

FARMINGTON PLANNING COMMISSION PROCEEDINGS  
City Council Chambers 23600 Liberty Street  
Farmington, Michigan  
April 8, 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, Chiara, Crutcher, Gronbach, Scott  
Absent: Schneemann

A quorum of the Commission was present.

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

**APPROVAL OF AGENDA**

MOTION by Gronbach, seconded by Chiara, to approve the agenda as submitted.  
Motion carried, all ayes.

**APPROVAL OF ITEMS ON CONSENT AGENDA**

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

Chairperson Bowman stated that Commissioner Babcock was inadvertently left off the roll on the minutes of March 11, 2013.

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

MOTION by Gronbach, seconded by Chiara, to approve the amended minutes.  
Motion carried, all ayes.

**9/11 MEMORIAL – BOB SCHULZ**

Director Christiansen stated that Public Safety Director Bob Schulz was in attendance at the meeting to give a presentation on the City of Farmington/Farmington First Responders 9/11 Memorial. A site plan was included in the Planning Commission packets as well as a site plan and rendering, overview layout and an elevation drawing along with an article from the Farmington Observer from April 4<sup>th</sup> and a postcard that will be distributed around the community. He indicated City Council gave their support and go ahead for project at their April 1<sup>st</sup> meeting.

Director Schulz indicated the Public Safety Department was able to obtain a 3 foot piece of structural iron from one of the World Trade Centers. It had been on display at a couple of 9/11 ceremonies and stated he was approached by members of the community, Bob Rock, Brian Golden and Steve Schneemann, who were interested in making a permanent memorial. Funding will be provided by private donations with Schneemann doing the design work and the DDA looking at providing landscape maintenance and design similar to the streetscape to tie it all together.

Bowman opened the floor to questions from the Commissioners.

Chiara asked if postcards had been mailed out and Director Schulz indicated they had been passed out in the downtown area but not sent out to the residents as yet as they had been very successful in their fundraising efforts, raising \$20,000 thus far with donations still being accepted, financial or in kind.

Chairperson Bowman stated that no action was required by the Planning Commission but if so inclined a motion could be made showing their support.

MOTION by Chiara, seconded by Crutcher, to support the 9/11 Memorial.  
Motion carried, all ayes.

Christiansen asked about timeframe for completion and Schulz responded by September 11, 2013 is the goal.

**SPECIAL LAND USE AND SITE PLAN REVIEW – ORCHARD ADULT DAY CARE, 23023 ORCHARD LAKE ROAD, BUILDING C**

Bowman stated that this agenda item was looked at at the March Planning Commission meeting and a review of a preliminary site plan where the proponent was asked for supplemental information regarding same.

Christiansen stated a Public Notice had been mailed out to property owners within 300 feet and published in the Observer and no correspondence had been received to date, either for or against the project.

**A. Public Hearing**

MOTION by Gronbach, seconded by Scott, to open the Public Hearing.  
Motion carried, all ayes.

**PUBLIC HEARING**

Ron Kogar, 23068 Orchard Lake Road, stated previous tenant didn't pay electric bills and the sump pumps weren't working and the basement flooded, stating there is a bad mold issue and had concern how it was addressed.

Inspector Koncsol stated he had been to the site and there was no apparent mold smell in upper level but did not go in basement to make visual inspection. He also indicated owner of the building was present at meeting if she wished to address issue.

Ginger Weikers, owner of building and Farmington resident, stated that the basement did flood a year ago, the basement was finished at that time, there was extensive water damage and mold and \$55,000 worth of renovations had been done to date with mold remediation as well.

Kogar inquired as to who did the remediation and if air quality tests were done.

Bowman asked if that information needed to be provided, and Christiansen responded that it can be addressed but seeing as there was no tenant, there was no inspection on part of the city but the Commission will work with Petitioner and owner of property to satisfy those concerns.

Christiansen and Bowman thanked Kogar for bringing that to the City's attention.

MOTION by Gronbach, seconded by Crutcher, to close the Public Hearing.  
Motion carried, all ayes.

(Public Hearing closed)

## **B. Site Plan Review**

Chairperson Bowman stated that a letter by a certified civil draftsman was included in the packets regarding floor plan and addressing issues from prior meeting.

Director Christiansen stated that there is a staff report in the packets as well as information and the application for Special Land Use and site plan. He indicated that he and Inspector Koncsol had met with Petitioner on the site and did a walk-thru of the property and its facilities, including its barrier-free access and parking. He stated after reviewing revised plan and their on-site visit as well as the letter from the draftsman, that it showed compliance. He then indicated the Petitioner was present to address issues and answer questions.

Nathan Mazur, Petitioner, entertained questions from the Board.

Crutcher inquired if parking requirements were satisfied with site plan and Christiansen responded that an existing use status to a building with no changes being made to the facility and multi-tenant, there is no mandate with respect to adding additional parking, but that parking is satisfactory for the Special Land Use.

Babcock questioned the fact that there is only one ingress and egress for handicap even though there are two-plus for nonhandicap.

The Petitioner responded that there is one exit to a ramp which then terminates to the ground and the second exit terminates directly to the ground.

Scott questioned if an existing building did not require parking being recalculated and Christiansen responded in the affirmative and further discussion was held on the challenges of existing facilities and Code requirements for reoccupancy and re-use conditions.

Scott further stated that clarification of the cross access parking agreement was requested and still not obtained. He further indicated with regard to the site plan itself, he is unclear as to what a certified civil drafter is and that the plan does not have a professional seal so it is unclear whether or not it meets ADA requirements. He also questioned the engineer notes indicating they were compliant, that it lacked clarity as to what they were compliant with. He also raised the issue of the ramp being in compliance with ADA.

Crutcher stated that the document submitted doesn't indicate whether or not the ramp is compliant and further discussion was held.

Scott indicated that the Commission was looking for the Petitioner's professional to provide the information on compliance and conversation ensued regarding the certification of the accuracy of the drawing provided.

Christiansen expounded on the certification requirements in accordance with Section 35-165 and that he and Inspector Koncsol went over the site plan and they felt it satisfied the requirements for this use and further discussion was held.

Babcock raised the issue of barrier-free access and compliance.

Bowman inquired of the Commission if they had other issues or concerns they wished to address.

Christiansen asked for clarification of parking situation from the owner.

Ginger Weichers, owner of building, indicated that for the ten years since she has owned the property that parking space has always been there, it has been available and ample but if the parcel changed hands, she was uncertain what would happen. She indicated there was parking on the south side, all along the south side, always open spaces, always ample and it would require just crossing the courtyard to get to Building C.

Crutcher asked if existing site does comply with parking ordinance and Christiansen responded that a use by use basis is not required by ordinance but rather multi-tenant facilities are based on usable floor space and that the existing facility does meet the requirements of the use.

Bowman asked the Commissioners for their comments.

Scott stated that there were a couple of issues hanging that he would like to see addressed, barrier-free requirements and the safe movement of potential clients, ingress and egress to building and that parking should be clarified also and further discussion was held on how to satisfy those requests without putting a hardship on Petitioner.

Christiansen explained that there could be a motion made with conditions and the Petitioner said he would have no problem working with the Commission but does want to contain costs and does not see the necessity of having plans sealed.

MOTION by Babcock, seconded by Chiara, to approve the Special Land Use at 23023 Orchard Lake Road, on the condition that a qualified person in the field of Disability Rights assures the site is compliant with barrier-free requirements under Michigan law.

Motion carried, 5 - 1 (Scott).

#### **SITE PLAN REVIEW – BRIGHT SIDE DENTAL, 34505 GRAND RIVER AVENUE**

Bowman introduced the Bright Side Dental site plan, formerly the Dunleavy's Pub and Grub, indicating it will be a total tear down and construction of a new office building on the site. All site plan requirements were met.

Director Christiansen showed a power point presentation of proposed site plan, consisting of a 4,210 square feet, one story building, existing driveways being removed and new parking lot, new sidewalk, new landscape and lighting and new ground monument sign along with a new dumpster enclosure. It will be a complete redevelopment of the property bringing it into compliance with City Zoning and Building Code requirements.

Robert Cliff, from MGA Architects, 4310 Delaware Court, Royal Oak, presented the plan to the Commission and stated their goal is to create an outstanding building with great street presence. He commented on the lack of landscaping on the present site and cited the storm water improvements as well as green space. The building will follow the corporate image of Bright Side, using earth tones and a lot of windows.

On questioning from Commissioners, Petitioner stated there will be sidewalks and the concrete wall on the south would be repaired if it is overtly damaged and further discussion was held.

MOTION by Chiara, seconded by Crutcher, to approve the site plan for Bright Side Dental, located at 34505 Grand River Avenue.

Motion carried, all ayes.

**SITE PLAN REVIEW – TRUE VALUE HARDWARE, 22104 FARMINGTON ROAD**

Chairperson Bowman stated plans had been received for an outdoor storage enclosure to be located along the rear of the commercial building located at 22104 Farmington Road in the Farmington Crossroads Shopping Center.

Director Christiansen gave a power point presentation of proposed plans showing a 25' x 25' by 6'h chain link fence enclosure with a gate on a concrete pad. There will be direct access to the enclosure from the building and will have a sliding 8 foot doorway/gate with security locks for access from the outside. A privacy screen for the fence will be utilized.

Armen Dederian, from Bricksmore Property Group, indicated the fence they are proposing will be chain link with vinyl loops for privacy and to help deter theft.

Further discussion was held concerning what the storage would be used for and the types of material that should be utilized to ensure Public Safety a visualization of the property as well as the alignment of the east side of the fence to the building.

Chiara inquired if Dollar Store had any objections and Christiansen indicated the property owner had to be in support in order for the matter to be brought before the Planning Commission.

Koncsol stated the Petitioner had asked for 8 feet but only 6 feet are allowed in commercial properties and it is zoned C-2.

MOTION by Scott, seconded by Chiara, to approve the site plan for the True Value Hardware, 22104 Farmington Road, with the stipulation that the east side of the fence be adjusted to align to the building as well as the chain link fence utilized be that of the small opening vinyl coated fence to be used as a deterrent from theft but also as a screening tool.

Motion carried, all ayes.

**SITE PLAN REVIEW – PETERLIN'S RESTAURANT AND BAR, 22004 FARMINGTON ROAD**

Director Christiansen stated the matter before the Planning Commission was with regard to outdoor seating only at Peterlin's and not the proposed expansion as it will be done in two phases. The proposed seating will be located under existing canopy with a wrought iron fence to enclose.

Zack Peterlin, 22004 Farmington Road, indicated it would be done in two phases as they want to remain open during the renovations.

Discussion was held on the acoustics of the restaurant and the additional outdoor seating impacting the toilet room count and meeting compliance with Code on same.

MOTION by Gronbach, seconded by Chiara, to approve the Site Plan as presented regarding outdoor seating for Peterlin's Restaurant at 22004 Farmington Road.  
Motion carried, all ayes.

**PUBLIC COMMENT**

None heard.

**PLANNING COMMISSION COMMENT**

Babcock spoke about Senate Bill 216 and Ohio having something similar on books and discussion was held regarding liquor licenses and transfer of same.

**ADJOURNMENT**

MOTION by Crutcher, supported by Scott, to adjourn the meeting.  
Motion carried, all ayes.

The meeting was adjourned at 9:02 p.m.

  

Respectfully submitted,

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Secretary