

FARMINGTON PLANNING COMMISSION PROCEEDINGS
City Council Chambers, 23600 Liberty Street
Farmington, Michigan
August 13, 2018

Chairperson Crutcher called the Meeting to order at 7:00 p.m. at City Council Chambers, 23600 Liberty Street, Farmington, Michigan, on Monday, August 13, 2018.

ROLL CALL

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

A quorum of the Commission was present.

OTHER OFFICIALS PRESENT: Director Christiansen, Recording Secretary Murphy

APPROVAL OF AGENDA

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

APPROVAL OF ITEMS ON CONSENT AGENDA

A. July 9, 2018 Minutes

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

**PUBLIC HEARING AND CONCEPTUAL/PRELIMINARY PUD SITE PLAN REVIEW -
SAMURAI STEAKHOUSE RESTAURANT, 32905 GRAND RIVER AVENUE**

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

Christiansen stated this evening is the scheduled Public Hearing and Conceptual/Preliminary PUD, Planned Unit Development Plan Review with the Planning Commission on the proposed PUD, Planned Unit Development Plan, for the redevelopment of the former Ginger's Café site. At the June 11, 2018 Planning Commission Meeting, the Commission held a preapplication conference, a discussion and review with the Applicant on a proposed PUD concept plan. At the July 9th, 2018 meeting, the Planning Commission scheduled the required PUD Public Hearing for this evening as requested. A copy of the Public Hearing Notice is attached with your staff packet.

The Applicant has submitted a preliminary, PUD plan for the redevelopment of the former Ginger's Café site. The preliminary plan includes a conceptual preliminary site plan,

preliminary proposed floor plans, and preliminary proposed building elevations. Also attached is an aerial photo of the site and a copy of the June 11, 2018 Planning Commission preapplication conference staff report and meeting minutes. The following additional information is attached: a PUD site plan, conceptual design review letter from OHM Advisors dated August 6, 2018, and a PUD site plan engineering design review letter from OHM Advisors also dated August 6, 2018.

The Applicant and his representative are here this evening to present the preliminary PUD plan to the Commission.

Chairperson Crutcher thanked Christiansen and asked if the Applicant was present.

Sal D'Aleo, from D'Anna Associates, the architects for the project, came to the podium. He stated as the site plan shows they want to bring a Samurai Steakhouse to Farmington. As everyone should be aware, they are proceeding with the existing building which is the Grand Café Building which is being retrofitted currently to house a sushi bar, and with the idea of creating a second structure to house the second half of their business which would be the hibachi restaurant. In all, these two buildings would essentially continue that urban feel of the street front.

The idea is to take the adjacent site and combine it, creating one development, utilizing the existing Ginger's Café Building and adding a new structure would be a total of four stories, the first floor would be the hibachi restaurant and three stories above that would be apartments.

The in between space would be a patio space, to bring outdoor life to the streetscape and also provide connectivity to the rear parking lot, a pedestrian friendly façade.

Architecturally, the same kind of architecture will continue, obviously the same façade of the Grand Café Building, again, great visual continuity and reinforce that kind of urban edge.

So the plan as designed has some deficiencies, mainly parking, that is the biggest deficiency. There is a breakdown of the intent of parking spots. Seventy spaces are required, and they are providing thirty-nine onsite and they're asking for approval of utilization of the street parking to get the number required. If you look on the aerial of the site plan, from Groves Street to Mayfield, they are picking up a total of thirty-one parking spaces on street and that would satisfy the parking requirement for seventy.

There are some other deficiencies that they are again asking for approval for, mainly the parking, but they are also maximizing use of the site outside of the zoning standards to make the project viable and also to create the urban edge that the City is looking for.

There is a parallel plan that shows basically this development would look like if they were forced to adhere to the current zoning standards, a very undesirable development, a building that really has no frontage, doesn't meet the frontage requirement for the zoning to begin with just to accommodate the parking that it needs.

Lastly, they are certainly open-minded to utilization of adjacent properties, again agreements would need to be put in place. But there is on the aerial overlay, several areas of shared parking that they'd like to identify, one at the rear at the apartment development directly behind the site where they deem it a good potential for residents of the building to actually park there so it would be compatible use in terms of parking with a shared access to that because that is basically a piece of the property not being developed so they would essentially be using their property but using access off of Orchard Court to access that, so again that would be residential parking. And then a crosswalk at the front of the building to connect to what seems like an underutilized parking lot across Grand River at the shopping center.

So those are potential alternatives but that is the product in a nutshell and he stated he'd be open to answer any questions. He stated he did not receive the review letters that were put out, so he can't address any specific concerns in those letters but would be welcome to answer any questions.

Chairperson Crutcher opened the floor to questions from the Commissioners.

Chiara asked if the parallel plan was in their packets and Christiansen responded it is one the screen and he further inquired if it was a preliminary site plan and Christiansen responded through the Chair that what the Planning Commission is reviewing tonight is a conceptual preliminary PUD site plan, that's in the packet, and what is up on the screen currently is what is referred to by the Applicant's architect, is the parallel plan, alternative plan as he's calling it, with parking.

Chiara then asked where the number of seventy parking spaces were needed and D'Aleo responded it is from the Zoning Ordinance based on use, the tabulation for restaurant use as well as apartment dwelling use. So basically they're looking at a dedicated space per dwelling unit. This is cumulative parking for both buildings, both the existing one, and there's three apartments above that that they are including dedicated parking for those dwelling units. It's basically apartment parking and the rest of it is based on restaurant use, I think it's one per three seats.

Chiara then asked Christiansen if that is something in their Code, one for three seats. Christiansen responded through the Chair is to allow for the City's Engineering and Planning consultants to provide their reviews and some of these questions may be answered by them in their review letters.

Chairperson Crutcher called the consultants to the podium.

Matt Parks, OHM Advisors, came to the podium to speak on the engineering report and that Marguerite Novak is present to give the summary of their planning review.

He stated in the Commissioners packets they should have a letter dated August 6th, 2018, a three-page letter. He stated the Applicant did a good job of summarizing the site as a whole. He stated their review was primarily focused on the PUD plan as it was presented, although they do acknowledge the alternative was submitted to them as well, they spent the majority of time and their comments on based on the PUD plan as submitted.

Starting on page 2 he indicated they have all of their preliminary review PUD site plan concepts, there are quite a few but he would like to note none of them are earth shattering, show stopping type comments, he thinks they are all things that can be worked with and worked on with the Applicant, their engineer and architect.

In general, he stated at this stage they are looking from an engineering standpoint how the site fits, how it circulates, how the parking fits in and how the utilities work and then also they look at adjacent properties on Grand River. At this stage they are not looking for detailed grading, per se, but a basic preliminary grading sheet. There are some elevation changes between the property and the property to the south, the property to the west and east, so they are looking for a little more information there, but these are things that can be dealt with later on should this be moved forward.

He indicated they are also looking for a little bit of clarification from the Applicant in general on the removal plan and what is going to be preserved of the existing parking lot of the Samurai Steakhouse and what's their today that is going to be removed. He stated it's pretty obvious when you go out there and look at the site and look at the drawings on what's coming out, but they are looking for a little more clarification on the drawings to make that more clear.

The third comment they had is just the Applicant has a very nice and it shows very well in the architectural drawings, there is a walk-thru proposed between the buildings, they are showing onsite dining and through there so they are asking for clarification on whether that is going to be strictly outside dining between the two buildings with the Pergola type thing they are showing on the drawings or if it is meant to be kind of a walk-thru and that

they would stress if it is going to be a designated walkway in between Grand River from the parking lot, that to make sure it is ADA compliant so it's accessible and some notes on the plan would help clarify what the intention is there.

The fourth comment is one of the bigger ones in the letter, it is something that the consultants can help work the Applicant on, which is parking spots and offsite parking spots to help supplement the onsite parking spots. There is a number of newly painted parking spots on Grand River, and Parks asked that those be preserved, and they agree they should be counted and utilized as far as their parking counts go. He indicated they noticed that some of the markings on the plans weren't necessarily how it exists today and if they intend on moving them they need to coordinate that with OHM as they were put in place and that any changes and anything out on the Grand River right-of-way has to be permitted and approved by MDOT.

He went on to say the potential crosswalk that is shown, that they support that and applaud the Applicant for doing that, he stated it adds to the connectivity of this site to the rest of the downtown, sidewalks on the north side of Grand River as well as the south side and it helps promote access to other available parking within the vicinity that may be convenient for users to use.

One thing they would recommend is seeing that it is proposed midblock, that potentially a rapid flashing beacon could be installed there, and it would need to be permitted by MDOT but that could potentially be a public benefit to the site and for the safety of the pedestrians as well as help traffic in that area.

He stated a number of other very minor comments follow, some turning templates just to show vehicle navigation in and out of the site to make sure everything is wide. Looking at it and measuring it out from what he reviewed it doesn't look like there are any problems, but they like to see those printed on the plan sheet just so it's obvious and shows usually the largest delivery vehicle is what they're looking for, any kind of food delivery service, food trucks or trash collection vehicles would be acceptable.

One of the unique things he did notice was they do have some possible parking shown on the very south side, that they would actually have to access through the apartments to park there and maybe those are meant for the tenants living upstairs, he stated he has no objection as long as the apartments would be agreeable to it and an ingress and egress agreement would be required if those are to be constructed as proposed.

Minor comments about storm water were made, drainage, something very simple to deal with later, and some preliminary storm water calculations. It's typical at this stage not to

have full blown storm water calculations but something very preliminary needs to be shown.

He stated that existing utilities be shown on the plans, some clarification on separation between lots, on existing fences that should be improved along the south side of the property and just general dimensions of parking spaces and labeling, all minor things.

He indicated included in his letter was a list of potential permits and approvals, probably the most major one is the Michigan Department of Transportation, which basically is anything in the Grand River right-of-way. Then a final PUD Agreement is something that the City would enter into with the Applicant, soil erosion permit, and any kind of building department permit.

In general, he stated 99 percent of the comments made in his letter are minor ones that they like to point out now to the Applicant so they can be made aware now versus later.

Parks then stated he'd be happy to answer any questions in his report now or after the planning letter is reviewed.

Chairperson Crutcher opened the floor to questions from the Commissioners.

Majoros recommended that they hear the planning review letter and then questions.

Marguerite Novak, OHM planner, came to the podium to address the planning review letter.

She stated her letter addresses compliance with the Zoning Ordinance, Master Plan, Downtown Area Plan and Downtown Master Plan and Downtown Parking Study.

She indicated she would start by giving a background on the site and then a summary of their comments on the matrix of fulfillment of Land Use Requirements. She stated it then lists items that need to be addressed according to the Zoning Ordinance and discusses compliance items.

In terms of zoning, the PUD designation and underlying Zoning District, that being Central Business District, it generally meets requirements with the exception of a few discrepancies in light of keeping pedestrian oriented designs, building designs, and then parking.

Starting with pedestrian orientation, she stated they would echo the engineering letter and defer to them on safety standards for this crosswalk and talked about how the

proposed design supports pedestrian activity to adjacent properties, but more information is needed on the proposed crosswalk to ensure safety and usability.

In terms of setbacks, the site setback is currently less than what is required under the Central Business District zoning but is compatible with adjacent development and that there is flexibility in the PUD process on setback requirements and especially in light of current existing development on adjacent properties.

She indicated the proposed landscaping abutting the residential zone does fall short of meeting the zoning requirements. There are also no street trees proposed on this plan and that is something that may be required by the Planning Commission.

Parking is one of the larger items here, while this does fall short of the numerical standards of the zoning ordinance, reciprocal parking agreements and other offsite parking options would really allow for a reduced parking ratio for this site.

She discussed the signage, that the entrance should be pushed back rather than pulled out on the street front.

In terms of planning, the land use of this site does directly comply on the Future Land Use Designation set forth in the City Master Plan and the 2016 Downtown Master Plan calls for an increase in pedestrian crossings along Grand River, so that it's important to note this plan does have potential crosswalks as called out in the Downtown Master Plan.

Another note on these plans is that the Downtown Parking Study identifies the parking area to the north of the project site as underutilized and again, this is where the proposed design shows a potential crosswalk to the lot that the Downtown Parking Study on page 4 currently calls out as the Village Commons Parking Area as underutilized.

In conclusion, she stated she wanted to reiterate the recognizable benefit, and that the items in her letter she would defer to the Planning Commission on determination of those items and the letter is just intending to facilitate Planning Commission discussion and the developer is encouraged to work with the City to make any changes.

Chairperson Crutcher thanked Ms. Novak for her review. He then opened the floor for questions from the Commissioners.

Majoros stated his questions are probably best addressed to the Applicant, and indicated that the last time they saw the plans for this project it was a two-story building with three apartments or four, and today it's a four-story with fifteen and asked for an explanation in

the change of the fundamentals of the building, is it economically driven, is it that there is a need to develop more apartment units, seeing as it's a pretty big change.

D'Aleo responded it is an economic move, the idea is to maximize the potential for the site.

Majoros asked if there was an anticipated rental charge for the units established yet and cited the Maxfield Training Center in his question and asked for the size of the units and rental rates.

D'Aleo responded they would charge approximately \$1,000 monthly.

Chairperson Crutcher confirmed that these are market rate apartments and not subsidized and D'Aleo responded in the affirmative.

Majoros then asked for an update on the barn.

Michael Kelmsey, owner, came to the podium to respond to the question. He stated they are working with the Pioneer Preservation Society and has a representative present at the meeting tonight to answer any questions. He indicated they had hired a contractor to start the barn and had given him a large sum of money to start and that they walked with his money and that matter is presently in litigation. He went on to say they reached out to Dave Decker, who has assisted them, from Pioneer Preservation Society, to get that barn moved over there. Money and time does play a factor in this as they weren't expecting the expense and they had to come up with another \$20,000 to get this barn moved and that is where they are at. They were supposed to begin today but the construction company that was hired by Pioneer is delayed in starting.

Majoros stated that they should have Plan B in place and Kelmsey replied that initially they had no intention of preserving the barn but thought it would be a good faith effort to the City when they were approached about it. Kelmsey then asked if the Pioneer representative could come to the podium to give the update.

Dave Decker, board member at Oakland County Pioneer Historical Society, came to the podium and stated that they have contracted with a barn preservation company to relocate the barn and that starts next Monday and they hope to have it done by the Friday following and stated he was assured it would be off the site by August 31st as long as weather permits. He indicated it would be taken down in sections, trucked to Pontiac, and stored there and that next year they will re-erect the barn.

Majoros stated there has been a good deal of discussion and asked Kelmsey to describe the outreach he's made to adjacent potential parking locations and what the discussion and outcomes have been.

Kelmsey stated over the past three months they've had meetings with every surrounding parking lot or building owner. Starting to the east, Mother Mary's Toffee, they offered to purchase their building but couldn't come to a set price. He indicated they stated where they would be willing to sign something that would allow them to use his parking lot, given that their hours are a little different and that they could use their parking lot as well, so that is one reciprocal that may be in place. He stated they attempted to buy that building and tear it down to accommodate the parking requirement but that their numbers were too far off.

Kelmsey went on to state that Farmington West, to the south, that they had met with one of the principals two months ago, asking to extend their parking lot pretty much connecting to theirs, and there was a rendering of it, that would provide another eight spots, and that they've reached out to her and said they would take care of the wall in exchange. The new owners of Ace Hardware complex, the Hurleys, that they approached them about a pass-thru between the two parking lots and unfortunately at this time he doesn't want to do that as he is looking to do something vertical with his building.

The shopping center across the street, Kelmsey stated he had reached out to one of the owners and he couldn't give a definitive answer as he had a lead anchor coming in, a bar, and he didn't know how many parking spaces that establishment would require.

Majoros asked if there was a set strategy in place for employee parking versus resident parking versus patron parking.

Kelmsey stated they were going to rely on their engineer for the answer to that. He said on the south side of the Ace Hardware building there is a large parking lot and that that was a possibility they were going to pursue as far as employee parking back there as there is a pathway behind that building that leads to their parking lot.

Chairperson Crutcher asked if there were any more questions from the Commissioners, hearing none, he called for a motion to open the Public Hearing.

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

(Public Hearing opened at 7:35 p.m.)

PUBLIC HEARING

Bob Steinhaus, a founding member of the Grand River Cruisers Car Club, which is held at the Village Commons Shopping Center for the past decade, spoke of his concerns with restaurant parking interfering with their event.

Mike Liades, managing agent for Farmington Village Commons, asked the Petitioner to look into putting parking under the building to remedy the parking situation and not impose on surrounding neighbors.

Dave Decker, Oakland County Pioneer and Historical Society, returned to the podium to reply to any questions from the Commissioners.

Chris Halas, 33660 Hillcrest, spoke about the current trend in people using ride sharing services and that that should be kept in mind when anticipating parking counts. He then indicated that he was provided with data from the Director of Public Safety, stating that there was a 34.5 percent decrease in DUI arrests in Farmington, since the popularity of ride sharing services has increased.

Hearing no further public comments Crutcher called for a motion to close the Public Hearing.

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

(Public Hearing closed at 7:52 p.m.)

Chairperson Crutcher asked if there were any further comments from the Commissioners.

Majoros asked Christiansen if there was any action required from the Planning Commission this evening.

Christiansen responded that the requested action of the Planning Commission this evening is in considering the conceptual preliminary plan and acting on the conceptual preliminary PUD plan as requested by the Applicant and forwarding the action to the City Council for their consideration and then a draft PUD Agreement and then the final step is that it comes back before the Planning Commission for the final PUD site plan. He stated this is Step 3 of the five step PUD process.

Kmetzo inquired if the developers had a chance to review the letters provided by OHM and Christiansen responded through the Chair that the architect stated he had not seen them but that his firm was copied on them and sent on August 6th, 2018, as well. He went on to say they had spoken in detail with the Applicant/Petitioners on all of the items in the review letters.

Kmetzo then asked if based on those discussions, if all of the issues could be addressed in the letters and Christiansen responded in the affirmative and stated there are several places in the Ordinances that deal with parking and parking requirements, etc., and in looking at the parking regulations themselves they talk about parking onsite, and possible parking offsite. And in the City Parking Regulations, Article XIV, General Code of Ordinances, is that where parking cannot be provided completely onsite to meet numerical requirements, that if there is convenient parking, municipal parking, on street parking adjacent to and in proximity, that that is allowed to be counted and that's is what is being done here in this case to offset some of the parking spaces not on site and also municipal lots are allowed to be counted and there are a lot of municipal lots in the downtown area.

Another provision in the Ordinance, and this is in the Central Business District's regulations, is that where there are opportunities to use offsite parking, that it is encouraged in the Central Business District and there is specific language to that. So that review has been done with the Applicants, with the City and their consultants as well looking at alternatives.

The initial interest of the Petitioner, was to see if there was opportunity to create some connectivity with the adjacent properties to them and that they have exhausted those alternatives and to date they have not been successful.

Kmetzo then said that was where her question was leading, but asked if the other issues had been discussed equally as well, such as pedestrian oriented design, setbacks, landscaping and Christiansen responded that yes, after referral from the Planning Commission to Council, the draft PUD Agreement will specify the detail elements that are required and then the final site plan will come back to the Planning Commission who will look at all the items in the final site plan for final approval.

Majoros asked Christiansen for an answer on the realities of if the City, if at all, has to get involved in parking disputes. That if a formal agreement is not in place between the Petitioner and whoever owns adjacent property, what is the City's role in refereeing a potential dispute.

Christiansen replied that the City does not get engaged with parking enforcement dealing with private properties, so if there is something that is of issue with a particular property on a private property then that rests with that property owner and that situation, whatever it is or isn't. The City has responsibility over its public parking spaces which include parking in municipal lots which are within the area and also the off-street parking that's available so that is the extent of the City's responsibility and its role.

Chiara stated there is a property owner that doesn't want anyone to park in his lot and put up a sign which you will find in some places near the Mexican restaurant that the car may be towed.

Christiansen then stated he would like to finish with Commissioner Majoros' comments by saying that one of the scenarios in a thriving downtown is the situation where the sharing of infrastructure is a necessity and it's desired and that means you have interests, you have demands, you have desire in your community, in your downtown and that situation exists in Farmington where it is a very desirable community, a very desirable downtown and the dynamic is very unique. And a thriving downtown requires them to look at all these items, parking, and other infrastructure, sewer, roads, sidewalks, connectivity and that they do that on a daily basis in their planning efforts and a review like this. Some would say it's a challenge, but it's a good challenge to have because it requires them to work together and that's one of the goals they try to do. If it can't be done directly they'll look to other alternatives, our ordinances and plans provided in that.

Kmetzo asked as a follow-up to the issue of the Car Club that occurs every Monday, if there can be a little more structure that the City can put on events like this.

Chairperson Crutcher replied that the representative of the Car Club indicated there is a structure, but as far as the start and end date and times are flexible.

Christiansen responded that that event, that activity is a very unique event in the community and certainly one that the City enjoys having in the community but that it is a private event on private property, but certainly anything related to it that might require some community involvement, the City is always willing to have discussion about or try to help, whether it's Public Safety coordination or other issues.

Chairperson Crutcher called for a motion and asked Christiansen what language should be included in the motion

Christiansen responded that the action is to act on the Conceptual Preliminary Plan for Samurai Steakhouse as presented and he suggested that the review letters by OHM, planning and engineering, be included in the action and considered as conditions.

MOTION by Majoros, supported by Chiara, to approve and forward on to the City Council, the Preliminary/Conceptual PUD, Planned Unit Development Plan for Samurai Steakhouse, 32905 Grand River Avenue, contingent on and accompanying that with the two OHM Advisor letters for engineering and planning conceptual review, both dated August 6, 2018.

Gronbach asked to consider a Friendly Amendment to the motion, that with that motion that the Petitioner prepare a more detailed specific plan for parking so that the Commission would know where the assigned parking for the number of apartments will be located and would be on the site and come back with a schedule of however many parking places, including the public parking and so on is available and so that the Commission can determine if it meets the Code and know that there would be adequate parking provided for the apartment dwellers.

Majoros accepted the Friendly Amendment to his motion.
MOTION carried, all eyes.

PUBLIC COMMENT

Pamela Carney, 32718 Grand River, B23, Farmington, who lives in the River Glen condos spoke about the changes she has seen happen in the City since she moved in eighteen years ago and inquired if there had been market research done with the various businesses that have come in and out of the areas along Grand River and the volatility of those businesses.

Perrot responded to the statement by Carney relating to the immediate downtown area being solid and that it touches on a couple of different plans that the City has, the Master Plan and getting the Master Plan updated, and part of that is strengthening and extending the downtown to the east and other ways and that is a big part of it. The City is going to do whatever they can to strengthen that area which will then bring in the private investors which will enhance it even more, and that as a Commission they feel this is a project they feel will succeed and extend the success area.

Kelmsey responded by saying that his partner has a restaurant in West Bloomfield, a Samurai Steakhouse, for over a decade that is really successful and that they are ready for the challenges that come with this project and did do some research before they bought both parcels, that the apartments and condos surrounding were at 100% occupancy which is good. He also spoke about other sushi restaurants that had been or were in existence and they would like to keep theirs in the downtown as well as the steakhouse and that they are very confident about that area.

PLANNING COMMISSION COMMENTS

None heard.

ADJOURNMENT

MOTION by Chiara, supported by Perrot, to adjourn the meeting.
Motion carried, all ayes.

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Secretary