

FARMINGTON PLANNING COMMISSION PROCEEDINGS
23600 Liberty Street
Farmington, Michigan
July 13, 2020

Chairperson Crutcher called the Meeting to order via Zoom remote technology at 7:00 p.m. on Monday, July 13, 2020.

ROLL CALL

Present: Crutcher, Kmetzo, Majoros, Mantey, Perrot, Waun, Westendorf
Absent: None
A quorum of the Commission was present.

OTHER OFFICIALS PRESENT: Director Christiansen, Recording Secretary Murphy, Brian Golden, Director of Media Services.

APPROVAL OF AGENDA

MOTION by Waun, supported by Perrot, to approve the Agenda.
Motion carried, all ayes.

APPROVAL OF ITEMS ON CONSENT AGENDA

A. May 11, 2020 minutes

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

FINAL PUD SITE PLAN AMENDMENT – SAMURAI STEAKHOUSE (THE KRAZY CRAB), 32905 GRAND RIVER AVENUE

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

Director Christiansen stated it's very nice to see everyone again via Zoom remote meeting. He said City Hall is still closed and they are not holding public meetings in person so they continue to have their meetings as scheduled and necessary via Zoom video. He stated they did this back in May after their last live meeting in March, there was not an April meeting, nor a June meeting, but they are conducting the July meeting via Zoom and he is glad everyone could make it work.

He then said he would like to personally welcome Julia Mantey, Julia is the newest member of the Planning Commission and she was appointed recently at a City Council meeting, as the newest member of the Planning Commission so we are back at a full complement of members here on the Planning Commission.

Chairperson Crutcher welcomed her as well and stated with the technological difficulties at the beginning of the meeting it was overlooked.

Director Christiansen stated it's interesting having the Zoom format, it requires some different things, the dynamic is a little different, but hopefully they can make it work and successful.

He indicated this item on the Agenda tonight, is a discussion and review of a proposed Final PUD Planned Unit Development Site Plan Amendment for Samurai Steakhouse which is now the Krazy Crab. A little bit of history, at their October 15, 2018 meeting the City Council approved the conceptual preliminary PUD plan and draft PUD agreement for Samurai Steakhouse. Both the copies of the minutes of that meeting and the PUD Agreement are attached in the packets. Back at the December 10, 2018 Planning Commission meeting, the Commission approved the final PUD, Planned Unit Development site plan for Samurai Steakhouse and a copy of those minutes from the December 10, 2018 Planning Commission meeting and the approved final PUD plan are also included in the packets for this evening.

Those two actions then, the conceptual preliminary approval of City Council and the draft PUD Agreement approval and the final PUD site plan approval precipitated the owner, who is with us this evening, the Applicant, Xie Zheng, LLC, the owner of the property is here this evening as well as Sal D'Anna who is with D'Anna Associates who is the architect on the project. They have submitted this revised PUD site plan for Samurai Steakhouse after quite a bit of work over the last year looking at their next steps. They move and forward with repurposing the first floor of the existing two-story building, the building to the east, that's part of the two sites, PUD property and project sites. The existing building, which you may recall was the Grand Bakery Café was converted to Samurai Sushi. However, over the last year, that was modified and changed, the restaurant was changed to "The Krazy Crab". So it still operates as a restaurant as approved under the PUD. The residential above also continues as was approved and exists as well. So that is ongoing and continues. But there was quite a bit or work going back and forth between the owner, his architect, and City staff administration with respect to the second portion of the PUD site which is the former Mrs. Lovell's Tea Room, Ginger's Café. That house that was then those uses and the barn in the back are no longer on site, the barn has been removed and disassembled to be reassembled at some point in time at another community it was moved to, Pontiac, be considered an historic facility in stored barns, so that was addressed and taken care of. The house then which was Mrs. Lovell's Tea Room, Ginger's Café, was removed from the site and was demo'd after all the infrastructure utilities were disconnected, turned off, and the site then was cleared. The site has been fenced off, it has screening fence on it and it remains in that condition right now, maintained as a vacant site.

Since the approval from the Planning Commission in December of 2018 and the work that's been done, was consideration of when that second portion of that PUD was going to be moving forward and there were some plans turned in to do kind of a phasing of that, not build a building right away, but to put in stormwater management, to put in some parking to serve the site as a whole, including the Samurai Sushi, now Krazy Crab, and the residential and that stormwater management, the parking, landscaping on the site, some other site elements to include the required wall at the rear, fence wall, and a crossing across Grand River, were all discussed and were going to be made a part then of the revised plan.

Well, that moved forward and actually had review of OHM. There was an engineering review and there was a planning review and there were a number of items that had to be addressed and a revised set of plans. And this again was last year and into the end of last year to move forward and was going to be considered in accordance with the approved PUD, a phasing portion of that second part of the property which is the Samurai Steakhouse. That steakhouse, looking at the plans, was for a brand-new building where Ginger's Café was before on that now vacant site, and that building had associated site elements and parking I mentioned, etc. That building was approved in 2018 as a four-story building with a restaurant, the steakhouse, hibachi restaurant on the first level, and three residential levels above, so originally it was going to be a four-story building. There was actually then in 2019 a discussion with the owner of that building only being a two-story building, the restaurant, the hibachi, the steakhouse and one story of residential and that it would match, mirror in scale, size, etc., architectural style as well the existing Samurai Sushi, now Krazy Crab and the residential above. With all of that and through the end of last year and pulling back a little bit and looking to phase that in, Covid crisis comes along and discussions and then the plans that have recently been submitted now in consideration of current circumstances are that the owner's interest, due to the fact that there now is the limitation of the ability to use the restaurant at its full capacity, that is the Krazy Crab, they have a 50% dining room capacity able to be used, the plans currently now presented for consideration show a proposed dining room addition to the Krazy Crab, so new construction, new bricks and mortar into what was approved as part of the PUD at the end of 2018 by Council and their concept and by Planning Commission in their final PUD, that was supposed to be all outdoor seating area and then a bigger building was going to be built on the second portion of the property, the former Ginger Café's site. Now what is shown is an expanded dining room, the Krazy Crab, 1,000 square feet, a smaller outdoor seating area modified and then a future building for Samurai Steakhouse, a little bit different configuration then was approved back in 2018. All of that must go through a review process. So I think I will turn this back to you, Mr. Chair, and we can go into this in some detail and the Petitioner and his architect are here, they may be able to answer some of your questions and explain things in a little more detail.

Chairperson Crutcher invited the Architect to comment and he stated the idea is going to maintain in terms of the back lot and stormwater management, that will remain in place from what was originally approved. The change is only really affecting the building itself. You see from the plan that the plans for outdoor seating and patio space the changes and from the street to the parking is supposed to be maintained. Again, this is just a change in the architecture from an addition to a separate building to an addition now and then a future space for development. So at this point we've addressed what OHM on the engineering end, and their comments, and he is open to answer any questions.

Director Christiansen stated that what Mr. D' Anna basically indicated is the real gist of this is the building addition and keeping everything else moving forward at some point in time so hopefully at some point a completely implemented approved PUD project. He stated what might be helpful which is on the screen now is the first set of plans that is the approved set, the final set, concept by Council, final approval, final PUD plan approval in December. You'll see the site plan that was approved in December 2018, and the aerial representation of the site and the site elements that were part of that plan package, and then what you see is the existing building with the Krazy Crab now and the existing building, and then the site to the west, that then is the approved site plan for that with an outdoor seating plan in between. Further on in the graphic you'll see some more detail, the parking lot areas, other elements, infrastructure that's part of this, the landscaping and other elements. Then you'll see some of the turning radius circulation on site. He then pointed out the floor plan of the Krazy Crab currently and what was approved, and then you'll see the residential shown. And then this is important because this shows the existing two-story and the four-story that was proposed and was approved back in the final site plan in December of 2019. And then there's a colored rendering on the next one. So this was what was approved, a final PUD site plan by the Planning Commission. An existing building and proposed with the site plan items that were shown.

Now, if we go to the next set of plans, is what is being proposed. What is being proposed today, this is the current aerial, existing building and the site to the west. Removed from this, this is the new plan set that was recently submitted. This now is the new modified site plan, amended site plan, showing the Krazy Crab with the residential above and its site, the 900 plus square-foot addition of the first floor of the existing two-story, so it's an expansion of the dining room of the Krazy Crab to the west into what was approved back in 2018 as outdoor seating. You then see additional area that would be outdoor seating to that and then you see a future building which is the Samurai Steakhouse. The other site elements really remain the same as the architect indicated, and that is the parking, stormwater management, and other site element. If you keep moving forward, we'll go to the floor plan and elevation, different than the floor plan that was approved, an almost 1,000 square foot dining room addition to the west and then outdoor seating. That's different. This is different in that the existing two-story now next to it to the west has a brand new one-story 1,000 square-foot addition to the first floor of the existing restaurant.

All of this on these plans, this second set, this proposed set, requires the review and the recommendation of the Downtown Development Authority Design Committee, by ordinance, requires the Planning Commission's consideration of their recommendation to you and then the Planning Commission's consideration of the revised plans and action as a site plan amendment to the approved final PUD plan and will require the City Council's consideration because it will modify the PUD agreement.

So right now the Design Committee has had one opportunity to have a brief discussion about this as the first to consider which was last week; you're now getting the opportunity tonight, there is no request for any action this evening because the Design Committee wanted a couple modifications, and so the Planning Commission is getting an opportunity to look at this proposed amendment and ask any questions that you may have. It will need your consideration and action to move forward, not tonight, but at a subsequent meeting.

Chairperson Crutcher clarified that that is subsequent to the design changes that are being considered now and Christiansen responded yes, there are a couple items that the Design Committee wanted but did not want to deny the Planning Commission the opportunity to look at it, that is being done this evening to take any comments the Planning Commission may have to wrap everything together and to bring it back to both bodies as soon as possible.

Crutcher then asked if this proposes that the second building, whenever it's going to end up being done, is going to have a smaller footprint than what was originally proposed and Christiansen replied yes.

Chairperson Crutcher then opened the floor for questions from the Commissioners.

Commissioner Majoros then asked if the space being reserved for what would be the new second building, the footprint, essentially is this really just eating into what was once the breezeway connective outdoor area between the two to be determined building two, which would still have to go through some approval, but the footprint doesn't change, or is that still a tbd?

Christiansen replied that is a good question but that what it really is is a bump out of about 1,000 square feet, a little under 900 and some odd square feet for an expanded dining room back going into the approved outdoor seating area. The now remainder will be outdoor seating and some of that outdoor seating pushes to the west into the area that was going to be building under the old PUD and that building now on that second portion of the site will be smaller because of that but there is not a definitive design for that yet but it's still intended to be a restaurant with one-story of residential above.

D'Anna replied that is correct, that if and when that second phase happens, it in terms of design it would essentially be a comparable version of what was proposed initially. The connection with the parking lot to the street would remain but again a small footprint. But essentially the first-floor restaurant, you know, retail, and then the residential portion above that.

Majoros then stated what his question partially is depending on how much of the footprint of the original structure is eaten into, is there enough room left for a viable part two business because he doesn't think what we want to do is approve 1,000 feet and then be brought back later and if we think if it's still appropriate to have first floor retail, to be kind of told that you know what we ate into it, it's not big enough, there's not enough size for a kitchen and this and that, and so we want to redevelop this as one through four story apartments. I realize that business and Covid and financials play a role in all of this but are we going to approve something short term that then later on we'll regret saying well, you know, is there a footprint left to have a viable business as we originally thought it was going to be scoped.

Christiansen replied those are very important questions and very appropriate questions and perhaps the Petitioner and/or the Applicant can address those questions.

D'Anna replied this left over space is essentially going to be a grassed area, landscaped area but in the future, you're looking at about a 2,500 to 3,000 square foot footprint, the existing building right now is 4,000 and change, but it's doable, it's a viable building space you're looking at, just over 3,000 square foot footprint.

Majoros then asked if there ever was any intention or ability independent of this solution that one kitchen would serve two places or in the current state or potential future state these would be two independent businesses because right now one owner owns both places but that's not always the future state and would we be putting ourselves in a trick bag that because if it gets smaller there may be something that says I'm going to have one be the main facility and the second is spillover or limited service but if you wind up decoupling the ownership then do you have an oddball facility.

Chairperson Crutcher confirmed it is still one parcel, and Director Christiansen replied that it's still two separate parcels but under one ownership. Crutcher then asked if the goal could be extended into the second parcel and Christiansen replied that can be done because of the common ownership, you can have two different pieces but owned by the same entity and part of the same PUD, is what this is. There's already a PUD approved for that, we already have cross support infrastructure, parking, access, all those other items. Outdoor seating was shared between the two in some sense, so that's already in place and that's part of the PUD agreement. He said he thinks the question Mr. Majoros was asking is once you make a change like this and you expand into area that was

approved to be something else and now you're modifying the plan, how does that impact what remains. And the question is what remains, is it able to accommodate a second building, a viable building, a restaurant building, which is what the PUD was approved for with residential above and I think what is being said is yes, it is, with that size. He stated he has another question, because if you look at the site plan and you see the 900 and some square foot addition and you see the outdoor seating that wraps right next to it and kind of fills into it, and it goes onto that site into an area that was going to be a building, it's only a one-story, and asked is there an interest possibly at a future point in time putting a second story above this one-story which would match the existing two-story building, is it reasonable, would there be a need for it, would it be an expansion of residential, is it a possibility as designed to potentially be engineered for construction and then is it still the intent on the remainder building at some point in time for that to be limited to a two-story that would be restaurant downstairs and residential above. Looking to have answers to those questions because that plays into a revised PUD agreement.

D'Anna replied all of that is possible, that's a safe assumption, the future of the site idea would be some living on the second floor.

Christiansen asked if the Petitioner would be looking to build a restaurant on the first floor of the second building and residential on second and the Petitioner replied in the affirmative.

Christiansen then asked if there was a possibility to put a second story on the addition and D'Anna replied the building is not designed to carry a second story.

Christiansen then stated one of the things about the approved comprehensive PUD back in December 2018 was the two-story, four-story, that actually went back to a two-story, two-story, but that there is a streetscape, a consistency of that designs, and those elements, and the architecture with the existing building and the new story, around that two property stretch. This changes it a little bit with the one-story addition and if in the future you were to do the two-story building steakhouse restaurant and residential above, you'd have a two-story, a little one-story restaurant expansion, outdoor seating, and then another two-story, it's going to change that character, that look. That is the question and it might be a consideration to keep that streetscape, that same scale, that two-story look, all the way across those properties.

D'Anna replied that he thinks that could be a viable option.

Christiansen stated that was something that had come up with the DDA, something that the staff had discussed at the Administrative level as well.

D'Anna then asked as far as the PUD for the new building and a restaurant use for the first story, if the owner wants to keep it commercial but it becomes retail with a restaurant in back, is it possible under the PUD?

Christiansen replied it is possible. What is possible under a PUD is the ability to amend the PUD, it's a very flexible tool, the PUD itself. Once the concept and the PUD agreement are approved and then there's the final approved, then that's the project. But before it's constructed, if there's a desire to amend the PUD which is what we're considering right now based upon prior approved plans, we are going through this process right now, to see if that can be supported. If and when that second building comes along, whether it's today, tomorrow, whatever, it's very likely that's going to have to move forward because it's an amended building from the originally approved second building and it would follow the same process we're doing today and that's the PUD amendment.

Chairperson Crutcher then asked if it would be more of an extension of the existing of the proposed outdoor seating area or something that's not outdoor seating, just outdoor space?

Sal replied outdoor space, maybe put some benches along the street or in the connection back, it's very much meant to be a finished outdoor space.

Crutcher then asked if the intent is that the outdoor seating is going to be sit down service for the restaurant and Sal replied yes, and that will be fenced in. There's a fence and a decorative trellis structure that will be incorporated and outside of that there will be sidewalk that connects to the parking lot from the street and it would be on that and green space, some landscaping.

Christiansen then asked the Petitioner and the architect, if that second building, because they're looking at amending a comprehensive PUD, so there is a building, a second building that's already approved, this addition impacts that, the question is if and when you were to build that second building, would you build it as a restaurant, first floor, with residential above, that is the question to the Petitioner and he replied yes. Christiansen then confirmed that the future building would be restaurant first floor, and residential above and the Petitioner replied in the affirmative.

Commissioner Perrot asked as far as the PUD, is it possible for the building to keep it commercial, but have retail and a restaurant under the PUD.

Christiansen replied what is possible under the PUD is to amend the PUD, it is a very flexible tool. The PUD itself, once the concept and then PUD agreement are approved and there there's the final approved, then that's the project. But before it's constructed if

there's a desire to amend the PUD, which is what we're considering right now based upon prior proposed plans, we're going through this process right now to see if that is something the City supports. If and when that second building comes along, whether it's today, tomorrow, a year from now, whenever, it's very likely that' going to have to move forward because it would be an amended building from the previously or originally approved second building and it would follow the same process we're doing today and that's the PUD amendment.

Kmetzo inquired if with the addition of the front and side patio, that the seating capacity is increased and Sal replied yes. She then asked how that affects the number of parking spaces that were originally approved to accommodate the original plan.

Sal replied that currently they're under what they're approved for because the second building isn't there.

Christiansen then stated that parking under the site plan requirements in the Central Business District and under the requirements of the PUD are allowed to be accommodated both on site and also provided for on adjacent public properties or with adjacent public parking. There's parking on the street along Grand River now and there's parking on School Street and there's parking on adjacent areas, which was folded into the original PUD approval and that continues through this here. But the point is is there in specific numbers, with less footprint of the building, there's a little less required so they're still meeting that PUD approval under that current PUD agreement. But it's something that will be looked at, any time there's an amendment or anything.

Westendorf asked if Phase II is uncertain when that happens, what happens to that space right now, is it just blank green space with utilities, is it fenced off, what is it?

Sal replied the intent right now is for it to be a green area, a grass area and that they would probably have to add specifics in terms of landscaping but he imagines the street side of that being lined with some trees and whatever lower lying landscape.

Christiansen stated that the DDA Design Committee in their review last week specifically asked for a landscape plan for the site and for that area, landscaping and the rear screening fence. So whatever happens on that second property, the expanded dining room, outdoor seating, stormwater management, parking, and the leftover green space, it has to look like a finished product because that second building might not come, now or for a while. And we have to make sure whatever is done there is finished at this stage as much as possible, not knowing what the future amendments might be.

Sal stated they don't want that to look like a building pad waiting for a building.

Crutcher asked if it will wind up being just an extension of the proposed seating area or something that's not outdoor seating area but just outdoor space and Sal replied outdoor space. Crutcher then asked if the intent of the outdoor seating is going to be sit down service for the restaurant and Sal replied yes, and that will be fenced in, and then there's a fence and a decorative trellis structure that will be kind of enclosed and outside of that is the sidewalk that connects the parking lot to the street and then beyond that is the green space that will have some landscaping and green grass. Crutcher then stated he can see someone taking a carry-out from there or even from the restaurant across the street and going to sit down on the grass and Sal replied that could definitely be used as a community space.

Commissioner Majoros asked if design-wise are they intending to match the brick and the look, is that what they're waiting for from the Design Committee people?

Christiansen replied no, what we're waiting for is the Design Committee by the requirements in the CBD regulations and also in the City site plan/PUD requirements, is the DDA Design Committee is responsible for making a review or conducting a review and making a recommendation on site plans and on PUD plans to the Planning Commission. So since this is a PUD change, they are required to review and provide that recommendation. They've asked for some additional items like I indicated, landscaping, and a couple other site elements and will work with the owner and architect on that and that that back to the Design Committee to then hopefully get their action and recommendation and bring it back to the Planning Commission. One of the things of concern of course is architectural character style, materials, matching, and that will all come out and be provided to the Planning Commission for your consideration for action.

Commissioner Perrot stated now that we're kind of doing a course correction to an interim plan versus what we approved two years ago, from a public standpoint once they see activity on the site, people start getting excited and want to know what is going on and he has a lot of questions about this site because it's pretty much been a construction site for the past two years. And as the buildings came down and the barn came down and there was empty space and we were able to get a fence put up, it still is essentially a construction area so really the visuals really need some thought because folks are really looking forward to progress and activity on that space and just really prettying it up. And the proposed plan for what may be happening, he thinks it looks great, the fence and the nice custom trellis that's going to be out there, it's really going to extend the downtown. He then thanked the Petitioner and the architect for putting thought into the esthetics and having the finished product look really nice and it's good to hear talk about the green space to the west of that property abutting up against Ace's property, looks are going to go a long way and it's good to see.

Crutcher asked if the fence around the outdoor seating area, is it a fence or is it a trellis over the outdoor area?

Sal replied there is going to be a fence and then an accent piece that would help define that patio space, maybe the opportunity for hanging vegetation, flowers, etc., something that has an appeal to it.

Crutcher then asked if the structure above the fence is going to connect back to the building or just at the perimeter and Sal replied just at the perimeter.

Christiansen stated the action tonight is just a discussion and review and for the Planning Commission to have an opportunity to ask questions to the owner, the architect, and for the Commission to bring up their thoughts and recommendations individually as a Commission and giving that to the Petitioner for them to work into a revised plan and going back to the Design Committee with their recommended modifications to then have their review and recommendation and come back to the Planning Commission for your consideration at your next meeting.

Chairperson Crutcher closed out the discussion and thanked the Petitioner and architect.

PUBLIC COMMENT

None heard.

PLANNING COMMISSION COMMENTS

Chairperson Crutcher welcomed Commissioner Mantey and she stated she is excited to serve on the Commission.

Director Christiansen gave an update on the ongoing projects in the community.

ADJOURNMENT

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

The meeting was adjourned at 8:01 p.m.

Respectfully submitted,

Secretary