commented added language includes if sites are going to be developed the Planning Commission will have to consider the benefits of the redevelopment of the downtown versus the preservation of those sites.

In response to a question by Gronbach, Hood noted changes in zoning amendments would help regarding preservation of homes not in the Historic District. Gronbach verified the Historic Commission should prepare a registry to identify historic sites or

structures based on certain criteria. Kuiken felt the wording was still vague. Pastue stated it is important to establish guidelines. He noted the Historic Commission would like to expand their review of existing properties beyond their existing boundaries.

Sutton stated if the standard is in the Master Plan, and if the property owner has done their research their proposed development should comply with the standard. If they overlook it the Commission can refer them to wording in the Plan.

Sutton asked for the definition of "in the city's care" under Community Facilities. Ms. Hood replied any building owned by the city. Sutton asked what does the city not own that they maintain. Pastue replied the Governor Warner Mansion and the Civic Theatre meet the criteria for historical significance. Sutton stated "owned by the city" should be added. Sutton felt inventory of historic properties should be taken now.

Kuiken asked if it is currently the situation to require an historic assessment for buildings within the city's Historic District as part of any renovation plans that have the potential to damage or remove significant historic features. Pastue commented a preliminary review is being done by the Historic Commission, but is currently not required. He stated the Master Plan has some broad goals and guidelines.

Discussion followed regarding value of property with historical preservation.

Christiansen commented a program needs to be originated how to address and approach the issue with the Master Plan with the downtown, and Historic Preservation and then take the inventory.

Discussion followed regarding wetlands and natural features.

MOTION by Christiansen, seconded by Kuiken, to include the changes to the Master Plan draft regarding Historic Preservation in the City of Farmington, as presented in the LSL letter, dated April 30, 2009, regarding City of Farmington Master Plan discussion relating to Historic Preservation with the following conditions: that in Chapter 2 "Community Profile" the language to be included, also include a National Standard defining historic preservation; that in Chapter 3 "Goals and Objectives" under community facilities, the second bullet point, maintain a commitment to protecting historic buildings in the city's care, also add slash ownership to the highest standard possible to create a model for prior restoration projects; that also the additions include the graphic that was discussed by LSL this evening, to be included with this text, again to be added to the draft Master Plan. Motion carried, all ayes.

b. Consideration to Adopt Master Plan with Proposed Changes

Gronbach suggested the Commission receive the final Master Plan for review.

MOTION by Christiansen, seconded by Sutton, to table consideration of adoption of the Master Plan with the proposed changes that we have moved to incorporate this evening, to our next meeting in June. Motion carried, all ayes.

REVIEW OF CITY OF LIVONIA PROPOSED MASTER PLAN AMENDMENTS

Sherrin Hood reviewed changes that were made to Livonia's Master Plan. She stated the purpose for most of the changes appears to be to match the future land use designation to the existing use or zoning of the property. She noted the Reference Number 3-01 and Reference Number 3-02. She stated the proposed changes in this location would not negatively affect the plans in the City of Farmington. The changes are reasonable and are not inconsistent with the Farmington Master Plan.

Gronbach stated he would sign the letter prepared by LSL Planning to the Livonia Planning Commission indicating that Farmington has reviewed their master plan amendments and does not find any inconsistencies or problems as it pertains to the Farmington Master Plan.

PUBLIC COMMENT

Doug Peterson, 33209 Oakland, stated his residence abuts one of the 3 parcels mentioned earlier. He commented he was on the Historical Study Commission and looked into the historical changes. He appreciated encouragement regarding historic preservation. He questioned how Planning can do a better job and what are the tools to approach this issue.

Gronbach stated the Planning Commission is concerned about historic preservation and they need to get documentation from the Historical Commission so that the Planning Commission has the right tools and materials to address situations as they come before the Commission. He noted they have to have guidelines and there are legal procedures to follow.

COMMISSION COMMENTS AND ANNOUNCEMENTS

Christiansen asked what was being done to the Old Book Store. Koncsol stated they were making a façade change.

Bowman asked if the National City Bank building had been purchased. Koncsol responded it was being looked at for an office for Home Health Care.

Scott asked about the green and yellow dumpster at Power and Shiawasse. Administration stated they would look into the issue.

Crutcher inquired if they are going to have a checklist for procedures. Pastue stated Administration would take a closer look at sealed plans. Discussion followed regarding

signed and sealed site plans. Ms. Hood stated she would prepare a checklist for the Planning Commission.

ADJOURNMENT

MOTION by Ingalls, seconded by Sutton, to adjourn the meeting. Motion carried, all ayes.

The meeting adjourned at 9:56 p.m.

Respectfully submitted,

Secretary

