

FARMINGTON PLANNING COMMISSION PROCEEDINGS
City Council Chambers 23600 Liberty Street
Farmington, Michigan
Monday, July 11, 2011

Chairperson Gronbach called the meeting to order at 7:03 p.m. in the Farmington City Council Chambers, 23600 Liberty Street, Farmington, Michigan.

ROLL CALL

Present: Bowman, Crutcher (arrived 7:05), Gronbach, Scott, Sutton (left 7:05)
Absent: Christiansen

A quorum of the Commission was present.

CITY OFFICIALS PRESENT: City Manager Pastue, Building Inspector Koncsol.

OTHER OFFICIALS PRESENT: Sherrin Hood, LSL Planning, Inc.

APPROVAL OF ITEMS ON CONSENT AGENDA

- Planning Commission Meeting Minutes of June 13, 2011.

MOTION by Sutton, seconded by Bowman, to approve the agenda.
Motion carried, all ayes.

APPROVAL OF AGENDA

Recommendation was made to move item 5 to next meeting.

MOTION by Sutton, seconded by Scott, to approve the agenda as amended.
Motion carried, all ayes.

Special Land Use Application - the Church in Wixom, 23611 Liberty Street

Chairperson Gronbach suggested the applicant give brief summary or review of the proposal.

Jordan Schermerhorn spoke on behalf of the applicant. He indicated they are a small church group, nonprofit registered with State of Michigan since 2004 and have remained relatively small as is projected growth, mainly focused on small groups and bible studies. Their meetings are primarily held on Tuesday evenings and Sunday mornings. He indicated Farmington seems to be more centralized to members. He stated they maintain an unobtrusive presence in Wixom and hope to continue same

presence in Farmington. The group has a good feeling about Farmington and thinks it would be a good match.

He indicated they have been in communication with adjacent property owners that share parking lot, that there is a parking issue. He indicated cross parking has been discussed, that they will be using facility at different hours than normal businesses.

Weddings and funerals are not an issue with applicant, that is not their primary purpose, and members have scheduled funerals at funeral home facilities rather than in building.

The applicant would change name of organization if property was purchased with State of Michigan to Church of Farmington.

Chairperson Gronbach inquired if applicant prepared drawing of parking and asked him to explain depiction.

Applicant went over drawing and explained that based on current building code that total max floor plan there would be 40 allowable occupants for same, so 20 parking spaces would be needed to maximize 400 sq foot space.

Future renovation that might be considered would give them 700 sq feet and would bring maximum occupancy to 97. Under such circumstance one women's and one men's bathroom would be needed and a total of 48 parking spaces, nine on property, 35 on lot total and public parking across street with 27 in library lot alone and other public parking readily available nearby.

MOTION by Bowman, seconded by Crutcher to open public hearing.

Motion carried, all ayes.

PUBLIC HEARING OPENED

Marsha Baywell, 33620 State Street, indicated she had a letter from Earl and Johanna Thomas who are out of town and read same which indicated concerns for parking and loss of revenue for city.

Inquiry was also made by Baywell as to 35 spaces being on entire parking lot which would include nine for building itself. She also asked for average number of members attending and Schermerhorn responded 12 to 25. She also asked if other activities were conducted at church and Schermerhorn responded that Tuesday prayer meetings ran from 7:30 to 9:00, all are welcomed to attend. Sunday morning runs from 10:00 to about 12:30. Semi-annually there may be gatherings on Friday or Saturday evenings. She also inquired if any changes were expected to be done and applicant responded not planning on any except for general maintenance and landscaping.

Chairperson Gronbach clarified that applicant is not adding site plan to change building, just use of existing one. He also indicated that Planning Commission is not appropriate body to address loss of revenue.

Pastue stated there would be a relatively small loss of property tax value in relationship to entire value of City and since it's within DDA district, they would incur direct loss, so none directly to rest of the City residents.

Susan Lightner, 33608 State Street, indicated that previous use was a quiet one, that her house backs up to parking lot and rear end of building, very little traffic was generated with prior tenant. She stated concerns about proposed use including parking, that people park in front of her house to use library every day, well into evening when library closes. Car door slamming raises an issue on Sunday mornings and Tuesday evenings.

She further stated concerns that once organization purchases their own building, other possible usages may arise and she would hesitate to approve this because once approved, changes can not be made to the approval and residents have no recourse.

She also addressed AT & T shed and maintenance of fence around same. She reiterated if approval goes through, she is concerned about controlling future usage of building, population, activities, and the like.

Chuck Frost, 23360 Cass, owns property directly behind applicant's property. He asked applicant if organization is registered with IRS as 501(c) certificate and Schermerhorn responded in the affirmative. He requested certificate be supplied.

He further inquired of applicant if they would consider exclusion of overnight usage in their variance and Schermerhorn indicated that would not be a problem if it was mandated.

Frost asked for clarification if there is formal agreement and applicant responded they have pursued it to the level that they felt comfortable with until they get the green light, but no formal agreement has been reached as of yet.

Frost also indicated that during power outages there is usually a trailer sized generator that must access that AT & T shed and if applicant had objection to that which he indicated no.

Bob Rock, 33922 Oakland, is general partner and owner of Liberty Building and owner of Thayer Rock Funeral Home. He indicated parking is always an issue downtown and if some form of agreement can be reached with Credit Union that would work out a lot of parking needs. He did express concern with revenue loss but welcomed applicant to community if it is Council's position to allow it.

Pastue indicated that a letter from received from the Chiropractic Federal Credit Union which read "The Chiropractic Federal Credit Union located at 23617 Liberty Street, Farmington, Michigan 48335, has received notice of the public hearing set for today at 7:00 p.m. Our only concern is with the parking."

Pastue said they echoed the same concerns with shared parking arrangement and details as it relates to liability, snow clearing and the like.

MOTION by Scott, seconded by Crutcher to close the public hearing.

Motion carried, all ayes.

PUBLIC HEARING CLOSED

Chairperson Gronbach inquired if Administration has had a chance to review plan, the proposed drawing of the site, and the parking calculations and are they correct.

Hood responded that there was an error in her review. That she understood the two phases in the occupancy and the two phases shown on site plan were separate and not cumulative. So her total occupancy would now reflect 97 as total occupancy and parking requirements would require 49 parking spaces according to code. She also stated that if presented with floor plan that could be approved with application that would limit to a lesser occupancy, then lesser parking requirements could be required.

Hood then went over her report for the special land use and site plan review and that there is a set of standards in zoning ordinance that speak to compatibility of use with surrounding properties and they also look at physical site itself.

She stated they were comfortable with proposed use to be conducted in that location, they're not going to generate a lot of noise or activities that wouldn't be ordinary for that sort of location in city. The only concern is compatibility with respect to parking, that there is no documented agreement between applicant and Credit Union site and if Planning Commission is inclined to approve the use, that a condition of approval is that those agreements and liability and insurance are secured before occupancy.

She also indicated she would like to see verified the actual status of shared driveway, which can usually be obtained through title and that could be condition of approval.

She stated that applicant could provide a drawing showing which parking spaces would be utilized in municipal lots and direct congregation to use the same. With 62 spaces available for their use and their nine and the Credit union, the 49 required could be met.

The lighting and landscaping seemed to be acceptable. No waste receptacle was seen on property so it was assumed that curb side pick-up would be utilized.

She stated she would like to see a little more information on site plan itself, dimensions, size of building, size of lot, any signage and where it would be located.

In summary Hood indicated list of items that need to be submitted:

- Shared access and parking agreements with Credit Union, that shows not only approval of access but also shared parking and access.

- A floor plan be submitted regarding layout of the assembly areas (if parking requirements are requested to be lessened)
- A parking and operations plan be submitted that includes hours of operation of Credit Union and the church, and drawing of where other parking areas would be.
- A revised site plan that shows minimal dimensional requirements asked for on all site plans.

Hood further stated that Planning Commission has ability to impose reasonable conditions on request such as:

- Limit Hours of Operation
- Limit Use or Activity
- Limit Building Occupancy

Chairperson Gronbach entertained questions and comments from Commission.

Bowman stated that she liked what applicant was saying about wanting to bring people into the community. As far as loss of revenue, the building has been unoccupied for two years; doesn't see a problem with hours affecting adjacent building, and that parking appears to be adequate.

Crutcher expressed concern with membership growth and Applicant indicated they would be limited by total occupancy and if growth did occur, congregation could be split.

Scott indicated he had a few concerns. He cited that total square footage of building is not being put into parking calculation as to future uses.

The applicant responded that by code, church is calculated by minimum based on assembly space.

Koncsol indicated that there could be a breaking out of particular uses at certain times, and assign a particular square footage for that particular use.

Further discussion was held.

Scott indicated he would like to see verification of occupancy and parking clarified.

Chairperson Gronbach inquired if driveway as/is on credit union has adequate width for use as driveway and if there is an easement in place and Pastue expressed uncertainty.

Further discussion was held whether there is an easement in place.

Pastue stated it would help if a parking agreement was pursued.

Gronbach clarified that a shared driveway should be part of any agreement made for parking.

Scott addressed handicap access.

MOTION by Scott, seconded by Bowman, to move to approve the special land use application for Church of Wixom, 23611 Liberty; with the documentation to be provided to staff as outlined in LSL Planning review dated July 7th, indicating the shared access parking agreement, a floor plan showing the layouts, the parking and operations plan and a revised site plan indicating the additional information requested. In addition, a condition of the approval that overnight usage would not be continuous, not to exceed 48 hours, that occupancy be limited to 96 persons as stated in their submission.

Chairperson Gronbach entertained questions or comments on motion.

Pastue indicated that from a staff standpoint, parking and operations should be discussed with Credit Union, therefore being a limiting factor in terms of times of operation in occupying or utilizing building.

Applicant stated that the 48 hours delineation in motion was somewhat limiting, that perhaps it should be stated for three days or within a week's time.

Gronbach inquired if activities like that exist now and applicant stated there may be a retreat weekend that would require overnight weekend usage.

Further discussion was held.

Chairperson Gronbach asked administration if they were comfortable with the motion and the provisions contained therein and Pastue responded that he feels adequate information was given to applicant as to what requirements are to be met and it can come back before Planning Commission for ratification.

MOTION amended by Scott, seconded by Bowman, to have it come back for ratification and acceptance of all final plans that meet the specifications as outlined.
Motion carried, all ayes.

iZone Presentation - Sherrin Hood, LSL Planning

A hand-out was provided to the Commission and Hood gave an audio visual presentation of i-Zone and its uses.

PUBLIC COMMENT

None heard.

COMMISSION COMMENTS AND ANNOUNCEMENTS

None heard.

ADJOURNMENT

MOTION by Crutcher, seconded by Bowman, to adjourn the meeting.
Motion carried, all ayes.

The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Recording Secretary