

FARMINGTON PLANNING COMMISSION PROCEEDINGS
23600 Liberty Street
Farmington, Michigan
February 13, 2023

Vice Chairperson Perrot called the meeting to order in Council Chambers, 23600 Liberty Street, Farmington, Michigan, at 7:00 p.m. on Monday, February 13, 2022.

ROLL CALL

Present: Crutcher, Kmetzo, Mantey, Perrot, Westendorf
Absent: Majoros, Waun
A quorum of the Commission was present.

OTHER OFFICIALS PRESENT: Director Kevin Christiansen; Recording Secretary Bonnie Murphy, Brian Golden, Director of Media Relations, Brian Belesky, Director of Media Specialist, Beth Saarela, City Attorney.

APPROVAL OF AGENDA

MOTION by Kmetzo, seconded by Westendorf, to approve the agenda.
Motion carried, all ayes.

APPROVAL OF ITEMS ON CONSENT AGENDA

A. January 9, 2023 Minutes

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

PUBLIC HEARING AND SPECIAL LAND USE SITE PLAN REVIEW – SHELL GAS STATION, 37375 GRAND RIVER

Vice Chairperson Perrot introduced this item and turned it over to Staff.

Director Christiansen stated there's a staff report and materials for this item. This item is a Public Hearing for Special Land Use, site plan review, for the Shell Gas Station at 37375 Grand River Avenue. The owner of the existing Shell Gas Station, Freedom Road Investment, LLC, is proposing changes, improvements and upgrades to the existing service station building and to the service station site. The project plans are to remove all structures on the existing service station site and to construct a new gas station facility. The proposed improvements include a new fuel canopy area with six fuel islands, a new 4,766 square foot masonry service station building, replacement of all existing pavement and reconfiguration of existing parking and loading areas, a new dumpster enclosure, site landscaping and replacement of the existing site retaining wall on both the east and south sides of the property are also proposed. New lighting and signage is included with this

and approval of the Planning Commission is required. The existing commercial property is zoned C-3, General Commercial, gas stations are a Special Land Use in the C-3 General Commercial District. Public Hearing and site plan approval are required. If you recall at the December 12, 2022 Planning Commission meeting, the Commission scheduled the required Public Hearing and the Special Land Use site plan review for Shell Gas Station for February 13th, this evening. A copy of the minutes of that meeting are attached with your staff packet.

The Applicant has submitted a Special Land Use application and site plan package as I indicated for the proposed changes and improvements. An aerial photo of the site is also attached with your packet. The following additional information is attached as well: Special Land Use site plan review letter from OHM Advisors dated 12-9-22 and an engineering review letter from OHM Advisors dated 12-9-22. The Applicant, Grand Convenience, Inc., Mr. Jack Knowles, is in attendance this evening to present the SLU application and site plan to the Commission.

The purpose this evening of this item is to review the submitted SLU application and submitted plans for Shell Gas Station. Director Christiansen went through the items as they appeared on the screen. He stated this is the subject property, the Shell Gas Station, located on Grand River, at the corner of Grand River and Freedom Road which is the road to the west. It is also bounded by just to the left of that you know that the M-5 bridge is there and the M-5 connector. To the north of this property is the City of Farmington Hills, this is the southeast corner. You see in this corner the existing site bounded in red, you see the existing gas station canopies up front along Grand River, you see the service station building in the middle of the site and you'll note to the south side of the site is the existing car wash. All these structures have been on this site and facility for quite a period of time. You might recall there was an upgrade to this site which was one of several since the initial construction back in 1968. The last improvement to the site was in 2015 and at that time there were interior changes to the existing building, some interior modifications, also exterior façade modifications to the building and there was some site improvements as well including landscaping and signage, again, that was in about 2015. The Petitioner as indicated in the application has indicated the removal of all of these structures and reconstruction of these facilities. So, a new building which will be located in the southeast corner of the site, so the car wash is to be removed and the new building is to be put in the southeast corner and the canopy area is about to be doubled. Again, other site improvements are shown on this submitted site plan. You'll note, too, that there is an existing wall that is around the site on the east and south sides, that's the retaining wall, I know you're familiar with that, based upon its life cycle period of existence and the existing condition that wall is going to be removed and be reconstructed in order to accommodate the retaining needs of the site. With that, Mr.

Chairman, I don't want to steal the thunder of the Petitioner who is here to present this this evening.

Vice Chairman Perrot thanked Christiansen for the review and called the Petitioner to the podium.

Jack Knowles, 3420 Woodlea Drive, Ann Arbor, 48013, representing Grand Convenience, as well as Freedom Road Investments, came to the podium. He stated Kevin has done his usual excellent job of summarizing the project and I understand that the Special Land Use is really the topic of the Public Hearing, I believe, so I'm going to concentrate on that to begin with and then we'll get into the site plan after that if that's okay.

Knowles stated for the Special Land Use there is five criteria in the ordinance that sort of outlines what needs to be met for the SLU. I provided a written statement relative to each of those, I will go through those, just for the record, but I'm pretty much going to be summarizing what I have submitted to you.

So, the first is the proposed Special Use shall be compatible with and in accordance with the general goals, objectives and policies of the City of Farmington Master Plan. So, this site is depicted on your Future Land Use Plan as Community Commercial. In the Master Plan narrative, it notes that this district is intended for medium to large scale uses adjacent to primary arterial roads. Well, this project site is not large, it's three-quarters of an acre. It is an existing use that serves a larger community, your travel area, and directly fronts to primary arterial roads. As the Master Plan and narrative states, the proposed building has been well-designed and has architectural character that we believe it has and we believe that the continuation of the current use as proposed with the significant site changes and improvements is compatible with the goal, objectives and policies of the Master Plan.

The second criteria is the SLU shall promote the intent of the Zoning District in which the use is proposed. The Zoning Ordinance states that the C-3, General Business District, is intended to accommodate commercial businesses that serve community wide shopping and service needs. It also notes that the C-3 District is intended to create commercial areas that take advantage of access provided by the City's transportation system. We believe that an automotive related business like a fuel station or service station and associated convenience store, fully fits within and promotes this intent.

The third criteria, the Special Land Use shall be compatible with the existing or intended character of the general vicinity and shall not change the essential character of the area of which it is proposed. The proposed land use is the same as it currently exists with the exception of the elimination of the drive-thru carwash. We believe that the proposed

improvements will continue to be in character with the general vicinity and the only changes will be positive and improve the character of the area with updated and approved structures and new and additional landscaping which will benefit the area as a whole.

The fourth criteria, the Special Land Use, shall be served amicably by public facilities and services such as traffic operations, police and fire protection, drainage structures, water and school facilities and schools. The property is currently developed and consists of an existing fuel area as a canopy, convenience store building, and a separate drive-thru car wash building. The site or the business is currently served by all the items noted within the question. The redevelopment of the site will not have any substantial impact upon traffic operations, police and fire protection and/or schools. The reason noted within the project narrative, adequate drainage structures exist and will continue to provide adequate service and the use is actually being reduced. The demand on the water and sewer utilities will also likely be reduced with the elimination of the car wash.

And the fifth and final criteria is the proposed Special Land Use shall not involve uses, activities, processes, materials, equipment or conditions of operation that in comparison to the uses permitted in the district will be detrimental to the natural environment, public health, safety or welfare. This is the redevelopment of an existing land use and business that has existed as approved by the City at this location for many years, I think it dates back to 1968, something in that range. The operational side of the business currently involves automotive fuels, motor fuels, is highly regulated by the State and the site and the business is current with all State standards. The site does not pose any issue or detrimental in any way to the health, safety and/or the welfare of the general public or the natural environment.

So, those are the criteria outlined for the Special Land Use, I'm curious whether we have any questions relative to those particular criteria statements or whether we should go to the site plan, Mr. Chairman.

Vice Chairman Perrot opened the floor for questions from the Commission. Hearing none, Knowles continued that Kevin gave an excellent summary of what is there and what is going to happen. We talked about this at the last meeting, I don't want to really reiterate too much of what was said at that time but I would like to address a few things that are in the reviews. So, the first being the comment about the driveways and we do have four access driveways to the site, two off of each road. We have to keep in mind this is a very small site, it's less than an acre, it's roughly three-quarters of an acre and when we start to eliminate access ways it can cause internal circulation issues. And so it's my strong opinion that if we begin to eliminate driveways we're going to have internal circulation issues. In addition, the only way we can get a fuel truck in to service the site is to come in the westerly GR driveway, you'll be coming from the west because the fuel depot is in

Novi, so they'd be coming from the west, going east, turn in that driveway, come along the west property line and that drive and offload into the tanks which are at the west side of the building then you'll exit out of Freedom on the south driveway on Freedom Road. We looked at this from every angle and that's the only one we can service the site with the trucks. So, I just think that I certainly understand the intent of the statement and it is not an uncommon situation with older stations, particularly older stations that are on very tight sites. So, that is the first thing I want to note.

On the signage, I had a discussion with Kevin and he pointed out the ordinances to me that require the elimination or the removal of the sign on the corner, it's a nonconforming sign, apparently it was supposed to be, it was grandfathered in for a while but that grandfather classification kind of went by the wayside, it was supposed to be removed by a certain date per the ordinance and it hasn't been so it will be. So, we'll be submitting a separate sign package to the City that will conform with the ordinance. That has not been done to date, but it will be and it will be in conformance with whatever the standards are, so I wanted to note that.

I had a discussion this evening with Mr. Duke who is in the audience and he developed the property next door where the office building is and I hadn't met him before this evening and he was asking me some questions before the meeting started because he has an interest in the appearance and the area in general. So, he asked me if we would be open to possibly create a little more green space along the north and the west edge between the parking and the sidewalk and whether we'd be open to installing low knee walls along in those areas to help buffer a little bit of what's going on inside just as an attractive measure to kind of spruce up the area and I said we have no objection to that, we'd be glad to do that if that meets with the City's approval also but I wanted to mention that.

I was a little mistaken at the last meeting in regard to the food operation that is going to happen in the building. It will be a chicken and pizza type operation, Siroki's I believe is the name of it, it's a basically they lease that out, it's a different operation and they will have approximately 3-4 employees working that operation. That is different than what I told you before, I thought it would be internal and there wouldn't be that many extra employees, so I wanted to clarify that with you. With that, I'm open to questions and any comments you might have. I neglected to talk about the building which I should have. You've got black and white elevations of it and I downloaded some color photos of color choices that we're thinking of. They're lighter sort of earth tones, the second page shows it a little better than the first page, has more detail and is a closer photo and that is the color scheme that we're looking at. So, the building would be primarily brick on the north, east and west sides, it's split face block on the back which will be a similar color to what the brick is and the columns on the canopy will be stone of the same color as the brick. I'm happy to try and answer any questions.

Vice Chairman Perrot opened the floor for questions from the Commissioners.

MOTION by Crutcher, supported by Westendorf, to move to open the public hearing.
Motion carried, all ayes.

(Public Hearing opened at 7:25 p.m.)

PUBLIC HEARING

Thomas Duke came to the podium and stated he is the developer of the office building across Grand River from this which is 90,000 feet, I also tore down the K-Mart building and developed the entire fourteen acres of space. If I could have bought the Shell Station at that time I would have scrapped it and you'd never see it again but I wasn't able to. So I came here tonight armed with some criticism of what might be redeveloped here but speaking to the architect, I'm comfortable that should you decide to vote in favor of this development that it include ka knew wall on both Freedom Road on the corner and on Grand River. And if you could take a look at your sign ordinance and eliminate all the myriad of paper signs in the windows of this building I think the front door to the City of Farmington would be greatly enhanced. So, I look at this building every day, it's been in terrible repair for decades and it's nice to see the redevelopment take place and I hope you take these two steps and make sure that it really looks first class.

MOTION by Kmetzo, supported by Crutcher, to close the Public Hearing.
Motion carried, all ayes.

(Public Hearing closed at 7:26 p.m.)

Vice Chair Perrot stated the second half of this item is the SLU site plan review and approval as required and Christiansen replied that is correct and what I may suggest, if I may, that if the Commission decides to take action that they would include any comments that were made this evening by the Applicant and also to include most importantly the two review letters from OHM Advisors and their recommendations in those review letters, short of anything that the Applicant or Commission are comfortable with, one of those items was the second driveway that already exists along GR. If I'm correct, the Applicant indicated that although I think there was a suggestion in the OHM review letter, to possibly closing one of those two, the Applicant indicated based upon their station's needs, circulation, access by delivery vehicles, by gasoline tanks, that they need to keep those open and so that comment was made. The other is the comment regarding signage, that all signage be in compliance with current ordinance requirements so that would include signage throughout the site, the pylon signs, any new wall signage, any signage for the building, window signs are regulated, etc., so those two items were

specific in terms of comments made and my suggestion would be to include language to that effect again as well as the recommendations in the two OHM letters and also reference in accordance with any action with the submitted site plan and support materials provided by the Applicant.

Commissioner Crutcher asked staff about the question from the public regarding window signs and asked if the ordinance addresses that Christiansen replied there is a certain percentage that may be utilized but there is a 50% limitation so there is that limitation and how they're placed, so that would have to comply. Wall signage is permitted but there are limitations on that, and the nonconforming sign will have to be removed and any ground type signage would have to be a monument sign in accordance with the City's requirements. Crutcher asked if the window signage is in compliance currently and Christiansen replied it may or may not be but this will give them an opportunity to address that issue.

Commissioner Mantey discussed the comment in the OHM review letter regarding that there should be a model of how the largest vehicle will maneuver the site and Christiansen replied that during plan review they will be taking a look at turn radiuses and the comments in the letter.

MOTION by Kmetzo, supported by Crutcher, to move to approve the Special Land Use Site Plan Review, Shell Gas Station, 37375 Grand River, contingent upon site plan comments provided in the two OHM review letters; in addition that the signage be in compliance with any current ordinance of the City of Farmington, and that the Petitioner be allowed to retain the two driveways proposed in the site plan.

Motion carried, all eyes.

Perrot thanked the Petitioner.

**PLANNED UNIT DEVELOPMENT (PUD) PREAPPLICATION CONFERENCE –
LEGION SQUARE, 31775 GRAND RIVER AVENUE**

Vice Chairperson Perrot introduced this item and turned it over to staff.

Director Christiansen stated this item is a preapplication conference, a discussion and review with the Planning Commission on a proposed Planned Unit Development Concept Plan for the redevelopment of the American Legion Hall located at 31775 Grand River Avenue. Article X, PUD Development, Section 35-135, Approval Procedure of the Zoning Ordinance provides PUD applicants an opportunity to request an optional preapplication conference with the Planning Commission. The purpose is to discuss the appropriateness of a PUD and the concept plan to solicit feedback and to receive requests

for additional materials supporting the proposal. An applicant desiring such should request placement on a Planning Commission agenda. The Grand River Corridor Improvement Authority, CIA, held a preapplication conference regarding same as requested by Applicant at their February 9, 2023 meeting. The Applicant, Cervi Construction, has submitted a PUD concept plan and support materials for the redevelopment of the American Legion Hall property. The concept plan and support materials include a project narrative dated February 2, 2023, an overall project concept plan showing 32 townhouse condominium style attached three story residential units which are to be located in four buildings of eight units each. Also submitted is a proposed sample building elevation and a proposed floor plan for the proposed Legion Square. An aerial photo of the site is also attached. The Applicant, Mr. Fabio Cervi, is at the meeting this evening to present this to the Commission.

The Grand River Corridor Authority which was established in 2012 developed a Vision Plan for the corridor for redevelopment along Grand River from the east end of downtown east of the east end of the City of Farmington. That Vision Plan was recently amended in 2022. There is also in place a development and TIF plan created by the GRCIA adopted in 2014 that is part of the focus of redevelopment of the corridor. The GRCIA also created and was adopted by the City as it went through the process and City Council as part of the Zoning Ordinance the Grand River Corridor Overlay District. The property which is shown in red, you can see Grand River, you can see the Legion Hall property, you can see the hall and you can see the parking which occupies probably about three quarters of the site, Brookdale Condominium to the west and to the east is the Dolphin Center which is a four-unit commercial center located on Grand River Avenue. Then you'll see Sherwood Avenue and also if we were to go back up, Shaw Street is to the east, these are single family homes that are adjacent to the Legion Hall property to its east and to the south.

Director Christiansen went through the concept plan on the screen. It shows 32 units in four buildings of eight units each, so the intent of Mr. Cervi is to raze, to demolish the existing Legion Building and to repurpose the site and to move forward with this residential redevelopment.

Vice Chair Perrot called the Petitioner to the podium.

Fabio Cervi, Cervi Construction, 12410 Stark Road, Livonia, came to the podium. He thanked the Commission for allowing him the opportunity to present this preliminary conference for the American Legion Building. This is something we've done previously in Farmington at the Orchards, so basically, we're taking something that is working for us

there and applying it to this location, very similar layout, very similar building styles and etc., and again these are high end luxury townhomes.

Todd Craft came to the podium and stated this plan meets with the Vision Plan when it was developed for the Corridor as well as the zoning requirements of the property. He stated they have had great success in Farmington with their eleven units rented at \$2,000 to \$2,200 a month. He stated these are built as condos which means the level of finish is higher, the level of separation is higher so we can charge a higher level of rent, right now we're getting \$1.25 a foot in the Orchards project. So, overall we think it will be a catalyst project for that corridor and hoping it will spark additional improvements.

Vice Chair Perrot opened the floor for questions from the Commissioners.

Commissioner Kmetzo inquired about the timeline of construction and Cervi replied with the steps required for the PUD, they are working towards breaking ground no later than the spring of 2024, if approval is earlier they'll break ground in fall, and start to finish it should take two years. We just completed one in Farmington Hills, the Brownstones at Eldon Creek, and we started those right at Covid and with the supply chain issues we completed that in 2.5 years.

Kmetzo then asked if the units will be rented or leased and Cervi replied yes, but down the road they can be converted to condos.

Perrot asked if the property has been purchased yet and Cervi replied it is under contract subject to approval.

Crutcher asked if the property would be developed in phases or will all 32 units be developed simultaneously and Cervi replied we'll probably start with the first two closest to Grand River and then the next two but it will be continuous construction.

Kmetzo asked what the Planning Commission's responsibility is for tonight's agenda and Christiansen replied this preapplication conference is really an opportunity for a developer, investor or applicant to take the temperature of the Planning Commission, how you feel what their interest is, what their proposal is, and to ask questions, whatever they might be and there is no action to take place, but they can make a decision if they want to move forward to the next step, Step 2, which is submittal of the formal PUD application, required materials and information required as well as fees and escrow money required. And then that moves forward. Because it is in the Grand River Corridor, they also have the responsibility of reviewing all materials, applications, plans, and making

recommendations to you. You then have that same responsibility and are requested to schedule the required PUD Public Hearing. That's Step 3 when you hold that Public Hearing and property owners within 300 feet are sent notice, which is also placed on the City's website and published in our newspaper. The Public Hearing then is held and the Planning Commission is responsible for taking action on the preliminary plan and forwarding that action to the City Council. The City Council is the fourth step and they are responsible for approving the development agreement and then it comes back to the Planning Commission for approval of the final site plan.

Crutcher addressed the number of units and the number of guest parking spaces for the site as well as the green space on the site.

Cervi stated there will be a decent amount of landscaping in the back where we plan to do underground retention.

Perrot thanked the Petitioners.

DISCUSSION OF 2024-2029 CAPITAL IMPROVEMENT PROGRAM AND REQUEST TO SCHEDULE PUBLIC HEARING

Vice Chair Perrot introduced this item and turned it over to staff.

Director Christiansen stated that in the December Planning Commission meeting Steve Majoros was appointed to serve on the CIP Steering Committee and that three meetings have been held to date discussing the current and future needs of the City as part of the City's Master Plan process. He stated the CIP is a six-year plan which serves as a guide for the City as far as projects. The purpose of this item is to schedule the required Public Hearing for the March meeting.

MOTION by Mantey, supported by Crutcher, to schedule the Public Hearing for the 2024-2029 Capital Improvement Program for the March Planning Commission meeting.
Motion carried, all ayes.

UPDATE – CURRENT DEVELOPMENT PROJECTS

Vice Chair Perrot introduced this item and turned it over to staff.

Director Christiansen gave an update on the continuing development projects in the City.

PUBLIC COMMENT

The following audience members spoke during Public Comment:

Kim Campbell, 31622 Shaw
Bev Mamayek, 31708 Sherwood
James and Julie Misaros, 31702 Sherwood

PLANNING COMMISSION COMMENT

Commissioner Kmetzo thanked the audience members who spoke candidly and openly and thanked them for attending the meeting.

Director Christiansen informed the Commissioners about the availability of training sessions.

ADJOURNMENT

MOTION by Crutcher, supported by Kmetzo, to adjourn the meeting.
Motion carried, all ayes.

The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Secretary