

FARMINGTON PLANNING COMMISSION PROCEEDINGS  
City Council Chambers 23600 Liberty Street  
Farmington, Michigan  
Monday, March 11, 2013

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

**ROLL CALL**

Present: Babcock, Bowman, Crutcher, Gronbach, Schneemann, Scott  
Absent: Chiara.

A quorum of the Commission was present.

**OTHER OFFICIALS PRESENT:** Director Christiansen, Building Inspector Koncsol.

**APPROVAL OF AGENDA**

MOTION by Scott, seconded by Crutcher, to approve the agenda as submitted.  
Motion carried, all ayes.

**APPROVAL OF ITEMS ON CONSENT AGENDA**

**a. Minutes of Regular Meeting – February 11, 2013**

Schneemann stated the minutes should reflect comments by applicant of the Groves Retail Center regarding color hue addressing concerns of Commissioner Scott on the east side of the building.

MOTION by Gronbach, seconded by Scott, to approve the amendment to the minutes.  
Motion carried, all ayes.

MOTION by Scott, seconded by Crutcher, to approve the amended item on the Consent Agenda.  
Motion carried, all ayes.

**SITE PLAN REVIEW – 33200 GRAND RIVER AVENUE**

Commissioner Schneemann recused himself.

Chairperson Bowman indicated that the Planning Commission reviewed the conceptual site plan for the Los Tres Amigos restaurant at the February 11<sup>th</sup> meeting.

Director Christiansen showed a power point presentation on the proposed changes/improvements and upgrades to the existing building which include interior

modifications, exterior changes to existing building façade and proposed outdoor seating.

Steve Schneemann, architect, representing Los Tres Amigos, indicated that after review of the conceptual site plan at the February 11<sup>th</sup> meeting, and taking into account discussion held and comments heard regarding the possibility of putting in barrier-free access directly from the sidewalk to the door as opposed to parking lot access which is the current arrangement, changes were made on the plans by putting in an additional sidewalk at the entrance door to address those concerns, and also pulling the gated area back so patrons can enter outdoor seating area directly from the restaurant. A color board was submitted for review.

Schneemann welcomed questions from the commissioners.

Chairperson Bowman asked if this had been through DDA yet. Director Christiansen responded that this is a DDA owned property, however DDA will review, the Design Committee, because of the exterior changes to the building, and the DDA as a whole will also review after going through Planning Commission.

Discussion was held about the proposed gate that appeared on the drawings.

MOTION by Gronbach, seconded by Crutcher, to approve the site plan as presented for 33200 Grand River Avenue, including outdoor seating configuration, and also approve color scheme as presented.

Motion carried, all ayes.

Schneemann asked Director Christiansen if Planning Commission approval constituted approval for outdoor seating and he responded in the affirmative. The only other approval necessary is by the owner of the property, the DDA.

### **PRELIMINARY SITE PLAN REVIEW AND CONSIDERATION TO SCHEDULE A PUBLIC HEARING – 23023 ORCHARD LAKE ROAD, BUILDING C**

Chairperson Bowman indicated that plans had been submitted for an Adult Day Care at an existing office condominium complex at the above address.

Director Christiansen gave a power point presentation of submitted site plan for Orchard Adult Day Care, to be located in existing office condominium complex at 23023 Orchard Lake Road, Building C, zoned C-3, General Commercial. Adult Care Facilities are a Special Land Use in the C-3 district and require a public hearing and site plan review in accordance with the requirements of Section 35-25 of the Zoning Ordinance. There are no changes regarding existing office building or other site improvements proposed.

Nathan Mazur, Petitioner, was present to address the Planning Commission. He described his background in the Adult Day Care field and welcomed any questions.

Discussion was held and the Petitioner confirmed that there were no exterior plans presented for the site.

Babcock inquired about drop-off and pick-up access for patrons. The Petitioner indicated there would be transportation services offered through a third party. She also inquired if necessary handicapped parking was available and the Petitioner stated he will address that issue with Director Christiansen to discuss those needs.

Schneemann inquired if current parking lot and building area was ADA compliant and the Petitioner responded in the affirmative. He also expressed the importance for accessibility and handicapped parking issues being addressed in the final submittal of plans.

Crutcher stated there is no front door or ramp on the floor plan and expressed the importance of showing same.

The Petitioner indicated that the floor plan was geared towards the exterior and parking.

Further discussion was held regarding the drop-off areas and egress and ingress.

Director Christiansen gave a brief history of condominium office complex having been built in the late fifties, early sixties.

Inspector Koncsol addressed accessibility questions and stated within Building Code this would still be considered a Business Use group and would not trigger a revamping of all regulations. Due to prior interior modifications from a prior tenant, the bathrooms were made handicap accessible.

Director Christiansen addressed question by Babcock concerning emergency access. He stated the office is a courtyard development on a campus setting with sidewalks to access each building. Ingress and egress to the building was through walkway.

The Petitioner stated there are two exits, one off initial walkway as you walk in, and then one on front of building as well, those on the east side of the building and one on the south side.

Inspector Koncsol also said the issue of food preparation was discussed with the Petitioner and it was indicated that food would be catered in rather than preparing on site.

Crutcher stated loading area for food delivery should be addressed by Petitioner as well.

Further discussion was held on the topic of loading and drop off areas.

Chairperson Bowman inquired as to the maximum number of participants that would be attending each day and the Petitioner responded 25, with a 4 to 1 ratio of staff to attendees.

Scott expressed concern over loading area in conflict with the dentist office next door and kids coming in and out of there on a regular basis and stated it needed clarification. He also indicated that drawings should be sealed by a professional so that the Planning Commission can know the drawing meets ADA requirements and the like. He also stated trash should be addressed also, and location of dumpster should be clarified as well. He questioned whether parking lot to north has cross access agreement and Petitioner responded he will look into same. On questioning from Scott, Petitioner indicated they are not operational yet.

Koncsol stated that under the Ordinance, permitted use allows Petitioner to have six or fewer participants and was given the go ahead for that to help market and generate interest in the facility.

Scott queried about the stairs going down to lower level and Koncsol indicated there is a basement underneath that had been improved years ago without City knowledge and that occupancy permit will reflect not to be used for tenancy issues.

Schneemann inquired if there would be any bus drop-offs in a group and the Petitioner responded in the negative. He also asked Petitioner about specified parking agreement with condo association and the Petitioner stated he will find that information out. He also echoed Commissioner Scott's comment on the need for sealed drawings.

Director Christiansen indicated he will work with Petitioner and landlord as to the parking issues. He also stated he will look into the egress and ingress issue and further discussion was held on the subject.

MOTION by Schneemann, seconded by Crutcher, to recommend to schedule a Public Hearing, for 23023 Orchard Lake Road, at the next scheduled Planning Commission Meeting scheduled for April 8, 2013.

Motion carried, all ayes.

### **DISCUSSION – LIQUOR LICENSE AND SPECIAL LAND USE**

Director Christiansen stated that City Council at their March 4<sup>th</sup> Special Study Session meeting discussed the way the State of Michigan currently handles liquor licenses and proposed changes to State rules and regulations. City Administration is requesting input from Planning Commission on same. A Crain's Detroit Business article was provided to the commissioners for their review as well as the City of Birmingham's ordinance and regulations to be used as an example of Special Land Use permits.

There are regulations in Lansing on the horizon with respect to legislation that would

re-invent the State's rules on many aspects with alcohol sales and licenses. He cited the article, stating that expediting the transfer of liquor licenses was emphasized. He also went through the changes included in Senate Bill 216.

He further expounded on the City of Birmingham's ordinance.

Schneemann thanked Christiansen for his clear and concise presentation of the information. He then inquired if Farmington was considering the same type of agreement for the future and Christiansen responded in the affirmative, using Birmingham's example as a foundation and detailing it to the City's needs. Schneemann then inquired whether the City's planning consultants would be participating in same and Christiansen stated if City went forward and agreed to create a Special Land Use requirement for certain types of restaurants, however defined, provisions or conditions for Special Land Use permits would have to be established in which the planning consultants would be utilized but any contracts or agreements would involve the City attorney, so a combination of those two entities would be called upon to work on it. Schneemann stated that it would seem valuable to engage the help of the planning consultants into the contractual language of same. Christiansen replied it would be two-fold; the planning consultant being engaged in the overall amendment of the Special Land Use which falls under the Zoning Ordinance, and the City attorney involved in the drafting of the specific contract, working hand in hand with staff to develop Special Land Use requirements.

Scott inquired if Special Land Use permits would be utilized to allow the City to have some control over the scale of operation and impact on public safety, health and welfare and Christiansen responded in the affirmative.

Babcock asked for clarification on whether a liquor license was still required in conjunction with the Special Land Use permit and further discussion was held.

Crutcher asked if State could grant a liquor license to someone and then denied by the community and Christiansen indicated that is a possibility. He stated the requirements defined by a Special Land Use permit offers the community the ability to have consistency in the standards set by same, bringing control and structure to the City. He explained the proposed State bill would allow the State to work with business interests and have more licenses available with a more simplified process time wise during this period of redevelopment and act as a stimulus for economic development.

Babcock inquired if inter-county transfers gave rise for concern and Christiansen responded that Senate Bill 216 would allow inter-county liquor license transfers between contiguous counties and cited the information contained in the Crain's article and further discussion was held.

Christiansen thanked the commissioners for their input in the discussion and indicated he would take it back to the City Council.

**PUBLIC COMMENT**

Annabelle Gabel inquired about the status of the Grand Cleaners and their prior appearance before Planning Commission concerning an adult day care.

**PLANNING COMMISSION COMMENTS AND ANNOUNCEMENTS**

Chairperson Bowman indicated the ChulBu'ul Bowl was back open under new management.

Crutcher commented on whether sealed drawings should be required by petitioners and discussion was held concerning same.

Christiansen stated there is an open house for the Corridor Improvement Authority at Botsford this week. He also reminded everyone about the next City's Vision meeting coming up on March 27<sup>th</sup> at Farmington City Hall at 6:30 p.m.

An email was received from Sherrin Hood indicating there is a free workshop on planning March 16<sup>th</sup> at the Oakland County Conference Center.

Koncsol indicated True Value Hardware is now open at Nine Mile and Farmington and another tenant, Ollie's, would be opening soon.

**ADJOURNMENT**

MOTION by Scott, seconded by Gronbach, to adjourn the meeting.

MOTION carried, all ayes.

The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

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Secretary