

FARMINGTON PLANNING COMMISSION PROCEEDINGS
City Council Chambers 23600 Liberty Street
Farmington, Michigan
Monday, June 13, 2011

Chairperson Gronbach called the meeting to order at 7:00 p.m. in the Farmington City Council Chambers, 23600 Liberty Street, Farmington, Michigan.

ROLL CALL

Present: Bowman, Crutcher (arrived 7:10), Gronbach, Scott, Sutton, Wiggins
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 May 9, 2011.

MOTION by Scott, seconded by Bowman, to approve the agenda with the amendment "Motion by Sutton, seconded by Wiggins" on the first page.
Motion carried, all ayes.

APPROVAL OF AGENDA

MOTION by Sutton, seconded by Wiggins, to approve the agenda as submitted.
Motion carried, all ayes.

Consideration to Amend Landscape Plan - Antonio's, 22804 Orchard Lake Road

Pastue stated that since the fall of 2010, the City's Code Enforcement official, John Koncsol, has been involved with a compliance matter regarding the landscaping of the above address. The new owner of the business removed much of the landscaping that was approved by the Planning Commission in May 2003 (see attached plan) without bringing it to Koncsol's attention, thus resulting in a violation of the landscape plan that was heard by a magistrate at the 47th District Court in November of 2010 whereby property owner was found responsible and ordered to replace the removed landscaping by April of 2011. He further stated the center landscaping has been replaced, however the property owner did not replace the Honey Locust Tree and new concrete was poured to make the approach wider.

The property owners are now requesting permission by Planning Commission to consider amending the landscaping plan that removed the tree and allowing for the wider driveway approach.

Pastue cited the three alternatives to plan as follows:

1. Maintain Existing Landscaping Plan - This would require removal of the concrete and planting of a new tree.
2. Granting Property Owner's Request - This would allow landscaping of site to remain in current condition.
3. Plant a Tree in the Center Landscape Area.

In summary, Pastue stated applicant is requesting an amendment to the landscaping plan for primarily the south landscape area that previously had Honey Locust Tree on it.

Saad Yono, relative to owner, spoke on behalf of Antonio's. He indicated that they are asking permission to replace Locust Tree near the sign if possible, and they want to be an asset to City, not a liability.

Commissioner Gronbach clarified the request of applicant, to replace Locust Tree towards the south end of the landscaped area.

Yono stated tree was so close to entrance that it was deemed dangerous, an accident had occurred where the tree was actually hit, thereby asking permission to replace it but a few feet away from where it originally stood.

Pastue responded to inquiry by Gronbach if action needed to be taken due to permit not being taken out for removal of concrete, which a note would be made on the site plan of its removal and relocation of the Honey Locust Tree.

Koncsol indicated that applicant has been in contact with Oakland County Road Commission relative to the driveway and has stated that approval was granted from County to do hard surfacing in area.

Gronbach inquired if concrete was put in in accordance with specifications and Koncsol responded that it did not go through him but apparently County is aware and had inspected same before concrete was poured.

Gronbach entertained questions from Commissioners.

Scott inquired of Koncsol if copy of permit had been provided and he responded in the negative. He also expressed disappointment in condition of property when he went by earlier in the day.

The applicant explained that seeding was done of area and he did not want to cut it yet, until seeding took.

Scott indicated that plan called for sod and that mulch is there. He also expressed concern with condition of property as you are driving north on Orchard Lake, citing the amount of concrete to approach.

Yono indicated that Antonio's is only building with landscaping and Scott stated that other buildings were older and grandfathered in as to landscape requirements and that current condition of uncut area is not acceptable.

Gronbach stated that current condition is such that City would come in and mow and that there are also weeds around the shrubs that need to be cleaned up.

Applicant indicated same would be done next day.

Sutton stated that increased drive approach makes the sea of concrete even larger, took away from landscaping and detracted from appearance of building. She also indicated biggest problem are the rocks being used for mulch, white rocks and concrete, and idea is to break up area with greenery, and area of sign should be surrounded with sod and then mulch immediately around the Juniper bushes, more greenery.

Sutton also inquired as to where deliveries are made and applicant indicated that trucks with trailers can not get into alley behind store, therefore requiring front delivery.

Yono stated that rocks would be removed and replaced with sod and mulch and more greenery added.

Wiggins inquired as to reason City permit was not obtained before work was done and applicant responded that tree got hit and had to be removed, that he contacted Koncsol and Koncsol stated to him that Oakland County Road Commission needed to be contacted to do work and that Road Commission came out and approved same, but applicant did not realize the same had to go through City.

Koncsol responded to applicant's statement that mention of Oakland County's requirements were made but that it ultimately had to come before Planning Commission, thereby requiring intervention by Magistrate in 47th District Court to address issue.

Scott inquired if original landscaped area included irrigation and Koncsol responded in the affirmative but that requirement had not been met.

Sutton asked why tree could not be put back in original spot since driveway has been widened and applicant explained that driveway is still narrow and that he had been in contact with the County about the tree issue.

Pastue stated that County allowed City to approve site plan to consolidate points of entry into site, utilizing standards with regard to widths, etc., that basically it is a formality for them to review and issue permit.

Sutton inquired if site plan with tree located next to drive in the right of way is appropriate and Pastue responded in the affirmative. She expressed view that she would like to see tree along street, breaking up concrete, and creating consistency with property next door.

Yono stated that traffic is much more observable with tree being removed. He stated that they would like to compromise, they will do the sod and mulch, and add a tree in a different area.

Sutton stated she'd like to see original landscape plan enforced, but leave driveway curb cut as it in spite of lack of obtaining City permit.

Gronbach clarified that agreement included adding another tree but not original spot.

Sutton responded in the original spot.

Gronbach indicated that concrete would have to be removed to comply with that.

Further discussion was held concerning details of landscaping requirements.

Gronbach inquired of Administration if it would be acceptable to leave concrete where poured, add another tree on north side of the existing driveway to balance out with the other tree and to go back and revamp landscaping in compliance with original plan including irrigation and including organic mulch to replace stones, and Pastue responded in the affirmative.

MOTION by Sutton, seconded by Scott, to approve an amended landscape plan that would allow proponent to maintain the driveway as it is currently poured, and that the site plan be amended to reflect that in spite of the lack of permit; that the landscape be irrigated as on the original landscape plan; that the Honey Locust Tree that was damaged and removed be replaced to the north of the driveway approach in the right of way between the street and the sidewalk; that any mulch that is used would be organic mulch and that stone mulch would be removed; and that sod be placed in place of the attempts to grow grass and that City be provided with a copy of the driveway permit provided by Oakland County.

Motion carried, all ayes.

Introduction of Special Land Use Application and Consideration to Schedule Public Hearing

Applicant: The Church in Wixom

Location: 23611 Liberty Street (current zoning OS)
Zoning District: OS - Office Service

Pastue indicated that he met with representatives from The Church in Wixom regarding site across from Library in Office Service designated area, and that proposed use be for a church type of use. The purpose of agenda item is to introduce applicants and for consideration to schedule a public hearing for July meeting.

Jourdan Schermerhorn spoke on behalf of applicant indicating their interest in moving from Wixom to Farmington which is more centrally located to members. They have been in existence since 2004 and remain relatively small. He states property seems to be good fit for their usage since they are not a large congregation and don't want to purchase property if it wasn't zoned for usage they are proposing.

Commissioner Gronbach entertained questions from Planning Commission.

Scott inquired if applicant was bible study group or church and Schermerhorn responded church and are recognized by State of Michigan as non-profit church group. He further stated parking would be his biggest concern, citing letter stating 70 plus or minus.

Applicant responded that 70 number was of total possible occupants in relation to square footage of facility; that currently they have 30 members, property has 11 parking spaces which they will share with Chiropractic Federal Credit Union office, which is a Monday through Friday operation and church is one or two nights a week and Sunday operation. They have spoken to the property owners and they would be amenable to easement. He stated primarily they are planning to use property parking and adjacent parking prior to spilling into neighborhood. He is also asking for input as to what needs to be provided for public hearing.

Scott stated they would like to get a better feel for cooperation of credit union as far as easements. He inquired as to impact of weddings and funerals and applicant responded they don't do a lot of them, don't necessarily host them at their meeting place.

Further discussion was held on this subject.

Sutton inquired of plans if growth expanded past 70 members and applicant responded that they would probably split and utilize two facilities.

Discussion was held concerning proposed signage.

Sutton cited past Crossings attempt to locate in City and concerns that it brought.

Pastue stated the difference in property was the scale, as Crossings was a very large congregation and there was a very small parking area associated with same, and there was a strong reliance on municipal parking for that group.

Bowman stated she liked the fact that applicant wanted to be "an unobtrusive asset to the City", and that this is a nice opportunity to bring people into the City at night.

Pastue indicated that he failed to mention that before scheduling of public hearing, that LSL will give full reports and will be in contact with architects regarding site plan.

Crutcher inquired if reconfiguration of parking area is being considered and applicant responded in the negative.

Further discussion was held.

MOTION by Scott, seconded by Crutcher, to schedule a public hearing at the next Planning Commission Meeting, July 11, 2011 at 7:00 p.m., for the Special Land Use Application for the Church of Wixom at 23611 Liberty Street.
Motion carried, all ayes.

Commissioner Gronbach told applicant to be prepared to address parking situation more completely, to find out about easements, and Pastue indicated that he has asked Sherrin Hood to meet with them regarding same.

PUBLIC COMMENT

None heard.

COMMISSION COMMENTS AND ANNOUNCEMENTS

Pastue indicated that amendments to Chapter 23 were adopted by Council at their meeting on June 6, 2011, stated that Planning Commission will be going from nine members to seven and that the longstanding tradition of Mayor Pro Tem serving on Planning Commission comes to an end at tonight's meeting. A resolution was adopted at the recommendation of City Attorney restating everyone's existing terms.

Next month appointment of officials will take place, chairperson, secretary, vice-chair, etc.

Sherrin Hood of LSL Planning has been working on I-Zone, Interactive Zoning Code, making details easier to find about specific land uses and such.

ADJOURNMENT

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

The meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Recording Secretary