

**MINUTES  
CITY OF FARMINGTON HILLS  
PLANNING COMMISSION REGULAR MEETING  
COUNCIL CHAMBERS  
October 18, 2018, 7:30 P.M.**

Chair Schwartz called the Planning Commission meeting to order at 7:30 p.m. on October 18, 2018.

Commissioners Present: Brickner, Countegan, Goerke, Orr, Schwartz, Stimson, Turner

Commissioners Absent: McRae, Mantey

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

**APPROVAL OF AGENDA**

**MOTION by Stimson, support by Countegan, to approve the agenda as published.**

**MOTION carried unanimously.**

**REGULAR MEETING**

**A. SITE AND LANDSCAPE PLAN 66-9-2018**

LOCATION:	38700 Grand River Ave.
PARCEL I.D.:	22-23-19-326-031
PROPOSAL:	Addition to existing auto dealer in B-3 General Business District
ACTION REQUESTED:	Approval of site and landscape plans
APPLICANT:	Ken Widerstedt
OWNER:	Dahm Holdings, L.L.C.

Utilizing overhead slides and referring to his October 12, 2018 review letter, Planning Consultant Tangari gave the review for this request for site and landscape plan approval for Erhard BMW, 38700 Grand River Avenue, for a 3,167 square-foot addition to the rear of the existing BMW dealership. The addition expanded the service area with a wash bay and more areas to service vehicles. The addition would bring the total area of the building to 42,700 square feet. The work would include some reconfiguration of the parking lot.

Outstanding issues included:

- While the building height appeared compliant, the height of the building addition needed to be added to the elevation drawings.
- The applicant should confirm that rooftop equipment, if present, would be shielded according to the standards of Section 34-5.17.
- Regarding exterior lighting, the applicant provided only a file copy of photometrics that did not reflect the addition. Therefore conformance to lighting standards was unable to be determined.
- There were no pedestrian connections to the Grand River sidewalk; this plan did not propose to add one.

Commissioner Brickner asked for information regarding the sidewalk that appeared to be in front of the building, going into a parking lot. Was that an entrance? Planning Consultant Tangari said that sidewalk would not meet ordinance standards for a pedestrian connection. City Planner Stec said the sidewalk led to a vehicle display area. If a pedestrian connection were striped from the Grand River sidewalk to lead to that vehicle display area, the requirement for a pedestrian connection would be met.

Mark Drane, Rogvov Architects, 32500 Telegraph Road, Suite 250, Bingham Farms, MI, was present on behalf of this application.

In response to questions from Chair Schwartz, Mr. Drane said the addition would be 18'4" high, and would match the height of the existing building. Any rooftop equipment would be shielded. They were not adding any light, as the addition would be closer to the existing light poles. They could update the photometric plans if necessary. Regarding striping a pedestrian connection from the display area to the Grand River sidewalk, if that were an acceptable place to put a walkway they would be glad to do that.

In response to a question from Chair Schwartz, City Planner Stec said pedestrian connections were required. However if the Commission did not think the connection was appropriate, that requirement could be waived.

Commissioner Countegan indicated he was ready to offer a motion.

**MOTION by Countegan, support by Goerke**, that Site Plan 66-9-2018, dated September 14, 2018, submitted by Ken Widerstedt, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the condition that a revised site plan addressing the following items is submitted for administrative review:

- The height of the building addition is added to the elevation drawings.
- Any rooftop appurtenances are screened per city ordinance.
- Updated lighting plans.

**Motion carried unanimously.**

**MOTION by Orr, support by Stimson**, that Landscape Plan 66-9-2018, dated September 14, 2018, submitted by Ken Widerstedt, be approved because it appears to meet all applicable Zoning chapter requirements, and applicable Design Principles as adopted by the Planning Commission.

**Motion carried unanimously.**

**B. REZONING REQUEST 2-9-2018**

LOCATION:	24560 Orchard Lake Road and 19 acre vacant parcel on the North side of Ten Mile Road, East of Orchard Lake Road
PARCEL I.D.'s:	22-23-23-351-007 & 22-23-351-007-035
PROPOSAL:	Rezone two parcels: 1) From RA-1 One Family Residential to RA-2 One Family Residential. And 2) From RA-1 One Family Residential and B-3 General Business District to RA-2 One Family Residential
ACTION REQUESTED:	Set for Planning Commission Public Hearing
APPLICANT:	SDC Ventures LLC
OWNERS:	Patrick Hanaway & Joanne McQuade-Arnold

Chair Schwartz said that before the meeting the applicant had informally talked about presenting this application as a cluster development rather than a re-zoning request. However, placing the detention pond for this project at its proposed location would require that that portion of the site be re-zoned.

City Planner Stec said that traditionally projects that required rezoning would not be reviewed or acted upon until the re-zoning had occurred. At this point it was unknown whether the project would qualify as a cluster option.

Roger Sherr, Sherr Development, 31300 Orchard Lake Road, was present on behalf of this application. Mr. Sherr explained that as they had studied the ordinance, and based on where they were going with this development, they now thought that development under the cluster option was the best approach for this property. They could develop under the cluster option without rezoning the underlying property, which was RA-1. There was a portion of the property on 10 Mile Road zoned B-3 that they were intending to use for a detention pond. If possible, he would like to seek a rezoning of that B-3 portion to RA-1 concurrent with seeking approval for a cluster option qualification and approval.

City Attorney Schultz said that because the B-3 portion would need to be rezoned, that action should occur before a cluster option was considered. Rezoning was a legislative action that was reviewed by City Council, and approval of a cluster option was a non-legislative administrative action. Each action would be reviewed differently by a court, should that need ever arise. City Attorney Schultz advised that tonight the Commission could set the rezoning for public hearing as written, or a rezoning of the B-3 portion only, or the applicant could move ahead on the cluster option. The applicant could choose which way he wanted to move forward, but a rezoning would need to be accomplished before the cluster option was approved. The Commission could authorize "all the above" so that a public hearing would be set in any event.

A discussion of process and timing followed. City Attorney Schultz did not recommend that the Commission approve a cluster option conditioned on a successful re-zoning application, but rather the applicant should follow the normal process. This might appear to be an inconvenience, but it was the safest and most defensible course of action for the City. If the applicant wanted to pursue a cluster option, and that depended on the 10 Mile Road portion only being re-zoned, the re-zoning should be accomplished first. Tonight, however, the Commission could set for public hearing an "all of the above" scenario, as previously described.

In response to a request from Commissioner Countegan, Mr. Sherr gave an overview of the proposed development, which would be a development of single-family homes, with access from Orchard Lake Road to the west from the center of the development, and access to Ridgeview Drive on the east via Paisley Drive. Detention would be off of 10 Mile Road.

Commissioner Countegan suggested leaving the portion of 10 Mile Road undeveloped, and place the detention pond somewhere else on the property, so that the 10 Mile Road portion did not have to be rezoned. The Master Plan called for Office zoning all the way across 10 Mile Road. Rezoning the piece on 10 Mile Road might be considered spot zoning, and could be even more of an issue if for some reason the development did not go forward. City Attorney Schultz noted that the rezoning, if approved, could be made effective when the rest of the development occurred.

City Planner Stec pointed out that the Master Plan called for an open space plan for this area, not a cluster option.

Commissioner Brickner suggested placing the detention area on the northern part of the parcel.

After discussion regarding the specific process for re-zoning, along with the specific process for cluster qualification and approval, and after a discussion of potential development options, it was the consensus of the Commission and the applicant to follow City's Attorney Schultz's advice for tonight's action. Therefore Commissioner Stimson offered the following motion:

**MOTION by Stimson, support by Orr**, that Zoning Request No. 2-9-2018, petitioned by SDC Ventures LLC, be set for Public Hearing on November 15, 2018, with the following options:

- Rezone all properties to RA-2.
- Rezone the B-3 portion of the property fronting on 10 Mile to RA-1.
- Submit for cluster option qualification under RA-1 and withdraw rezoning request prior to public notification.

**Motion carried unanimously.**

**APPROVAL OF MINUTES:** September 20, 2018

**MOTION by Brickner, support by Goerke, to approve the September 20, 2018 minutes as published.**

**Motion carried unanimously.**

**PUBLIC COMMENT** None.

**COMMISSIONERS' COMMENTS**

Commissioner Brickner encouraged everyone to vote November 6.

Commissioner Orr asked for an update on the landscaping disturbance at Windemere Apartments. City Planner Stec said he would follow up with this.

Commissioner Orr asked about the paving of the parking lot of the Unitarian Church on Halsted Road. City Planner Stec said that work was part of the approved site plan.

City Planner Stec said the next meetings would be November 15 and December 13. January 2019 meetings were scheduled for January 17 and January 24 (CIP).

**ADJOURNMENT:**

Chair Schwartz adjourned the meeting at 8:33 p.m.

Respectfully Submitted,  
Dale Countegan  
Planning Commission Secretary

/cem