

FARMINGTON PLANNING COMMISSION PROCEEDINGS
City Council Chambers, 23600 Liberty Street
Farmington, Michigan
May 8, 2017

Chairperson Crutcher called the Meeting to order at 7:00 p.m. at City Council Chambers, 23600 Liberty Street, Farmington, Michigan, on Monday, May 8, 2017.

ROLL CALL

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

Absent: Buyers

A quorum of the Commission was present.

OTHER OFFICIALS PRESENT: Director Christiansen, Attorney Saarela, Recording Secretary Murphy

APPROVAL OF AGENDA

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

APPROVAL OF ITEMS ON CONSENT AGENDA

a. Minutes of Regular Meeting – April 10, 2017

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

**PUBLIC HEARING AND SPECIAL LAND USE AND SITE PLAN REVIEW –
DOGWOOD VETERINARY REFERRAL CENTER, 33300 NINE MILE ROAD**

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

Christiansen stated this is a request for Special Land Use and Site Plan Review for Dogwood Veterinary, at 33300 Nine Mile Road, which is the former SWOCC Building. The applicant has submitted plans for a veterinary surgical clinic, the site is zoned IND, Industrial, and veterinary offices, clinics and hospitals are a Special Land Use in the Industrial District in accordance with the requirements of Section 35.112 of the Zoning Ordinance, a copy which is attached in the staff packets and requires a public hearing and site plan review. He indicated the applicant is planning on occupying the existing building and to use the existing site as currently developed as a veterinary clinic. A new building canopy is proposed at the entrance along the front of the existing building, modification to the existing concrete sidewalk in front of the building is also proposed. No other changes to the exterior of the existing building or the existing site are proposed at this time. A site plan of the existing site is attached with your staff packet. Demolition and reconstruction on the interior of the existing building are proposed in order to accommodate the new veterinary and surgical clinic. The interior demolition plan and

new floor plan are provided. The applicants are here this evening on hand tonight we have Dr. Isaacs and Dr. Galey representing the veterinary center, Dogwood Veterinary Referral Center. With that, Mr. Chair, you do have in your packet the application and Special Land Use requirement being addressed by the applicant as well as an explanation of his business as well as the site plan information as required.

Chairperson Crutcher invited the applicants to the podium.

Dr. Andrew Isaacs and Dr. Galey, veterinarian co-owners of the business, indicated that included in the packets was a brief explanation that their practice is a referral business that pulls from the State of Michigan and from Northern Ohio and MSU and that their existing business is located in Ann Arbor and that they felt Farmington would be a more centralized location and would provide better access to their clients.

He stated that with the zoning issue, that there would not be any outside kennels so it does fit into the veterinary offices and that boarding of the animals would be only inside in regards to surgery and would not require any outside kennels.

He went through the criteria that have to be met according to the Special Land Use requirements, stating that A, a veterinary hospital will be compatible with and in accordance with the general goals, objectives and policies of the City of Farmington's Master Plan; B, the veterinary hospital will also complement the surrounding building uses promoting the intent of the zoning district; C, the veterinary hospital will not change the existing or intended character of the general vicinity and that the only thing they've proposed is to pull back the sidewalk a little bit to match the existing sidewalk in front of the Hobby Center.

The floor was opened to questions from the Commissioners.

Kmetzo inquired if they had a number of referrals they received yearly when they were in Ann Arbor and Isaacs responded that on a daily basis they will receive five to eight, maybe ten at the most clients since it is neurology, neurosurgery that they do and stated it was not a high volume turnover for parking as most nonspecialty clinics have.

Kmetzo then asked what led them to Farmington as their choice and Isaacs responded that the geography itself as far as being able to offer the services and that prior to Ann Arbor they were in Commerce but felt that Farmington would suit their clientele better as far as location.

Chiara asked if the majority of their practice was dogs and Isaacs responded dogs make up approximately 85 percent of their business with cats holding 15 percent.

Chairperson Crutcher inquired about the sidewalk and asked if there is another building further east and Isaacs responded there is an electrical business but that the sidewalk does not extend to them.

Director Christiansen stated that the project does satisfy the Special Land Use requirements.

MOTION by Gronbach, supported by Majoros to open the Public Hearing on Dogwood Veterinary Referral Center, 33300 Nine Mile Road,
Motion carried, all ayes.

(The Public Hearing was opened at 7:15 p.m.)

PUBLIC HEARING

No comments were heard.

MOTION by Gronbach, supported by Chiara, to close the Public Hearing.
Motion carried, all ayes.

(The Public Hearing was closed at 7:15 p.m.)

MOTION by Majoros, supported by Chiara, to move to approve 1., the Special Land Use for Dogwood Veterinary Referral Center, 33300 Nine Mile Road, having satisfactorily addressed the issues in the Petitioner's application; and to approve 2., the Site Plan Review as submitted by the Petitioner, for Dogwood Veterinary Referral Center, 33300 Nine Mile Road, and to continue working with the City on the sidewalk issue.
Motion carried, all ayes.

Chairperson Crutcher thanked the Petitioner.

PUBLIC HEARING AND PRELIMINARY PUD REVIEW – AC ACQUISITIONS, LLC, MAXFIELD TRAINING CENTER, 33000 THOMAS STREET - CONTINUATION

Chairperson Crutcher introduced this agenda item and invited the Applicant to the podium

Walter Cohen, General Manager of AC Acquisitions, thanked the Chairman and Commission for having him here this evening and apologized for his absence from the last meeting.

He stated that on the screen was an overview of what they are proposing for the project.

He indicated that the site is the old Maxfield Training Center and went through the various renderings on the screen. He said School is currently not being utilized for vehicular traffic but under the plans they are proposing they will be utilizing it as one which they will rebuild and make pedestrian friendly from School Street down to Shiawassee Park.

He stated along Thomas Street there will be front entry townhouses the full length of the property with no commercial, only residential along the street.

He indicated set back from Thomas Street are an additional two stories of apartments, all having balconies and/or balconies. He said currently parking is allowed on both sides of Thomas Street and that he is hoping that remains.

He went through the plans that were on the screen and pointed out adjacent buildings and structures. He showed where the podium parking will be located and egress and ingress into and out of it.

He put a survey of the original parcel on the screen and showed where roads were vacated and stated that the current Maxfield Training Center will be demolished.

Chairperson Crutcher thanked the Petitioner and opened the floor for questions from the Commissioners. He stated Commissioner Majoros made a summary of comments from the first part of the Public Hearing and would like to give a recap of them.

Majoros stated that he made this summary as the Petitioner could not attend the prior hearing and wanted to let the citizens know that the Commission is listening to their comments.

He went through the issues in no particular order:

1. Traffic issues, i.e. overall volume, noise, peak time, demand by both occupants and visitors; flow issues, shortcuts through the historic district, implications and inconveniences on Warner/Oakland Streets; safety issues, i.e., speeding, visibility, more cars, more parked cars, general congestion.
2. Parking, parking spaces based on unit load, general issues with sprawl parking, effect on homeowners and businesses and inability to manage it, comments from church as the parking they have enjoyed using over the years will be tremendously impacted negatively.
3. Design and harmony of structure, esthetics are somewhat inconsistent with the historic character of the neighboring community, building height, sunlight, view, etc., a little too

abrupt a transition from the historic architectural character into what is less historic going east down Grand River and the potential impact on property values.

4. Density, number of units and occupants.
5. Concerns about rentals versus ownership, desirability and mindset of a rental tenant versus commitment of ownership.
6. Rationale and fit with City vision and City needs and whether it aligns with current plans in place for the City.
7. Revenue impact on tax and school.
8. Not having developer present at first public hearing to hear concerns.

MOTION by Majoros, supported by Gronbach, to open the Public Hearing.

(Public Hearing opened at 7:30 p.m.)

PUBLIC HEARING

Chairperson Crutcher asked speakers to limit comments to three minutes if possible.

Al Feria has lived in Historic District for 48 years and has seen a big change in Farmington during that time. He questioned if there will be cluster mailboxes and the Petitioner responded the mailboxes will be located inside the building. He then asked if there will be elevators and the Petitioner responded yes and he stated concern with number of parking spaces and indicated he'd rather see another senior structure put in at the site.

David Judge, 23708 Warner Street, 33212 Grand River for my business. He stated that many of the members of community met to discuss this project and out of the respect for everybody's time there are specific items that they will speak on that that believe will mitigate redundancies. He asked that responses from the Commission be treated with the same respect.

He said in reviewing the PUD requirements in the Master Plan for proposed projects a better understanding was gained of what the Planning Commission does for the community and wanted to thank them for their time.

He indicated based on PUD Article 10, the application and the meeting packet from the March meeting, the Planning Commission is being asked to make decisions without the requirements that the PUD concept plan and draft PUD agreement and public hearing require. The application incomplete, the project not ready for public comment or for hearing or for Planning Commission review under the PUD standards. Based on the PUD which is a process, they're asking for two things: 1, the standards have not been met, they're asking to deny the application as it stands or if the applicant would like to continue on, postpone their application until those standards are met under PUD. Citizens have a right to speak on what the PUD requires. The process is set up so we will see a parallel plan and know what it looks like under normal zoning. Right now they don't know what the plan would look like there. We don't know if there's a reason to grant a PUD and many of the reasons or all of the reasons listed under this PUD can simply be given under normal zoning ordinances. We don't see under PUD how they have to be granted.

He pointed to page 3 of the applicant's application, the page after that does not have any number on it and lists three elements, one, the parallel plan, it says there is one but there is no public record of one. He said there are ten speakers who will speak during the process. He then reiterated his request that based on the requirements of PUD, a legal document, either deny it or if you continue on to postpone it so they can speak on those issues.

Kevin Gromley, Warner Street, gave a handout to the Planning Commission. He stated he supports redevelopment of the Maxfield Training Center, just not this project. He indicated he was part of the review of the concept plan and Article 10 of the PUD requirements, He said they have seen no parallel plan, a demonstration that the design elements, the benefits that can't be attained with conventional zoning. Compatibility with adjacent use, that suggests there should be a buffer from high to low density in the surrounding area. There is a requirement of proposed variances for parking, density, maybe height and he has not seen one. One of the requirements is no detriment to the surrounding area and there are concerns about traffic, parking, noise and so forth.

Article 10 suggests the Planning Commission can require or request traffic and environmental studies and in the letter from Matthew Parks, OHM, dated April 5th, 2017, there should be a traffic impact study as well as a geotechnical and soil report and also an environmental impact study. He stated that would be prudent to have before their recommendation. Article 10 also suggests there should be details on how sewer and stormwater will be handled and his letter states we should have more details on that. There should be density calculations in the preliminary plan. He also addressed that it appears from the site plan that there's limited or no vehicle access to the back of the building so it begs the question of a fire truck or emergency vehicle access. He also

stated that many of the millennials who are renters may use Uber or Lyft and there may be cars lined up for the riders.

David Simowski, 23625 Warner, wants to see the site developed but not sure this is the right one. His specific concern was with parking and asked if there was a standard ratio utilized as to how many spaces are required per unit.

Christiansen stated that the ordinance in the Central Business District is two per unit but can be modified under the PUD.

Simowski indicated that two spaces per unit would indicate 378 parking spaces and there are currently 236 in the diagram and stated he talked to the manager of Farmington Place, the senior residence next door and asked how he felt about tenants and visitors from this proposed complex using their parking lot and the manager of Farmington Place was against it. He stated he was not speaking on behalf of the church but felt they would not be encouraging parking in their lot. He spoke of parking congestion on Oakland Street when Heeney Sundquist had a large funeral and spoke of his concern over emergency vehicles getting down the street with this new project and lack of parking for it.

He questioned if a variance is given, when will the public know its parameters and its effect on the neighborhood. He asked the Commissioners if a variance will be granted and Gronbach responded that during a Public Hearing, the Planning Commission is not obligated to respond or give answers, just to hear public comments. Gronbach then indicated it hasn't been determined yet in this case. Simowski then inquired if a variance is granted, will there be a public hearing on that.

Christiansen stated that variances are a modification of ordinance requirements typical when there is a request, an application made to the Zoning Board. In this case the PUD allows flexibility but turned the question over to City Attorney Saarela to answer.

Attorney Saarela stated that this project is not that far along in the planning process to answer that question or what may be involved.

Simowksi reiterated his concerns about being able to speak out on any proposed variances.

Judge stated that by going ahead with this process, the right of disputing variances is eliminated and he asked that the matter be tabled or another public hearing held.

Saarela stated there is no intention is recommending or denying approval tonight.

Judge stated this project does not follow a PUD process so it can't be a PUD.

Saarela stated that they are just trying to get early comment on the project.

Donald Munter, 33309 Oakland, stated he would like to discuss traffic flow. He discussed his issues of concern, citing that a traffic study has not been done, and stated that Oakland Street is the narrowest paved street and further discussion was held.

Darlene Allen, 23724 Warner Street, stated that everyone shares the same views and that her topic is the safety of the children. She said she moved to the neighborhood 2.5 years ago because she is raising her 6-year old grandson. She stated she obviously didn't pick a deliberately busy thoroughfare to raise a child but she found because of the traffic situation that others have described between Farmington and Oakland and Warner, there are only so many ways to go and that people are going to use Warner. She said that as it is used today, it's used as a thoroughfare to avoid Farmington and a lot of cars go very, very fast and to her the thought of another three or 400 cars in the whole square of Shiawassee, Warner, Oakland and Farmington is already at capacity. She stated she can't imagine what it's going to be like with the additional cars. She stated that she felt that things that were conveyed at the prior public hearing would have been conveyed to the builder before this evening.

Chairperson Crutcher responds that's what the meeting is for tonight.

Jane Gundloch, 23770 Warner, stated she spoke last month and indicated that she and her husband Rick live in an 1860s Victorian home that sits on an L-shaped lot that backs up to the Maxfield Training Center facility and that they share a 229 foot lot line. Their property covers almost 2 acres and includes a portion of hill that runs down to the Rouge River. She stated that is a significant fact because her husband will be talking about problems with erosion on the big hill. She stated the character and design is what she is going to address of the proposed development and how it fits in with its surroundings and the fact is that it does not fit. The huge, bulky structure is totally out of scale for the site and its surroundings, that it is crammed onto a 3 acre parcel of property and would tower over everything in sight. At 48 feet, the monstrous building would stand out on the hill and in the downtown and it would block out light. She stated this is an urban phenomenon which requires light studies. In addressing the issue of scale in the CBD, the Master Plan, which is a legal basis on which the City makes its plans, says that development and redevelopment needs to be consistent with the historic architecture, the mixture of uses and the compact layout of a traditional small town. In terms of character, the flat, boxy, pseudocontemporary building is not at all compatible with its surroundings. It does not fit into the existing community, neither our traditional downtown nor the classic 1920s Methodist Church nor the valued Historic District it borders. The Master Plan also states

that development or redevelopment in the Historic District and CBD should be designed in keeping with the existing building character. The proposed project does not incorporate any traditional design elements and makes no attempt to fit in with the existing character of its surroundings and the bit of bricks on the sides of the building as was mentioned by the DDA Design Committee does not make this building look historic. In fact, the houses in the adjoining Historic District, consist primarily of plat board sided houses, some stucco and a few brick bungalows. She reiterated that the Master Plan states as a goal to encourage development and redevelopment that embraces the historic character of Farmington. She closed by saying that Farmington is a wonderful community which has become attractive to residents and visitors alike. People like to walk through the quaint, well maintained neighborhood with its sidewalks and tree-lined streets as they walk dogs or strollers as they sip their coffee as they head through Starbucks or to Shiawassee Park. She is hoping the Commission realizes the value of the area to the City and how valuable it is that it is protected and enhanced. Building a huge contemporary apartment complex on the premier cornerstone property in downtown Farmington would be a mistake. She said that is not what the PUD is about, it should be something special and high quality and that will enhance the community now and for years to come.

John Tierney, 23700 Cass, listened to comments made and is finding it difficult to make a leap from the 2009 Master Plan that promotes home ownership as a key to grow our community to the 2015 vision which promotes high density, low cost, transient rental apartments as a way to grow our family oriented community. The 1998 - 2009 Master Plan said home ownership is the way we want to grow our neighborhoods and the 2009 said "Providing opportunities for home ownership is perhaps the best way to increase local awareness and improve our neighborhood conditions so imp in Master Plan developers gave us a road map to achieve it with three things. First, it recognized there was a significant amount of apartments in the area and stated they should be converted to owner/occupied condos. Two, infill new development with owner occupied homes. Three, to seek out opportunities to promote home ownership.

Studies show by 2020 that 37% of millennials will be renters. The housing study done in 2015 stated it was a thorough analysis of existing and potential residential conditions and opportunities. The housing study was an apartment study, a public feasibility study developed to answer one simple question, if Farmington builds 150 apartments, will they be occupied, and the answer was yes. He stated the stakeholders of Farmington, communities, neighbors, families, deserve much, much more and that together as a community we will achieve better than this plan.

He then asked if a representative of OHM was at the meeting tonight. Heather Seyfer, stated she was present and from OHM. He then asked why Farmington hired her to do an apartment feasibility study and she responded the study was done for the Vision Plan.

Director Christiansen stated the study was done by Danter.

Attorney Saarela stated that OHM is the City's consultant and that they are at liberty to hire subconsultants.

Tierney then stated that the study seems shortsided as they're looking at a Vision Plan based on an apartment feasibility study.

Rich Gundloch, 23700 Warner, indicated he spoke at the last meeting and that he'd like to say that he appreciates the summary Majoros gave of the prior hearing regarding comments heard.

He then gave a handout to the Commissioners with some comments he has about process and stated he realizes the Planning Commission did the public a favor in allowing them to see the plan prior to it going forward and thanked them for being allowed to speak out on various items before the plan is complete.

He then indicated he would be speaking on problems with erosion on the property, that he owned a piece of property that borders Maxfield Training Center with 229 feet in common and is a major border and they also own a long section along the river feet, 100 feet. He gave photos to the Commissioners on erosion that's occurring on the water's edge on his property and also at Maxfield Training Center and stated that it is a serious problem. He stated his concerns of the building and design on this property that has two components, a big level plat of land and a hillside that drops down to the riverfront. He is concerned that ground won't support the building, that there is already instability and the Farmington Public Schools tried to slow erosion of hill with crushed limestone and limestone boulders, wants to know if engineering study has been done to determine how to stabilize the hill and if not would request the Planning Commission to order one.

Chris Schroer, who lives next door to parking lot of church and Training Center, first off thanked the Commission for the synopsis of the comments from last month. He commended the Petitioner on a job well done on Ducharme Place but that he didn't think that would work in Farmington. He stated he spoke with a heavy heart at the last meeting as his father had passed away earlier that day. He indicated his father gave him tidbits of wisdom, one of them being that people don't know how much you care until you show them. He stated the neighborhood and some other residents in the community are showing how much they care about their community and the finished product and that he will be looking at it every day for the rest of his life. He also indicated that they care about the process, that there was a great deal of time and effort put into the City Master Plan and that they should stick with it and follow its direction and cited sections of it. He asked the Planning Commission to do their due diligent and stick with the Master Plan.

Nicole Goodwin, 3224 Oakland Street, addressed the issue of connectivity to Shiawassee Park.

Bob Cook, 33115 Shiawassee, spoke on erosion and also compromising the wildlife that runs through the area from the proposed development.

David Livingston, 33906 State Street, stated that he moved to Farmington from Ferndale for the quality of life that it offered and hoped that it would not be compromised from this new development.

Maria Taylor, 23750 Gill Road, stated she is concerned about the character of the proposed development at the Maxfield Training Center and hoped that the Commission would get a little more community input this time around.

James Gallagher, 22746 Power, stated he was present to support the project, that the site has been vacant for seven years and that it will be developed at some point in time and would the City promote putting two houses on the site or bringing 500 more people to the City contributing to the tax base and bringing their dollars into the City. He also spoke on the comments made about transient people living in the community.

Carol McHee, 23609 Warner Street, stated she grew up in Farmington and her family was low income and qualified for free lunch at school and that she worked very hard to educate herself to enable her to raise her family in a community with the values that Farmington offers.

Two letters were acknowledged being received from David Livingston and Douglas Peterson.

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

(Public Hearing closed at 8:36 p.m.)

Attorney Saarela provided a handout to the Planning Commission regarding the proposed resolution.

MOTION by Gronbach, supported by Chiara, in the matter of the PUD Plan submitted by AC Acquisitions, LLC, for the Maxfield Training Center, to move to postpone to a date uncertain to allow the applicant to address:

a. The comments of the City's planning consultant, OHM, in its letter dated April 6, 2017 particularly related to building height, density, parking, circulation, traffic and landscaping;

b., the comments of OHM with regard to engineering in the letter dated April 6, 2017; and

c., comments during the public hearing and by Commissioners regarding parking, building design and massing, façade, and location on the parcel.

Motion carried, all ayes.

Majoros commented to staff the importance of these items being on the City website and to have a consistent point of view developed by staff about the Vision Plan and Master Plan.

Chairperson Crutcher stated there will be a brief recess before the next item is heard.

(Recess taken at 8:35 p.m.)

(Meeting reconvened at 8:44 p.m.)

PUBLIC HEARING - 2018-2023 CAPITAL IMPROVEMENT PROGRAM

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

Majoros suggested and asked for staff's counsel on this that they had spent two hours for the hearing on the PUD and that this item is of equal importance and requested that consideration be given this item be adjourned to either the June meeting or until such time that would allow a dedicated session to focus on the document that took months to prepare to allow for equal scrutiny and discussion on same.

Director Christiansen responded that he would concur with Commissioner Majoros' statement.

MOTION by Majoros, supported by Waun, to adjourn the formal Public Hearing on the 2018/2023 Capital Improvement Program until such time that the topic could be addressed at a Planning Commission Meeting that would allow ample time to discuss the document.

Motion carried, all ayes.

Christiansen stated that the public would be duly notified of the rescheduled date of the Public Hearing on this matter.

PUBLIC COMMENT

None heard.

PLANNING COMMISSION COMMENTS

Chiara stated that he understood there were several pieces of the PUD that were not filled out for the Maxfield Training Center and asked for his input.

Christiansen responded that there were comments made and that he would defer to the City Attorney for her input and appreciated the comments made.

Attorney Saarela responded that this was just an attempt to allow the Applicant to hear what the major concerns of the community would be so he could address them and hopefully come back with a more updated plan that would be supported by the community.

Christiansen stated there was certainly no attempt to be made to bypass or usurp the process.

He also stated that Farmington has realized several PUD projects in the recent past in accordance with its long range plan, the Grand River/Halstead project was a PUD process which took quite a while until it was all complied with and everyone was satisfied in the City and Fresh Thyme also went through a PUD process and both of those redevelopments have a very detailed development agreement that that City Council is responsible for the final approval of the preliminary plan and the PUD agreement.

Also, Flanders was a PUD, and the use of that flexible zoning technique or tool is so that the City can enter into these agreements that spell out every aspect of any project in the City that it supports, moves forward and approves.

ADJOURNMENT

MOTION by Majoros, seconded by Chiara, to adjourn the meeting.
Motion carried, all ayes.

The meeting was adjourned at 8:53 p.m.

Respectfully submitted,

Secretary