

#### PLANNING COMMISSION MEETING

Monday, August 12, 2019 – 7:00 p.m. City Council Chambers 23600 Liberty Street Farmington, MI 48335

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- 1. Roll Call
- 2. Approval of Agenda
- 3. Approval of Items on the Consent Agenda A. July 8, 2019 Minutes
- 4. Public Hearing City of Farmington Draft Master Plan Update 2018-2019
- 5. Public Hearing Zoning Ordinance Text Amendment: Marijuana Establishments
- 6. Public Hearing for Special Land Use and Site Plan Review for Proposed Drive-Through Panera Bread Bakery, 34635 Grand River Avenue
- 7. Site Plan Amendment for Outdoor Seating Sidecar Slider Bar, 32720 Grand River Avenue
- 8. Public Comment
- 9. Planning Commission Comment
- 10. Adjournment

# FARMINGTON PLANNING COMMISSION PROCEEDINGS City Council Chambers, 23600 Liberty Street Farmington, Michigan July 8, 2019

Chairperson Crutcher called the Meeting to order at 7:02 p.m. at City Council Chambers, 23600 Liberty Street, Farmington, Michigan, on Monday, July 8, 2019.

#### **ROLL CALL**

Present: Chiara, Crutcher, Kmetzo, Majoros, Perrot, Waun, Westendorf

Absent: None

A quorum of the Commission was present.

<u>OTHER OFFICIALS PRESENT</u>: Director Christiansen, Attorney Zalewskl, Recording Secretary Murphy

#### **APPROVAL OF AGENDA**

MOTION by Chiara, seconded by Perrot, to approve the Agenda. Motion carried, all ayes.

#### APPROVAL OF ITEMS ON CONSENT AGENDA

#### A. June 10, 2019 Minutes

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

### PUBLIC HEARING AND CONSIDERATION OF SPECIAL LAND USE AND SITE PLAN REVIEW - BURGER KING, FORMER PARAMOUNT HOME CARE, INC. 31806 GRAND RIVER AVENUE

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

Director Christiansen stated this item is a Public Hearing and Consideration of Special Land Use and Site Plan Review for a proposed Burger King with a drive-thru at the former Paramount Health Care, Inc., located at 31806 Grand River Avenue. The Applicant has submitted plans for a 3,065 one-story building addition, a restaurant building, with a drive-thru to be constructed on the commercial portion of the existing property.

The existing commercial site is zoned C-2, Community Commercial. Drive-thru establishments are a Special Land Use in the C-2 Community Commercial District and require a Public Hearing and site plan review.

The Applicant appeared before the Planning Commission at their June 10, 2019 meeting for review and discussion of their site plan for the proposed restaurant building with drivethru and other improvements to the existing site. A copy of the draft minutes from that meeting were just approved and are attached with the staff packet under Consent Items this evening since that was the last meeting and that was the last meeting in June.

The Planning Commission scheduled the required Public Hearing back in June and the site plan review for this evening as requested. So the purpose of this agenda item this evening is the Public Hearing as scheduled and to consider the request for Special Land Use and a review of the site plan as proposed.

OHM Advisors, the City's planning and engineering consultant has reviewed the Applicant's submitted plans and has provided a planning and engineering review letter dated May 3, 2019. And a copy of that review letter was attached with your June packet, you reviewed it at that time and it is again attached this evening. There are some additional comments that have been made by OHM, they've had an opportunity to look at the most recent submittal which is a set of revised plans that was really a response sent with a letter and we'll take a look at that. In response to the May 3<sup>rd</sup> letter from OHM, there were some additional comments and the OHM letter is being distributed this evening and I'll pass them out right now.

Christiansen stated the Applicant has submitted a response letter which is a supplemental submittal dated June 24, 2019, and again, OHM has had an opportunity to look at that and comments that they made are being distributed to you and he knows the Applicant will review the supplemental review with you this evening as well as their June 24<sup>th</sup> plans and that was all attached with the staff packets for this evening.

Christiansen stated the Applicant is here this evening to present this Special Land Use and proposed site plan to the Commission and again, the requested action of the Planning Commission is to hold the required Public Hearing as scheduled and to review and consider this Special Land Use application and site plan for the proposed Burger King with a drive-thru.

If we look at the screen, this is the site overview, an aerial of the site, we've looked at this before, Grand River Avenue, Lakeway. Grand River is the front street, Lakeway is the side street. The property 31806 Grand River Avenue is a C-2 zoned property, at least the front portion. The triangle piece that we've had a discussion about to the rear, is a R-1-P Residential Parking zoned property. The application was submitted by the Petitioner. This is a revised site plan, and I'll let them go through this with you, a June 24<sup>th</sup> site plan submitted in response to the May 3, 2019 review letter by OHM.

Flipping through this quickly, this is the June 24<sup>th</sup>, 2019 submittal by Mannick and Smith Group representing Carrols, Inc., who are the Applicant/Petitioner for the proposed Burger King with the drive-thrus. So this is the Burger King at 31806 Grand River Avenue, the supplemental submittal response letter to OHM's comments, and again they've gone through and have reviewed it point by point and again, OHM has had a chance to look at this and they're here this evening. And this is OHM's review letter back from May 3, 2019. So these are the materials you have this evening. And Mr. Chair, the purpose this evening is to get an update from OHM, also to then allow the Petitioners present their Special Land Use Application and their site plan to the Commission, and then hold the Public Hearing as scheduled.

Chairperson Crutcher called the representative from OHM to the podium.

Austin Downing, OHM Advisors, came to the podium and stated he is present to speak on the proposed Burger King. Strictly from an engineering standpoint, their May 3<sup>rd</sup> letter still stands but there are two specific site plan comments that he'd like to address tonight that before they are corrected they can't issue site plan approval. The first of which is the existing sanitary sewer which runs through the north side of the site on a diagonal. So on the site plan currently there's a masonry screen wall proposed and the location of that impedes the sanitary sewer that is existing. Also, the drive-thru, there's a conflict there as it runs underneath the drive-thru. To prevent future accident issues, they would like to reroute the existing sewer actually around the wall and out of the drive-thru, that way it can be accessed if need be on site.

And then the second issue they have is with the site circulation, so where the trash enclosure is currently located, they have garbage trucks proposed to pull in and then back out into proposed parking spaces. Well, if vehicles are parked there on site, a truck cannot turn around and they will back into a car, that's an issue, so they would like to see the circulation for the garbage truck rerouted around the site as a truck trailer would be shown in the other location. Those are the comments from OHM.

Chairperson Crutcher asked Downey if he had looked at the revised plans and Downey replied yes; those are comments per the revised plan.

Chairperson Crutcher opened the floor for questions from the Commission. Hearing none, he called the Applicant to the podium.

Ronn Nadis, attorney with Couzens Lansky, came to the podium. He stated he is representing Carrols LLC, which is the Petitioner, the proposed party that is to purchase what is now a vacant parcel. Vacant in the sense that there's nobody operating there and to develop a Burger King at that location.

He stated he is accompanied by Amanda Aldrich and Mark Mathe who also participated in the presentation initially. Mr. Mathe will follow up in a moment and take you through the proposal with particular focus on the things that have changed since the last time it was presented to you, but we'll go through the whole proposal so you'll see how it's supposed to work. And then when he's finished, with your indulgence, I'll take a few minutes to do what you asked at the last meeting, which is to anticipate other issues that have cropped up from neighbors, concerned citizens and they will take a crack at addressing those and explaining our point of view and why we think this is okay to do and then we'll see how that goes.

Mark Mathe, engineer with Mannick and Smith Group, came to the podium. He asked Director Christiansen to put the landscape plan on the screen. He stated he believes the Commission has the response letter that they provided dated June 24<sup>th</sup> that was forwarded with the revised set. He said he'd be happy to answer any specific questions in regard to OHM's comments in the previous letter. There are a few items he would like to specifically point out, some items that they specifically made in order to address the screening requirements and the screening comments that were received at the previous meeting.

At the earlier meeting there were 6-feet tall arborvitaes behind the drive-thru, coupled with a 4-foot masonry wall. That masonry wall is intended to be complementary to the building, similar type materials, it will be incorporated into the architectural plans and then full actual design details will be added to the construction drawing. But behind that wall, previously they had some bushes and shorter trees, 6-foot arborvitaes with a 4-foot wall. Now, that they're adding a 6-foot wall, they're increasing that wall height to 6-foot, they've provided 8-foot arborvitaes on the back side of that wall to soften that. They've added some crabapple trees. To clarify they've also shown the existing large trees in the rear of the site to remain and they have changed the area of the retention basin to accommodate leaving those trees in place. They've also added some bushes and increased the height of some spruce trees at the corner from 6-feet to 7-feet in an attempt to provide both physical screening of the wall and landscaped screening with the plantings that would be intended to be taller than the order board and appurtenances that are outside of the store. They did also want to clarify that the height of the actual order board is around 5'4" tall, with the intent that is a backlit board and we can talk about the actual details of the design of the board. Basically, it's a TV screen. The TV screen senses what ambient light is, the light levels of that board vary with respect to the light. During the day when the sun is very bright, that screen is brighter so that it can be seen. And I'm sure many of you can relate to it, if you look at your cell phone out in broad daylight, it's really difficult to see unless the backlight comes on. Then in the evening, that board will automatically dim along with what the ambient light levels are, the intention so it is not blinding and not casting any additional light. Of course that light is blocked as we noted with the wall and the landscaping.

One thing I wanted to comment on, is the light fixtures, the light poles that are proposed as part of this site, they are LED type fixtures, they're not a halide or a mercury vapor bulb, like we were accustomed to in the past. And with those LEDs, the optics, they can select the type of fixture that will cast light over a certain area much more constraining than they had with the old type fixtures. So with that they can actually control more of that light to land on their site with less light leaving the site and try and both maximize the efficiency of the expense of those lights as well as respect the neighborhood in keeping that light on their site.

Just pointing out a few things, the height of the spruce trees has increased, we can see these large trees, the trunks of these trees are 2 to 3 feet in diameter. The 6-foot masonry wall is just behind the back of this drive-thru lane, these are the crabapples that I've described. One of the questions was how tall those trees are, and they're proposed to be 10-feet tall when they're planted and they'll grow to full height at 20 years. And these are the arborvitaes that were formerly 6-feet, are now proposed to be 8-feet.

One of the comments with respect to the garbage truck access which OHM identified, they did previously show pulling in the driveway, servicing the dumpster, backing out and leaving through where it came in, they have no issue with it backing out and circulating the site in the same configuration that the combination truck did, that's not an issue, that's just how we laid it out that first time.

With regard to the alignment to the existing sanitary sewer, they'd certainly be very open to explore any possibilities on how they're going to accomplish either relocating that or adjusting some of their site features so that we can keep that in service for the short term as well as accommodate any major maintenance concerns in the future.

With that, I think that's essentially, basically the larger changes, but if you have any specific questions, I'll be happy to answer those.

Chairperson Crutcher asked about the wall on the north end of the site and what material would that be and Mathe replied that would be a masonry wall that would be either the same or very similar appearance as the building construction. He then asked Christiansen to pull up the building elevations to get a feel for that, it's a grey/tan.

Crutcher expressed concern with that as they've got a flat wall and the sound is going to bounce off of the wall back towards Grand River and bounce off the south side of the

building back the other way, so it may tend to amplify the sound. He then asked if the wall would have any acoustic treatment so that it could minimize the reflection of sound.

Mathe replied he thinks the intent would be to have some kind of a split base block or some kind of a brick that would absorb some of that sound. I know we had talked last time how the order board and the order system will quiet down depending on what the ambient sound level is. But we have to remember that the sound is intended to go towards the vehicle, we want to minimize sound transmission beyond that vehicle that's in the drive-thru lane. So yes, that is a real concern and we'd be certainly open to any kind of acoustical treatment on that brick, especially if you have any specific recommendations, but we will definitely take that into consideration and add that when we get to the building permits, the building and structure drawings.

Crutcher stated it's a smooth concrete wall and it's probably not going to help acoustically and Mathe stated he agreed.

Chairperson Crutcher then opened the floor up for questions from the Commission.

He then asked the Petitioner about the light levels and if they drop off before they get to the neighboring property lines, and another thing is photometric.

Mathe stated the requirement is one foot candle at the property line or half a foot candle at a residential property line. We are between half and a third of a foot candle at a part of the northern property line and we drop off to zero somewhere in the right-of-way on Lakeway as well as Grand River. So yes, we do meet those requirements at the property line.

Crutcher said it looks like at the property line to the north it seemed like you were going over a foot candle on the other side of the property line.

Mathe replied he knows that the brightest number he found was a .5 around in here, but I'll definitely look into it and if we do need to make that change, that's simple enough to make the change. He said if he's not mistaken, he thinks it's a half a foot at a residential property line.

Kmetzo stated she read the response to OHM about the twelve engineering site plan review comments; however, she did not see where he commented on land use requirements, specifically the use of R-1-P and what percentage of that is part of the parcel.

Mathe replied offhand he doesn't have that percentage, but that anecdotally it was about half of that R-1-P area. But the intent being the C-2 District hosting the building and the

majority of the commercial related improvement. The R-1-P District being the Residential Parking District where intended to act as a buffer between the commercial and a residential area and just basically providing only that parking and circulation area. We had thought we had met that intention or that goal by providing just a portion of our parking and some ancillary uses like the detention basin and softening landscaping in that Residential Parking District.

Kmetzo then asked if OHM specified that this would occupy not more than 25 percent of the area.

Mathe replied he knows there was a comment with regard to expansion of an existing commercial building, and I don't have it in front of me, so I can't quote it, but a comment about expansion of an existing commercial building into an R-1-P District and that's not the case that we have here where we're demolishing an existing building and starting fresh. I guess that case would be if there were an existing building that were to cover more of the lot, the entire lot, you wouldn't be allowed to expand that building over a certain percentage in the R-1-P Zone.

Kmetzo then asked about the speakers and the number of decibels and Mathe replied that he knows that is something they talked about.

Nadis then stated that Carrrols, in the ordinary course of business, measures these things and the requirement is that the decibel level at the property line or if there's a wall, just beyond the wall at the property line, not exceed 30 decibels. What Carrolls research shows for these speakers, is that the sound, without reference to any other blockage of the sound like the car or whatever, a big truck, the sound isn't going to go through that as easily. But within 16 feet the sound and right now we're speaking at about a 50-60 decibel level, the sound declines to 36 decibels 16 feet away from the speaker. That back wall that is in the plans is approximately 30 feet from the speaker, a little over 30 feet. And so if we measured the decibel level at the property line, we're fairly confident that we will be below the 30 decibels. In fact, 30 decibels are effectively a whisper, and we will be below the 30 at the property line. Obviously, the neighbors are not right at the property line, we're not abutting any of the homes but it's going to be a whisper or less at the property line.

Majoros stated he had one question for the Petitioner. And Mr. Christiansen, please keep me honest here if this is an inappropriate question then we don't have to get the answer. Can you give us a history of why you left the property you left? What happened with the

relationship you had with the property owner where you were that necessitated this potential move down here.

Christiansen replied that Carrols actually had no relationship with the property down the block.

Aldrich said she would like to correct that statement. That Carrols did not build that restaurant, they bought the market so to speak, so she doesn't know if anybody had any relationship with them but they didn't create issues.

Christiansen stated the then franchisee was leasing from that party, and for whatever their reasons are, that franchisee, it didn't work out for them, and Carrols then bought the franchise rights for the area but had no other connection with the property. It's apparently being repurposed for a "Detroit Eats", which is the prerogative of that property owner.

Aldrich also stated it's very small.

Christiansen stated the property actually offers less in the way of -

Majoros then asked if it was Carrols desire to have a larger space in addition then transition that property and Aldrich replied yes.

Christiansen then stated to the Chair that he wasn't sure if the Applicant was going to speak of their intention to talk a little bit about their proposal and Special Land Use and site plan. He went on to say he thinks for the Commission's benefit, for the benefit of all that are interested here, for the Applicant's benefit, that it might be reasonable just to have a quick summation of what is being proposed and what the requirements are and what the process is a little bit so that we're altogether on the same page and then maybe allow the Applicant to move forward then with that. We're at a second meeting, I think as you know, subsequent to an introduction type meeting, which there was discussion, we had a lot of attendance at that meeting by those interested, and there was the scheduling of tonight's Public Hearing. There was also review of the site plan that was originally submitted, the first site plan which would be April 25th, 2019 site plan and the City's planning and engineering consultants, OHM Advisors did a review of those plans, conducted a review of those plans and they provided you with a letter dated May 3rd, which you reviewed at the last meeting which is again in your packet this evening.

Long and short, I think it might help all of us if we had a quick little recap of that and I'd like to have an opportunity to do that just so that we're all on the same page and if we can go back, and this is up on screen, so if anybody wants to watch, whether you're here live or you're at home, you can watch this. This is the packet information. I reviewed the staff

report for tonight's meeting. After that we looked at this aerial photo which is an overview. This is the Special Land Use Application submitted by the Petitioner, it is required to be submitted for what they are proposing, a restaurant with a drive thru is a Special Land Use in the C-2 Commercial District. The Special Land Use has information required and then it has questions that need to be answered. These are criteria, five criteria under the Special Land Use Section of the City of Farmington's Zoning Ordinance which must be addressed. And they address this here in this dialogue in the application.

Moving forward, they submitted a site plan. The site plan was the April 25<sup>th</sup>, 2019 site plan. That site plan was reviewed and they made sure that the letter that OHM Advisors submitted reflected their review of that site plan.

Subsequent to the June 10<sup>th</sup> meeting, where the May 3<sup>rd</sup> letter from OHM was reviewed, the Applicant submitted a response letter supplemental submittal, and this plan. This plan set is an updated set of plans, it's in the packet, it's dated June 24<sup>th</sup>, and that's what we're looking at this evening.

This is the letter in response to the OHM Advisors May 3<sup>rd</sup> letter and then they reviewed that one June 10<sup>th</sup> by the Planning Commission and was provided by the Applicant, in this case their consultant Mannik Smith Group and this is the supplemental submittal, a response letter to OHM Advisors comment letter and they address the items in the OHM May 3<sup>rd</sup> letter.

If we look at the OHM May 3<sup>rd</sup> letter as quickly as I can here, just so everybody's on the same page. What was requested of the City's planning and engineering consultants was a review of the plan dated April 25<sup>th</sup>, this is the original plan, the plans prepared by Mannik Smith, again reviewed by OHM, a project description. The Applicant proposing to demo the existing building on the site, the bank that's been there since the mid '70s and was originally the NBD Bank. There's other history there but we won't go into that this evening but it's been on this site for a long time. And it's been the bank, it's been some other uses, most recently Paramount Health Care, it's still the same facility and it's been vacant for a period of time.

The intent of the Applicant is to raze the existing structures, demolish them, and to construct a 3,065 square feet building and associated parking, with a single land drive thru. Site construction will include new storm sewer and associated detention area as well as sanitary and water main leads to the proposed building. The existing Grand River curb cuts are intended to remain while the existing curb cut off of Lakeway Street is intended to be abandoned. The development is being proposed on five lots which includes Lots 118, and 82 through 85 in the subdivision part of the property, the C-2 portion.

The R-1-P portion which is the triangle piece we've talked about it is not intended to have structures on it except for infrastructure and some of the circulation for the parking lot.

The review by OHM is several fold. If you look at Section 35-152, Special Land Use Application procedures. So everybody is aware, prior to approving a Special Land Use Application the Planning Commission shall require the following general standards in addition to the specific standards noted for individual uses in Section 35-158(J), Special Land Uses, specific requirements be satisfied. The proposed use or activity, and this is a Special Land Use standards, number one, to be compatible and in accordance with the goals, objectives and policies of the City of Farmington's Master Plan. Two, to promote the intent of the Zoning District in which the use is proposed. Three, to be constructed, operated and maintained for as to be compatible with the existing or intended character of the general vicinity and so as not to change the essential character of the area in which it is proposed. Four, be served adequately by public facilities and services such as traffic, operation along streets, police and fire protection, drainage structures, water and sewage facilities with primary and secondary school. Five, not involve uses activities where such materials and equipment or conditions of operations that in comparison to permitted uses in the district and will be detrimental to the National Environment Public Health Safety and Welfare by reason of excessive production of traffic, noise, smoke, odors or other such uses.

And I mention these, just so everybody is clear. This is the Special Land Use Section of the Ordinance. That is what the application requires that will be addressed. The Petitioners filled out that application and responded to those questions. OHM has expressed the requirement for those to be satisfied here by the Applicant through the Commission and all of those five standards must be satisfied in accordance with ordinance requirements.

Properties for which applications for Special Land Use Approval is made also are subject to the site plan review requirements in accordance with the requirements of Article 13, Site Plan Review. Failure to obtain site plan approval will constitute denial of the approved Special Land Use. So, it's two-fold. The Special Land Use conditions, all five criteria must be satisfied, and the Land Use Section must be satisfied so everybody is aware. Again, there was discussion about Lot 118, it's currently zoned Single Family, R-1-P Parking, I had a little discussion about it. R-1-P requirements talk about buildings not being located, talk about expansion onto which was alluded to a little bit earlier, and again, the R-1-P requirements for that triangle piece are very specific in terms of what can cannot be there and that's identified in this letter and in the plan.

The C-2 requirements for a drive-thru must meet the following: Drive-thru uses shall be designed to minimize conflicts with pedestrian or vehicular circulation and shall meet the

following standards: The number of drive-thru lanes shall be limited to the following: drive-thru banks, car washes, have their requirements, they can go up to three. There's three there now, I believe, from the old days. All other drive-thru uses shall have a maximum of one drive-thru. So, for a restaurant you can have one, that's what the requirements are in the site plan standards of the Zoning Ordinance. Stacking spaces shall be provided as required in Article 14, Off Street Parking, and loading standards and access design, and that's specific, communication and speaker boxes shall meet the following requirements: speakers shall be placed as close and safely as possible from the edge of the drive-thru lane and in no case can the speakers be more than three feet from the drive-thru in itself or feasible speakers shall face away from residential neighborhoods. Noise to communicate with the speakers shall not exceed 50 decibel levels at any nonresidential property line and 30 decibels at any residential property line. Where a screen wall is provided the noise level shall be measured on the residential side of the screening wall. Site design for a drive-thru usually shall use the minimum number of driveways possible. Use of two direction driveways may be allowed only if there are no other reasonable alternatives such as access to a side street, rear alley, cross access easement or a shared driveway. Circulation patterns shall separate pedestrian/vehicular traffic where possible. Clear delineation of pedestrian crossings shall be provided in the form of textured concrete or asphalt striping or other methods that clearly draws attention.

So, again, two-fold, just for everybody's understanding since we're all on the same page. There is the Special Land Use portion and five criteria that have to be satisfied and there is a site plan section of the ordinance and the requirements in the site plan section of the ordinance must be satisfied as well.

So, Mr. Chair, I just wanted to share that, again this was reviewed before, you have this letter in your packet, you had dialogue about this at your meeting in June but I thought it might be important if we all understood what the requirements are so that we can continue to move forward. Thank you.

Chairperson Crutcher asked if there were any other questions or comments from the Commission?

Majoros stated he has one follow-up on a question that was asked previously. Not knowing or understanding restaurant/franchisee laws, but will the same people operating the previous Burger King be operating this Burger King or are you looking for a new franchisee? So are you a parent franchisee and you sell this?

Aldrich replied they are not the franchisee, we're never the franchisee.

Majoros stated he wasn't sure if they subcontracted this out to other people or you own or rent all your facilities to manage; so the same people and the same management company that managed the previous Burger King would be the same people here and Aldrich replied correct. Majoros said essentially new employees or whatever and Aldrich said yes.

Nadis stated he hoped that was clear.

Chairperson Crutcher stated going back to the engineering in the sewer, is there an easement, a right-of-way for that sewer going across the property right now?

Downing replied on the resubmitted plans that OHM recently reviewed, they did not see any easement for it, though with them going through this property, there should be one, so that would be something moving forward that they would ask for.

Crutcher asked if looking at the plans, is it possible to be located and Downing replied yes, it's definitely possible and there's multiple ways that it could be done and he's sure those will be explored.

Crutcher then asked about the traffic patterns coming out of there, he noticed in the packet there were some traffic flow diagrams, is that something the Commission should be concerned in terms of the traffic patterns because this is going to be a higher use than the bank was, the traffic flow.

Downing replied he definitely think it's something that can be fixed and as Mark indicated they seem to be able to. Obviously right now the way it was shown and what OHM saw, they don't believe that that works but there are other opportunities to correct that and if it is, they may circulate around the site, that would probably acceptable if it doesn't interfere with anything else.

Crutcher then asked if the Petitioners had addressed the outstanding concerns from the engineers.

Mathe replied that they responded to the original May 3<sup>rd</sup> letter but there are some the won't be able to address until they get a little further down the road as far as construction plan approvals and right-of-way permitting goes but haven't seen the comments letter but if those are the highlights and the gist of the major comments, he doesn't foresee any problems addressing those comments.

Mathe indicated with regard to the garbage truck, that's very simple to reconfigure and show a different way. One of the items that was brought up in the earlier review, was add

some directional signage, "Do not enter", "One way", and they did incorporate that in the site plan so that the eastern approach would be a two-way, in and out approach, and then what would be kind of the drive-thru lane and the bypass lane would be an outgoing lane driveway towards that direction.

Crutcher said he has some concerns leaving the site and making a left turn, it seems that that would be a little problematic.

Mathe replied he doesn't see it being any more problematic than turning out of Lakeway, turning out of the existing approach that is there now. He said with that being a one-way out, it does lend itself a little bit better to one less traffic movement you have to worry about with that approach specifically.

Nadis said he would like to quickly go through the five criteria that were listed for the Special Land Use Approval.

It does talk about compatibility, compatibility with the Master Plan. This is also an overlay district with the Grand River Corridor Improvement Authority. And in reviewing the Vision Statement of the Corridor Improvement Authority and the Master Plan, what's intended and was hoped for in the City of Farmington is that certain things are recognized as realities, such as certain of the properties, the commercial properties along Grand River simply are really depth properties and there's really an opportunity for significant redevelopment on those sites to create green spaces and some walkability areas and so forth. So those result in opportunities in the Vision Statement are focused in four areas. the so-called focus sites. This isn't in there. Rather, this is a part of the corridor that really is serviced by automobiles. It's not part of the corridor that even in the Vision Statement is specifically contemplated to be Parks and obviously on Grand River itself. And one of the things I wanted to tell you and I will now is that there's been a number of comments about why we can't put it somewhere else? Well, I understand why somebody doesn't want a Burger King, they want it to be anywhere but where it is, but in terms of location in the corridor, we think it actually does fit the corridor vision. The whole idea of this development plan is to provide for mixed uses for opportunities for residents to take advantage of different kinds of uses. And there are sit down restaurants in the area, there are carry out restaurants in the area, there actually are very few drive-in, drive-out, drivethru, fast food establishments. And while I get that that isn't the thing that everybody was hoping for for their street, the fact is that it services the area and it's something that's actually something that people will want and want to be able to use. And so what we suggest to you is that to the extent that a fast food restaurant with a drive-thru, to the extent that that is something that is part of a grander mix. We're not talking about having the whole street just be McDonald's and Burger King or Arby's or whatever, what we're saying is it's part of the mix for the neighborhood. And the extent that it's going to be on

that main thoroughfare, you put it at a place where people are really driving and not where you're hoping to create urban walkability, which I understand is the hope for certain parts of the Farmington area, the downtown, apparently there's a hope for, a plan for taking that Orchard Lake corridor and turning it into something a little more trendy and upscale and so forth, all great. And what we're saying is we have – this is a relatively small lot, not much you can do with it towards redevelopment but what we can do is take what is a borderline blighted site, it's an empty building that is not in great shape anymore, and we can redevelop it into a brand new site that looks good and it services the community just as it's intended in this residential – sort of this residential community.

So, in addition to that, I just want to note that you know we spoke to promote the intent of the Zoning District, well, this is a C-2 District, it's supposed to be for commercial. We're trying to harmonize this with the surrounding area. I'm pretty sure that the ordinance does not mean that it's supposed to look like a house. It's supposed to harmonize with the rest of the commercial development and we think we do that. We are – it's supposed to be constructed, operated and maintained to be compatible with the existing character in the vicinity and then be served by public facilities. One of the things that technology has changed over the years, storm water systems used to be a manhole cover and it drops in there and it feeds right into the sewer. But to the extent that you're able to do it, having a detention area actually helps the storm water system. It doesn't overload it in the heavy times and this property allows us to do that.

And then it says does not involve uses, activities, processes, material and equipment, but then it goes on to say, that in comparison to permitted uses in the district, will not be detrimental to the natural environment, public health, safety or welfare, and unreasonable excessive production of traffic, noise, smoke, odors and other such nuisances. I point this out, and certainly the Commission is well aware of it, that I point it out because this site could be a restaurant without a drive-thru that is a permitted use in this district and could be open until 11:00 and if you compare any of the issues that have been raised about the parade of horribles that may occur if there's a Burger King in town, that you'd find that there will be no increase in any of those things, noise, odor, compared to a restaurant use. Restaurants have a garbage bin in the back. They will have odors coming out, some fast food restaurants, and they smell pretty good or not so good. But the point is that we're talking about a permitted use that is very similar to what we have here and all we're really talking about is adding a drive-thru.

So let me try to address some of these issues that have been raised in hopes of getting our point of view as part of our presentation.

Traffic has been raised as an issue. It turns out that Burger Kings are a traffic diverter, not a traffic generator. The people that use Burger King are typically people from the

surrounding neighborhoods and those who are traveling on Grand River, they could be coming from anywhere and going to anywhere, but they happen to be traveling down Grand River and they stop at the Burger King. No one goes to another neighborhood's Burger King. If you want to go to Burger King, you go to the one in your area and that's why we say this isn't going to create a lot of extra traffic, it basically will pull cars off the road and then let them back on one by one. This does not create a big traffic issue. This has been raised as a big problem here but Burger Kings are simply not destination restaurants. They are convenience restaurants that allow for people who want affordable food and a drive-thru opportunity.

There was a concern about extra traffic on Lakeway. It's hard to understand how there could possibly be extra traffic on Lakeway. People will come to the Burger King, or not come to the Burger King, and they'll turn on Lakeway or not. One of the things we're going to do with this restaurant, the entrance to Lakeway is being cut off. And so the only way to get into this restaurant would be from Grand River. So anybody coming up Lakeway to the Burger King, is someone from the neighborhood. One of these folks probably that's sitting here with us today, and that's it, no one else is going to be using Lakeway to go in or out.

So I say there was also a question about the rush of traffic at lunchtime from the students and the concern that they don't drive well or something and they'll race up and down Lakeway. Well, what you've heard from many of the homeowners already is that Lakeway has a problem. At least in their perception. That is there are already people, students who come in late to school and are racing down Lakeway to get there on time or want to get home and race up Lakeway, that has nothing to do with us. That is an issue with Lakeway that the folks on Lakeway can take up with the City but it won't have anything to do with Burger King.

Now, it turns out though that this concern that somehow, we're adding a third time during the day when these people will be coming up and down Lakeway is not really factual because the school has a closed campus policy and students are not allowed to leave the campus to go to lunch. So this available, publicly available in the school district. And so, again, it's just not adding any extra traffic on Lakeway.

Mark has already addressed this, this idea of the left turns out and this concern expressed about making a left turn out of the Burger King and into the left turn lane and then making a left on a diagonal road. I don't know if that's a hard thing to do, I've tried it myself, it didn't seem all that difficult but once again, it has nothing to do with the restaurant there. Any user, anybody coming out of a user of that facility and wants to make a left turn on Lakeway is going to have to make that left turn and there's a left turn lane to accommodate it and I can't really see how that is a concern. That's been a big issue raised. All the

noise, the racket that this is going to cause and I will tell you that I was wondering about it myself. So I did a tour of Burger Kings and I could not figure out what the commotion was about the noise.

Now, as you can see through the plans, you can't see it on this drawing, but if you look at where the order boards are and the speaker, the speaker is right in the middle and it's facing directly towards the wall. The 6-foot wall that is going to be enhanced with this row of landscaping, the trees and so forth. And so whatever sound we're committed to making sure that at the property – well, this wouldn't be a property line, at this property line it's about the same 30 feet, you will not hear that speaker. But to the extent that the speaker is directing its sound toward the wall, the wall will be a direct buffer of that sound to whatever extent it still exists 30 feet away. And as we say, our studies show that the decibel level 16 feet away is down to 36 decibels and below 30 where that wall would be and then it has to hit the wall. And so the sound is not really an issue. There have been some who have said well, gee, there's going to be people blaring their radio while we're waiting in line. That's not my experience. But it turns out that people are allowed to blare their radio wherever they want to be, whether they're in line, whether they're driving down Lakeway or Grand River, if they're blaring their radio, they're blaring their radio. But it's not any more likely that when you're driving up to a drive-thru window where you have to speak to somebody through your window, they're not going to be blaring their radio. So it's just hard to understand where that concern comes from. There may be occurrences where someone is blaring their radio, it's possible, but even that is not likely to be heard by anybody on Lakeway.

Lighting, that is another big bugaboo in the discussion. This is modern LED lighting. It is designed to not only be downward in its direction, but the optics of the bulbs, and now you can tell I'm a little bit in over my head on the technology here. But the lights which are on the perimeter of the property, are essentially designed to have the light go down so that it illuminates the area of the parking lot because they want safe driving if somebody is in the drive-thru in the evening when it's dark. And the same thing here and here. There is no reason to believe that any of that light is going to leave the premises in any significant amount.

Now, I found it curious that some of the complaints we got, I believe, were from people who live in those homes or the home to the west and south which if you can find that home from the street, you're a better person than I am because I can't find that home when I'm driving down Lakeway, it's buried behind the building next door. And so it's not clear to me how that property would be affected by light in any way. But on the easterly side of the street, the first two homes which are really the only homes that have any kind of sort of eyeshot to the property at all, although they would be looking through shrubbery that lines Lakeway, it turns out that there's an LED streetlight right in front of their home.

So the idea that somehow that whatever extra lighting is coming from our property which is unlikely to be of any significant amount and as you can see from the presentation, the light levels are nonexistent when you get really to those other houses.

Partly relevant to the light issues, they aren't going to be affected. Headlights, coming into the property they are going to be facing directly into, they come in, you will go back right into that 6-foot wall. Now, that demarcation was originally stating a 4-foot wall, we heard the concerns with the Chair of the Commission mentioned its concern about that issue, we're happy to raise it by two feet so that there wouldn't be any concern then. And so as the cars go around, they will be facing into the 6-foot wall and the landscaping behind it and then as they come around here, they are pointed away from any of the residential nearby and then they come out this way.

So the lighting, the headlights is really no issue for any of the surrounding area and again I would say to that to the extent that there are lights on at 10:00 or 11:00 o'clock at night, that's consistent with any restaurant that's open at that hour and that is a permitted use in the district.

This concern that there's going to be lots of litter and trash, I suggest to you go to any other Burger King in the area, whether it's a Carrols or otherwise, but Carrols is particularly conscious of this. It's bad for business. You're not going to see a fast food restaurant have trash in their area. If there is, they would go pick it up because no one wants to go to a fast food place that looks like it's not clean. So this is something where the operator is going to have a common interest with the citizenry that might be concerned about it and it's just not an issue there. And there are a series of other complaints having to do with pests and other things. The fact is that this is no different than any restaurant, in fact, we have the garbage container abutting the building. It's as far away as you can get to any of the neighborhoods and it follows all of the ordinance requirements, with the screening, with the brick and a door so animals can't get in. It's emptied periodically so that you don't have accumulations of waste. Nobody, and certainly the operator does not want smells or anything else to affect people's decision about where they will shop for their dinner.

It's difficult for me to address the suggestion that there will be a drop in property values. I would like to think that there will be, if anything, an increase in property values over time. Didn't know that was funny, but apparently it was.

I'm going to go back to two issues that I kind of skipped over. One is with respect to this issue, if I can hand this up to you. We've been listening as carefully as we could to the complaints that the sky is falling and all of the concerns of the residents. And I'm sympathetic. I live in the neighborhood. But I am sympathetic because my client is

sympathetic and because we would like to be good neighbors. What I've handed you is a letter that I sent to the neighborhood. Not everybody, I think we picked those who had sent letters and those who were primarily close to the area that we're developing. And the reason we sent this letter is that we wanted to hear why there's laughter right now. We wanted to hear what the nuance was that we were missing, if anything. You know, we can look at this in a rationale fashion. We can't deal with the emotions without talking to people directly. And we guessed that there is emotion associated with this, but we deal with the rationale part and the ordinance and how we can comply with the ordinance and do our best to minimize any interference with the neighborhood. I'm certain that you probably can't guess, but the number of responses that we got was zero.

An audience member asked when it was sent out and Nadis replied on the 25th.

Chairperson Crutcher called the meeting back to order and indicated to the audience they would have an opportunity to speak during the Public Hearing portion.

Nadis stated it was sent out on June 25<sup>th</sup>, it was dated June 24<sup>th</sup>. My staff tells me, I was out of town but my staff tells me that it was sent out on the 25<sup>th</sup>. And if people normally send – our office is in Farmington Hills, the postal service usually gets things out in a day or two to local areas, and I expected to have heard from people. If people didn't receive the letters, I just heard from the public that they didn't get it until the Friday before the July 4<sup>th</sup> weekend, I guess, I'm not sure what date they're talking about, but could have still made the call. Would have been happy to talk to anybody to get more insight. So we're going based upon what we can go on. Based on the letters that had been submitted, based on the public comments from the last meeting, and so forth.

The second thing is, that there was a response submitted to the Commission to our application which was in the packets that you have. And the response, I mean I have to hand it to those that prepared it, they tried really hard to get some sort of see the technicalities and find some glitch in all of this. But I want to point out that there were some distinct errors of fact in their conclusion. Some of which are not their fault because they didn't know what we were proposing, they didn't see any revised plans. I'm handing you a drawing of the order board. It turns out there's one single order board. Mark did mention this. It's basically a television screen, a large screen television with colored pictures that is simply not that bright. And it is shown on there to be what its actual height is, which is 5'4". Now, there was some discussion, there's a picture put in one of the packages of an order board that was exceeding the height of a truck, whatever that was, 6', 7' high in Westland. That's not what's being used anymore and not what's being contemplated for this brand new Burger King. What we're proposing is this, basically a Samsung screen that is only 5.5' tall, shorter than the back wall and is unlikely to create any light beyond the limits of our property in any direction. Now, it is angled a bit, away

from the back wall, but actually it's angled to the easterly edge end of the back wall. So, in theory anyway, if you could see over the wall and you could know that there is a screen there from as far away as people are talking about, it's actually you have to see it through the wall because the neighbors to the east in the first couple of houses actually they'd have a hard time seeing it if they were looking hard for it.

The other error of fact I think we should point out is, there was an assumption I think based on our original plan that we were going to remove some of the large trees that are in that buffer area. We are not removing. We have redone the plan so that we aren't having to remove any of those trees. So, any of the eyeshot that you have looking towards the property through those trees or without the trees wouldn't really be accurate, those trees are going to remain and that's part of our contemplated plan. And we've added, in response to some of the comments that were made, we've added some evergreens to the mix instead of – they're all evergreens, we've made them taller, we've made them wider and we've made them more plentiful so it's not just deciduous trees that in the wintertime might not be as good a buffer.

And also, I want to address the issue of the buffer itself. That is to say, the area in the back of the R-1-P District, now as you can see what's in the back there as Mr. Christiansen pointed out, it's just a parking area and the drive. There has been some concern that we've paved over some of what's now a green space. True, however, it leaves in place of what you see to be the entire back part of the green area and because we're using that for detention pond, it's basically green. It's going to be a nice green area in that part of the subdivision and it will remain a buffer and the buffer is not just the trees and the wall; it is the space. It's the distance between the wall here and the tree line that runs along the property line to the north. And so we wanted to point that out because it's difficult to read some of the response comments that we got in the package today without reference to some of the facts just aren't true and we're aware that in a City that is promoting itself as new urbanism and it's trying to have some walkable panache, great, we're all for it. And I suppose I can understand that if you hear that Burger King is the net thing in line to be developed, you might roll your eyes and say, well, wait a minute, that isn't open walkability, that isn't - that's car traffic. Well, you need to step back and I'm certain that the Planning Commission will. This is a much larger, long term effort to redevelop the City. What we're doing here is a small piece of that. We are redeveloping what amounts to a blighted building. And we're going to turn it into a nice building. And I said at the first meeting, cocooned in large part from the residential area, cut off from the access, but it will be there to service the residents who want that as part of the mix of services they receive.

I tried to address the issues; I don't know if there are others that I've missed but I'm happy to take any questions.

Chairperson Crutcher thanked Nadis and opened the floor for questions from the Commissioners.

Majoros said he has no questions but wanted to let the Petitioner know he appreciated taking the time to do that, he knows this is an issue that's important to him and the citizens and the City and so to take the time to respond to those, he thinks was helpful, and appreciated and thanked him for doing that.

Chiara indicated he had one question. From all the people that the letter was sent to, did any of them respond at all and Nadis replied no, there wasn't any at all.

An audience member asked if it was sent registered mail and Nadis replied no, it was regular mail.

The audience member then stated so they don't know if anyone got them?

Chairperson Crutcher stated they would talk about that during the Public Hearing.

Nadis stated the letters did go out on the 25<sup>th</sup> of June, it's now the 8<sup>th</sup> of July, there's a holiday weekend in between, we can argue all you want about who got what, we weren't trying to build a case for court in terms of who got the letter and who didn't, we were simply reaching out to the community and we got no response.

MOTION by Waun, supported by Perrot, to open the Public Hearing. Motion carried, all ayes.

(The Public Hearing was opened at 8:14 p.m.)

#### **PUBLIC HEARING**

The following people spoke on the above matter during the Public Hearing:

Peter Lichtenberg, 31817 Valley View, spoke about his concerns with safety and increased traffic.

James Kuhl, 22738 Lakeway, spoke about the five criteria necessary for a Special Land Use and that Burger King does not meet that criteria.

Tess Wulf, 22805 Lakeway, spoke about Burger King not meeting the criteria for a Special Land Use.

Hallie Bard, 22738 Lakeway, spoke about her concerns on the impact that the Burger King drive-thru would have on her neighborhood and that it is not in concert with the Master Plan.

Connor Cetas spoke about how the Burger King would impact property values.

Allison Gaspard. 22829 Lakeway, spoke about her concerns with making a left hand turn onto Grand River out of Burger King and that traffic is especially heavy when school gets out.

John Casine, 22805 Lakeway, spoke about his concerns with traffic and safety.

Michael Ritenour, 22823 Lakeway, spoke about the letter that Carrols sent out to residents for input and that he was doubtful that responses to the letter would give credence to their concerns.

Mike Smith, 22809 Lakeway, spoke about the fact that no Burger Kings within a six-mile radius is adjacent to residential properties.

David Gaspard, 22829 Lakeway, spoke about the detrimental impact on property values that Burger King would have and that the Master Plan spells out exactly what is anticipated for the City.

Joe Gdowik spoke about his concerns with increased traffic from inexperienced drivers congregating at the Burger King location.

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

(Public Hearing closed at 8:50 p.m.)

Chairperson Crutcher opened the floor for a motion from the Commissioners.

MOTION by Waun, supported by Majoros, to deny the Special Land Use Application and Site Plan Review of Carrols, LLC, the construction of a new 3,065 square foot one-story restaurant building with a drive-thru at 31806 Grand River Avenue, located in the C-2, Community Commercial, and R-1-P Single Family Parking District.

This motion is based on the following findings of fact:

Regarding the Zoning Ordinance Section 35-152, the Standards for Approval of Special Land Uses, this use in not compatible with the goals, objectives and policies of the City of Farmington Master Plan:

The Future Land Use designation of Neighborhood Centers, which favors small scale and low intensity uses to meet daily needs of the City's residents and discourages uses that are heavily auto oriented. The proposed use is heavily auto oriented and promotes high traffic volumes circulating through the site.

This land use will not promote the intent of the Zoning District with the use as proposed. This does not promote the intent of the C-2 District to create businesses that harmonizes of neighboring uses, provide convenience to those residing in nearby residential areas, and that do not create traffic hazards, offensive noises and late hours of operation and high traffic.

The proposed use is not compatible with the nearby low-intensity office, neighborhood retail, and residential uses.

The proposed use will not be constructed, operated and maintained with the compatible existing or intended character of the general vicinity and so as not to change the essential character of the area to which it's proposed.

Through the years, the use on this site has gradually reduced in intensity from autooriented uses such as drive-thru bank, down to an office building that is compatible with the current character of he area. Returning this property to an auto-intensive drive-thru use is not consistent with this development pattern.

The proposed use will not be served adequately by public facility such as traffic operations, increased traffic volumes and proximity of the site's ingress and egress to an intersection creates an increase or risk of traffic hazard.

The proposed use will not involve uses, activities, processes, materials, or equipment, conditions of operation that in comparison to permitted uses in the district will be detrimental to the natural environment, public health, safety or welfare, by reason of excessive production of traffic, noise, smoke, odors, and other such uses.

Increased traffic volumes and proximity to the site's ingress and egress to the intersection of Lakeway, creates increased traffic risk.

The overall character of the use promotes elevated noise levels from vehicles, patrons, and individuals ordering at the speaker.

Regarding the specific requirements for drive-thru facilities required by Zoning Ordinance Section 35-158(J):

There are no waiting spaces. They're not provided and the vehicles are forced to wait for their orders past the drive-thru window would create a risk of obstructing egress from the site.

Connections to commercial development:

Direct vehicular access connections with adjacent commercial developments shall be provided where feasible as determined by the Planning Commission.

The proposed development's commercial character is in contrast to neighboring office and residential developments, which restricts progress toward making vehicular connections across compatible developments.

#### The outdoor speakers:

The proposed speaker's ability to increase its volume to overcome ambient noise conditions creates a risk of increasing noise pollution to neighboring uses at times when ambient noise levels are already high.

Chairperson Crutcher called for a vote from the Commissioners.

MOTION to deny carried, 6 -1 (Kmetzo)

Chairperson Crutcher said the motion to deny carried. He then asked Director Christiansen to explain what the next step would be.

Christiansen stated the action of the Planning Commission with respect to the Special Land Use Application which includes the site plan as well, at the municipal level, the City level, is final and that is the final action, again, the responsibility of the Planning Commission on this Special Land Use Application and accompanying site plan.

Attorney Zalewski stated that any further action would be at the Oakland County Court level.

## INTRODUCTION/DISCUSSION AND REQUEST TO SCHEDULE PUBLIC HEARING FOR REZONING REVIEW - CERTAINTY HOME BUYERS, LLC, 22100 HAWTHORNE STREET

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

Christiansen stated the applicant is here, Mr. Vincent Coleman, and his associate. The Applicant has submitted a rezoning application to rezone the existing residential property located at 22100 Hawthorne Street.

The existing legal nonconforming multiple-family use family is currently zoned R-1, Single Family Residential. The subject property is identified as Single Family Residential on the current City of Farmington Master Plan, the Future Land Use Plan, the Future Land Use Map.

The Applicant is proposing to rezone the property from R-1, Single Family Residential, to R-3, Multiple Family Residential.

A Public Hearing and recommendation to City Council on the proposed rezoning are required.

The purpose of this item this evening is to introduce and discuss the proposed rezoning and to schedule the required Public Hearing for the August 12, 2019 Planning Commission meeting as requested.

As I indicated, the Petitioners are here this evening to introduce themselves and to introduce their request and present the rezoning application requesting the scheduling of a Public Hearing as required.

Chairperson Crutcher called the Petitioner to the podium.

Vincent Coleman came to the podium and introduced his partner in the building of the proposed development, Joseph McCullough.

Coleman stated McCullough is the building arm of the proposed development that they have at 22100 Hawthorne, forty-plus years' experience in doing condos and in fact, they one starting in two weeks in Mt. Clemens on a much larger scale.

He stated they purchased the Hawthorne property, which is behind the A & W, and it's a short block. Christiansen put the picture of the site on the screen.

Coleman pointed out the area where the A & W Restaurant is, and stated there is a concrete fence, and that the uniqueness of the property is that it is zoned with the Master Plan expected to continue as one. It has this special use since the '20s. We presently utilize it as a four-unit facility. You have the one central building which has two units, two one-bedroom, one-bath unit. And then you have these two standalone offset units that have also been around for some time that are also one-bedroom, one-bath. You have a short block where we have two single families or three single families that consist of that particular block, and you have three additional single families. It just so happens that each one of these three happen to be rental units presently, we happen to know that, and once again this has been here since the '20s so it's not as though a multi-residential wouldn't want an R-3 on a smaller scale as not accepted so far. We have had an opportunity to speak with a couple of the residents and we have not gotten any real negative response. We just purchased the facility in February. Originally when we purchased the facility, we were looking at doing a major potential rehab, but as we got

into the cost effectiveness and we ran into issues that we weren't accustomed to, we decided that we could do a complementary brand-new condo development.

So what we propose to do is put not high-rise condominiums, but side by side residential condominiums that would blend in really nicely I believe, which we have also done successfully before in a single residential environment.

So now as we worked with the Economical Development Department, we met with Kevin and others on several occasions, we discussed how can we accomplish that, clean up the site, and present something that would bring great blending and momentum from a residential standpoint. Not rental, but actual homeownership, residents that own those condominiums. And originally, we felt that rezoning was the best way to go. But in later conversations, we became aware of a PUD, the Planned Unit Development. We like that idea better because it will allow us to work in concert with the City and get that feedback and really act in partnership for that particular site. We feel that that way we know that the outcome of what we do, we will be able to raze those old units, we'll be able to clean up the site tremendously, add a complementary condominium development, that are not offsetting to the neighborhood and what will set a good momentum in the area. Now I did personally do this application, I personally did it, I researched it and we know the environment in Farmington. We know that Farmington doesn't have a lot of room for new housing and we know the Master Plan hopes to find ways to provide complementary housing and there is a shortage of three-bedroom, open floor plan, and amenities that the market looks for, the combination of what is really asked for in today's housing market.

Both my partner and myself actually are also licensed realtors, my partner is actually a broker and I'm a licensed realtor and we know the market and all of these aspects. So today we are not here to continue with the thought of rezoning, although we do feel it would be very viable to consider rezoning. It would be even more viable because it's been used for R-3, although the technical zoning is single-family, but it's been used as R-3 since the '20s in that capacity. But we know rezoning is kind of a hard stretch sometimes, especially when the Master Plan calls for its vision, but I do feel what we have here will work in concert with the vision because we're not – and I'm not trying to be funny seeing the Burger King, we have really nice residential here with homeownership, not tenancy, which will generate a great deal, it's a win/win, not to mention the tax revenue for the City without disturbing and presenting more momentum for sorely needed housing stock in the City of Farmington.

There are some things going on, there is the campus there on Oakland, the medical campus that is nice, so forth, and we feel that this can add to it.

One other point, farther north of our property, you already have R-3 north of Nine Mile. A longstanding R-3 condos, much older, but that have there, been in concert with the

single-family environment. I believe some of it is on the Farmington Hills border because we're right on the border, but you do have some in the Farmington locale as well. And actually that development, those developments are much larger than what we are proposing, twelve, up to twelve units. You're talking thirty, forty, something like that up further north.

So, once again the residential communities have been working in blending with those developments for decades. And what we're proposing I really don't feel is out the norm of what's been going on per se.

So understanding that, however, getting back to the point, when we decided after finding out the viability of the PUD, that that probably is the better way to go, work in concert with the City's Planning Department, having the flexibilities. It's a longer process, of course, you know, investors don't particularly like that, but it is the best solution we have. We are a little nervous that we are getting into the winter and we're losing the construction season. We know that that's something that the longer process will deliver to us, but ultimately, we feel it's the best way to go.

So what we're proposing today instead of continuing with our application for the rezoning, we're proposing to come back at the next slotted time, having a completed PUD Application, continuing transitioning over to the PUD, working in concert with the City, partnership, and contractual partnership, getting the complete synergies and moving forth accordingly. So we look to present the new application, to be placed on the next available slot, I think that's in August.

Christiansen replied August 12<sup>th</sup>.

Joseph McCullough, came to the podium and stated that he and his partner bought this property in February, it was in too far need of repairs, and it's better they not do those. He then stated he's currently building a forty-unit in Clinton Township, he's been building for 43 years and Kevin know me from high school. He's stated he built probably 500 units over the last forty years plus residential homes, custom homes. He just finished Bob Seger's house which was 17 million dollars. He indicated Coleman pretty much covered it all, he's a talker.

Coleman stated they do have experience as well, they have the expertise, the market, the capability even to sell those units effectively although they feel they really will fly off

the shelf looking at some of the other minimal condominiums. These will be three-bedroom, two full bath, open floor plan, those are amenities that today's market really

looks for and they have priced them very much in line with the going price, very effective for this area.

He went on to state that's pretty much it, they changed gears a little bit tonight. They were prepared to try to get you in concert with the vision that we have, knowing that it would call for rezoning and we know all the hard work that goes into that, but once again, I will just stress that because of uniqueness of that property it's really not a far stretch from what's there, what's being envisioned. It's behind the A & W, west of us is Orchard Lake and the other commercial developments. The subdivision is accustomed to older condominiums, just not even two blocks up, a much larger scale, and is a win/win for the City, certainly from a revenue standpoint and they're not rental units. These will be home ownerships, they will be homestead types of properties and they will have an association with the facility so the grounds will certainly be impeccable as well. That's what we envision for the area.

Crutcher said in looking at your packet and in coming back with the PUD application, looking at the site plan, you might want to do a more accurate site plan when you come back.

Coleman replied yes, they will do a more appropriate one and that's what the PUD is for, you can work with densities and such. And if you read further, he didn't want to particularly get into this at the moment, but they do have an option to purchase the property right next door, adding another 40 feet and we are looking to even possibly the other two units potentially. In the future if this goes well, we might be looking to make it even more for that particular block, extend a beautiful condominium block.

Crutcher then stated they need to include as much information on a site plan to understand what's going on.

Christiansen then stated they've been working with Mr. Coleman and Mr. McCullough for quite a period of time now, very interested in the property. Their initial engagement with the City was in rezoning the property. But after receiving the application and working with them, looking at it and what they wanted to do and what might be best serving their interest but also serving the City's interests and needs in providing a long-range plan, we had dialogue about alternative processes which Mr. Coleman looking to modify the rezoning application to the Planned Unit Development Application, in trying to achieve something unique and specific to the site was one of the challenges to him is that the City's long range planning doesn't hope for multiple family, per se, but certainly allows opportunity and flexibility for things like utilizing a PUD, to achieve these elements, so that's the approach.

I would say, the easiest way to comment, Mr. Chair, if I might, more detailed plans. I think as everybody is aware rezoning is not based upon plans, so the plans that were submitted were just Mr. Coleman's quick broad-brush stroke concept, so the plans that are in there don't relate to his interest in the PUD, to say that in response to your comment. They have talked about more detailed plans, but again, at a rezoning level that's not part of your rezoning. At the PUD level, that will certainly be part of it. Again, his discussion with us, as recent as even this evening, was to look to modify his application to be a PUD application and come back to you at the next meeting in August, introducing that with a revised application and moving forward with scheduling a Public Hearing for a PUD.

Majoros commented that if we're rescheduling a Public Hearing why did we go through all of this and spend twenty minutes on something that's going to be something different in a month from now.

Christiansen replied he thinks it's important for the Commission to understand what's going on.

Majoros then stated moving forward it would be his recommendation that we table the things that are not ultimately what they're going to react to.

Christiansen said that happens typically, but this is a unique circumstance for him.

Majoros then indicated it should be pulled from the agenda and brought back next time.

Christiansen stated they could have gone through with the rezoning application, but in response to discussions with the City Attorney as well, it was already on the agenda tonight for you and that this was most prudent in terms of direction, give you information in terms of what's certainly important to you.

Majoros said what's relevant is to have information on the matters that come before the Commission.

Christiansen replied which is in this packet with his Application and said that what the Commission has done is actually accomplish the first step in the PUD this evening, and that's allowing him to have an opportunity to introduce himself.

Chiara asked if the PUD requires a rezoning and Christiansen replied no, the PUD actually acts like, and you know this, because you've dealt with many of them, like an overlay district.

Chiara asked if there are two issues here, the PUD and then the rezoning and Christiansen responded no, you're either going to look to rezone if there's an Application for Rezoning which is what's been submitted, or to look at an alternative direction utilizing a different process, you go through a PUD process which in the end creates its own overlay, its own conditions on the property, in effect you're rezoning the PUD if you want to look at it that way. But it's much more comprehensible, it allows them flexibility, and allows the Planning Commission to do a lot more because you can get a lot more selective and be flexible and the Council is also engaged.

Chiara asked if tonight the Planning Commission could agree to zone this to R-3?

Christiansen replied the request tonight this evening under the application was just that, but the Planning Commission is not being requested to take any action tonight.

Chiara then said he would make a motion that the Planning Commission not address this tonight and Christiansen replied there's no motion necessary.

### REQUEST TO SCHEDULE PUBLIC HEARING FOR SPECIAL LAND USE FOR PROPOSED DRIVE-THROUGH – PANERA BREAD BAKERY, 34635 GRAND RIVER AVENUE

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

Christiansen stated the Applicant/Petitioner submitted a Special Land Use Application and Site Plan to construct a drive-thru on the east side of the existing Panera Bread Bakery located at 34635 Grand River Avenue.

The existing commercial property is zoned C-2, Community Commercial. Drive-thru establishments area a Special Land Use in the C-2 District. A Public Hearing and site plan approval are required.

The purpose of this item is to schedule the required Public Hearing for the August 12, 2019 Planning Commission meeting.

The Applicant is here this evening. This is a copy of the aerial photograph, this is the Panera Bread site located on Grand River Avenue, it is adjacent to commercial development both to the east and to the west of the site. This is the Application and let's go back, this is a corner lot location with Whitaker as the side street. This is the floor plan layout and I'm going to let the Petitioner take you through his plan. What I will tell you and I will go back to the aerial photograph really quick. Again, this is an introduction for

you, the request then is to schedule the Public Hearing for the drive-thru. You'll see the Panera Bread. They currently do not have a drive-thru. They've been at this site for over 20 years. They do not own the property, they do own the facilities, the building, and the site elements. They're looking to put a drive-thru on the east side of the building. You'll note on this aerial photograph that there appears to be a driveway between the Panera Bread, the east side and the five-unit strip center to the east. That is an alley access. Actually it's City alley with a public right-of-way that provides access to a dumpster that's behind the western two units of the five-unit strip center, and also to a dumpster that is on the southeast corner of the Panera site.

If you've had opportunity to look in your packet, the Petitioner is looking to reorient the dumpster and to use that area for the drive-thru, so they're going to use that alley area for the drive-thru on the east side. A number of things will have to happen for that and that's being coordinated right now because it's a public right-of-way. There are several alternatives. Either it can continue as a public right-of-way, agreements can be put in place. A dumpster for the five-unit strip can be relocated. The dumpster on the Panera site can be reoriented. There can be a combination of dumpster in part. All of that is in process right now.

The first step is considering the Special Land Use Application, having its introduction this evening to you, and then scheduling the Public Hearing and letting them continue to work on their elements as part of their site plan.

Chairperson Crutcher called the Petitioner to the podium.

Scott Tukere with Diffin Umlor came to the podium. He stated he is present tonight to talk about the retrofit drive-thru for Panera. Basically it will be a drive-thru with a bypass on the outside. So, there will be a portion of the alley vacated, it would be used for the drivethru, stacking around the back, this property will remain, the dumpster location would be flipped facing this way, and the two businesses would have access to that dumpster is right now the way they're looking at it. You would then have your bypass lane around the drive-thru coming through the east portion of that alley and that would also be those businesses loading area. There will be 320 square feet of additional parking, additional landscaping, screening the residential area. The site itself, I've been told most of the existing trees on the site will remain and there's some pretty mature spruces and they will be filling in the holes along the back side and the rest of the residential along the east side. Most of the parking lot that is there will remain as is. The area of additional paving will be along the back and then the dumpster pad. The building itself along the back, they're looking to modernize it and getting rid of the brick, but they would do something to make it look more like the rest of the building, a finished product like that. There would be a screening wall that they're proposing off of the dumpster to help with the situation

and it would dive into a boulder wall that is currently there now, but it would be all new adjoining to the property to the east.

Crutcher opened the floor for questions from the Commissioners.

Crutcher then asked if there were plans in to address the sound coming from the speakers of the drive-thru and Tukere replied the screening should take care of most of that, the wall will, there's going to be a 6-foot wall, this site is basically in a hole is my understanding from the engineer and I've seen from Google maps that you've got about a 4-foot berm behind the existing dumpster and then a wall behind that so there should not be any issue with noise for the adjoining residential.

Perrot said the residential looks like it sits up higher and Tukere replied it is, but it meets grade once you get back towards the strip building.

Christiansen stated this is the third engagement the City has had over many years with the interest of Panera Bread wanting to put a drive-thru here. On two different occasions they didn't move forward with their application and now they have. Again, the challenge with this site is going to be how to retrofit an existing building with a drive-thru with existing conditions. And the condition that we have here that is most challenging is really trying to show where they would like the drive-thru to be at is in a public right-of-way and how that is handled is still yet to be determined. And also, too, the dumpster for the strip center, that's behind the two western units, it's not utilized that much but it's still there as that site's operation so that has to be address and then the dumpster on the Panera site. And there's dialogue of combining the two as one and having a joint use agreement which is possible.

Also, too, the alley still being an alley, to abandon that alley and vacate, and that's not unprecedented throughout the community. There is a process and there is a breakdown of that public property, that alley, that right-of-way and how that happens typically is that the vacation portion that goes to the property owner on one side and a portion goes to the other side and they would have to enter into some kind of use agreement and the

maintenance. So all of that will be worked out as part of the site plan and are all in process right now.

MOTION by Majoros, supported by Chiara, to request a Public Hearing for Special Land Use and Site Plan Review for proposed drive-thru, Panera Bread, 34635 Grand River Avenue, at the August 12, 2019 Planning Commission meeting.

MOTION carried, all ayes.

#### **PUBLIC COMMENT**

None heard.

#### **PLANNING COMMISSION COMMENTS**

Kmetzo asked Christiansen about the C-2 classification and designation in the Farmington Master Plan, and what's going to prevent another plan for fast food or a drivethru being planned for that area and going in that area; is there a way to make a designation that you can't have a fast food or drive-thru.

Majoros replied there was a lot of comment about Burger King, but the notion of what it was, it was the hours of operation and the traffic and a number of things that aren't exclusive to Burger King.

Crutcher said if this was not a drive-thru and just a restaurant and Majoros said some of the concerns would still apply.

Kmetzo then asked if there could be more specific language in the zoning ordinance, that might be helpful.

Christiansen replied if you look at the City's Zoning Ordinance, it is pretty specific and detailed. It actually has specificity as it relates to certain uses in certain zoning districts, depending upon its uses in the district they're located in. There are two types of uses, some are permitted uses, meaning they're allowed and there aren't any special considerations for them, they're allowed. A house is allowed in a Single-Family District. A restaurant is allowed in a C-2 District. They just have to meet what the setback requirements are, and the building code requirements are for that construction. So, let's go back to the C-2, if it's a restaurant without a drive-thru in that C-2 District, restaurants are permitted, an enclosed restaurant, not a drive-thru. That restaurant has to meet the spatial requirements, the setbacks, and building height and other elements because they also require site plan compliance. So you have to have parking and you have to have a certain number of barrier free spaces, and you have to have dumpsters, and landscaping, and other things. Those are site plan requirements but they're not special considerations. And the ordinance is very specific and lays those out. It's special land uses that have a lot of uniqueness to them and that's why they're special and that's why they have special

considerations. Whether it's a drive-thru or other impactful type uses whether it's in a C-2 or any other zoning district. And our ordinances are very good, it lists those uses by districts and spells out what the requirements are. Not only does it look at special land use, special land use has the six criteria you have to meet. And then it also has to meet the site plan requirements as well as building code and construction requirements as well. So there are a lot of things that have to be complied with and addressed so it's not really that open.

Again, there are permitted uses in every single zoning district that don't have special unique conditions or considerations where they don't have to have public hearings and those type of things, they're typically just site plan reviews. But things like drive-thrus and other impactful uses do have special requirements and considerations that do require a public hearing.

The C-2 is the commercial district, there's three commercial districts, there's the neighborhood, there's the community commercial district and then there's a C-3 that's a general commercial district, that's even more broad and allows more types of uses to it, so it just depends on what it is.

Anytime the Commission has a concern about a particular use or a provision, the way to deal with that is to amend the ordinance, amend the zoning ordinance, turn around and change it. If you don't like what your plan lays out, your Master Plan, then amend your Master Plan and that is certainly available to you through public process. If you are not comfortable the way your zoning ordinance reads or the provisions in your ordinance, uses specified in a district, or special land uses or conditions or whatever the criteria are, then you can certainly look to amend that and is certainly available to your through the public process.

He went on to say that the planning tools are absolutely very comprehensive, especially the ones that have been updated in the last five years. They're going through a Master Plan Update right now that you've already been through a review of your own. What's likely to happen after the Master Plan is updated and approved by the Planning Commission, a typical subsequent step to that is to do an audit of your zoning ordinance in case there's something in updating your Master Plan you want to change the rules changing your zoning ordinance.

#### **ADJOURNMENT**

MOTION by	Waun,	supported	by Perrot,	to adjourn	the meeting.
Motion carrie	d, all a	yes.			

The meeting was adjourned at 9:37 p.m.

Respectfully s	submitted,	
Secretary		

### **Farmington Planning Commission Staff Report**

Planning Commission Date: August 12, 2019

Reference Number 4

Submitted by: Kevin Christiansen, Economic and Community Development Director

<u>Description</u> Public Hearing – Draft City of Farmington Master Plan Update 2018-2019

#### **Background**

This item is a Public Hearing for the Draft City of Farmington Master Plan Update 2018-2019. As the Planning Commission is aware, City Administration, City Consultants, and the Master Plan Update Committee have been working diligently on the update and have moved it forward to the Planning Commission for their consideration. At the May 13<sup>th</sup> meeting, the Commission discussed and reviewed the Draft Master Plan Update and scheduled the required public hearing for the 8/12/19 meeting (see attached copy of minutes). At their June 3<sup>rd</sup> regular meeting, City Council approved the Draft City of Farmington Master Plan Update 2018-2019 for distribution (see attached copy of minutes).

The following additional information is attached:

- Draft City of Farmington Master Plan Update 2018-2019
- Notice of Public Hearing

Attachments

# CITY OF FARMINGTON PLANNING COMMISSION 63-DAY PUBLIC REVIEW PERIOD AND NOTICE OF PUBLIC HEARING

Notice is hereby given that the Draft City of Farmington Master Plan Update 2018-2019 prepared in accordance with State statutory requirements and the City's comprehensive planning program is available for public review. The Plan is available for a 63-day public review period commencing June 11, 2019 and ending August 12, 2019.

The Draft City of Farmington Master Plan Update 2018-2019 is available for review at Farmington City Hall located at 23600 Liberty Street, Farmington, MI 48335 during regular business hours. A copy is also available for review on the city's website at <a href="https://www.farmgov.com">www.farmgov.com</a>.

Notice is further given that the Farmington Planning Commission will hold a Public Hearing on Monday, August 12, 2019 at 7:00 p.m. in the Council Chambers located at 23600 Liberty Street, Farmington, MI 48335 to discuss and review the Draft City of Farmington Master Plan Update 2018-2019.

All interested residents are encouraged to attend the public hearing to be heard, and any written materials concerning the Draft City of Farmington Master Plan Update 2018-2019 shall be received and considered.

Kevin P. Christiansen, AICP, PCP, Economic and Community Development Director

Publish: June 5, 2019 Farmington Press

#### FARMINGTON PLANNING COMMISSION PROCEEDINGS City Council Chambers, 23600 Liberty Street

Farmington, Michigan May 13, 2019

Chairperson Crutcher called the Meeting to order at 7:00 p.m. at City Council Chambers, 23600 Liberty Street, Farmington, Michigan, on Monday, May 13, 2019.

#### **ROLL CALL**

Present: Chiara, Crutcher, Majoros, Perrot, Waun, Westendorf

Absent: Kmetzo

A guorum of the Commission was present.

OTHER OFFICIALS PRESENT: Director Christiansen, Recording Secretary Murphy

#### APPROVAL OF AGENDA

MOTION by Chiara, seconded by Waun, to approve the Agenda. Motion carried, all ayes.

#### APPROVAL OF ITEMS ON CONSENT AGENDA

#### A. April 8, 2019 Minutes

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

# REVIEW AND SCHEDULE OF PUBLIC HEARING – DRAFT CITY OF FARMINGTON MASTER PLAN UPDATE 2018-2019

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

Christiansen stated this item is a brief discussion and review of the Draft City of Farmington Master Plan Update 2018-2019. The City administration, City consultants, and the Master Plan Update Committee have been working diligently on the update and are moving it forward to the Planning Commission for review and consideration and also to schedule the required public hearing for the August 2019 Planning Commission meeting.

With the staff packet is a copy of the Draft City of Farmington Master Plan Update 2018-2019. With us this evening are representatives of OHM Advisors, Marguerite Novak is here and she represents OHM as consultant to the City regarding a number of responsibilities and was very much involved and engaged with the City's Master Plan

City of Farmington Planning Commission May 13, 2019 Minutes Page 2

Steering Committee on behalf of OHM and is here this evening to discuss briefly the Draft Master Plan and to take any questions that you may have.

Also here from OHM tonight is Matt Parks and I think you all know Matt as well. Matt, in his various capacities, has also been involved in the Master Plan and is also here as a resource this evening.

The purpose again this evening is to briefly review this item and also then as indicated to schedule the required public hearing.

The Master Plan Update is a responsibility by State Statute, by the Michigan Planning Enabling Act, of the City Planning Commission. And you may recall we've had discussion on several different occasions. The City solicited via an RFP, Request for Proposal, consulting services to update the Master Plan back in 2018. And based upon the proposals that were provided, the responses that were submitted to the City. Ohm Advisors was selected by the City to work together with the City to update the City Master Plan. The City Master Plan, the current Master Plan as you're aware is a 2009 Master Plan, that was when it was last updated. And as you're aware many planning tools since 2009 have been created and have been adopted by the City including the 2013 Vision Plan. the 2013 Grand River Corridor Improvement Authority Vision Plan, the 2015 Downtown Area Plan, the 2017 Downtown Master Plan Update, the 2016 which is about to become the 2019 City of Farmington Recreation Master Plan Update. Some additional tools that the City was engaged in and brought forth was the Ten Mile and Orchard Lake Area Plan, you might recall that lengthy discussion, and also the Grand River Corridor Improvement Authority worked with a graduate student group and put together a review and plan for the Farmington branch of the Rouge, the Rouge River Nature Trail Project. So all these tools have been put together over the last number of years up until the recent Recreation Master Plan Update which was just a few months ago.

In light of all of that and the City Master Plan had last been updated in 2009, it's time to update the City Master Plan again and to incorporate all those tools that I just mentioned. So, in an effort to do that and to be current and then the City moving forward with their RFP and OHM Advisors being selected to provide that service to update the plan with the City, it has moved forward and moved forward from what was originally the Steering Committee level, and I think we had this discussion and you may recall that the City created a Steering Committee with representatives throughout the community. And those representatives sitting on the Master Plan Steering Committee then participated in a series of Steering Committee meetings working with OHM Advisors and City administration and staff to put together a Draft Master Plan. The five Steering Committee meetings that were held over the last year up until the end of 2018, beginning of 2019, also that included two Open House meetings. And the most recent Open House meeting,

City of Farmington Planning Commission May 13, 2019 Minutes Page 3

the second of two, one was held last fall, one was held earlier at the end of the winter, beginning of the Spring. So, now, with the Draft Master Plan has been forwarded from the Steering Committee, the Open Houses having been held, and the Final Draft prepared, it now has been forwarded to the Planning Commission so it's now in your hands.

The next step in the process then is to have a brief introduction of the Master Plan Update tonight and then for you to schedule the required public hearing. That public hearing is required by State statute, again, the Michigan Planning Enabling Act. There is a public notification period that is required and this meeting tonight and the action of the Planning Commission if you so choose to schedule the public hearing, initiates that 63-day period. Subsequent to tonight's meeting, if you do schedule the public hearing then, tomorrow will be the first day of the 63-day period, the Draft Master Plan will now be posted on the City website. Letters will be sent to adjacent communities as is required notifying them of the notification period commencing, allowing them an opportunity to review the Draft Plan, and to make any comments or provide any response that they so choose to make. Also, once it's posted on the website, then anyone who does have an opportunity to review the draft or anyone concerned or has an interest certainly can also comment on the Draft Master Plan and provide that comment or any concerns they might have.

Once the 63-day period then has been completed, the Public Hearing that you're being asked to schedule, will be held. Right now it's being asked to be held if you so choose to schedule the Public Hearing for the Master Plan Update in your August meeting. So if that then moves forward this way, then we will schedule the Public Hearing for August, the 63-day period will start then tomorrow and will move forward with that time period for public notification and comment. So, it will also afford you an opportunity as a Commission to probably take a deep dive into the Draft if you so choose since it will be available obviously not only on the website but you have your official copy as well of the Draft.

With that, Mr. Chair, again OHM Advisors is here this evening and they're here to just do a brief presentation. We'll go ahead and put this up on screen then. You're certainly then asked to make any comment that you want to make and the action being requested is to schedule the required Public Hearing for your August meeting.

Chairperson Crutcher called Marguerite Novak, OHM Advisors, to the podium.

Marguerite Novak, OHM Advisors, came to the podium. She stated she will be brief since the Commission has a full document in front of them and they will have plenty of time to deep dive and take a look at it.

Kevin mentioned a lot of it, it started in September of 2018, and it the Draft is complete now. They held five Steering Committee meetings in the process, and the Steering

City of Farmington Planning Commission May 13, 2019 Minutes Page 4

Committee has listed on the first page there, their committee members and they drove the planning process and really helped. There were two public meetings where they also received input and then there was a community survey available to kick off the project as well.

The plan differs from the existing Master Plan by it takes a look at existing conditions today, as compared to 2009, kind of rehauls that. And then as Kevin mentioned all the tools, the plans that were taken into consideration and re-evaluates them as well since some of them are a little bit older but re-evaluate and incorporate them into the plan here.

The main elements in the Master Plan are the existing conditions which are in the beginning and then the Future Land Use Map and Plan and that will reform zoning to use in your Zoning Ordinance. And then it goes into the goals, and strategies, and implementation of those and how those effect Future Land Use Maps and Plans.

There are focus areas in this Master Plan as well and those also are reflected through older plans and revisiting those and take a look and refreshing those.

Lastly, the Plan talks about implementation so that further highlights building ordinance changes, actual implementation steps of those goals, strategies and actions, and then it also talks about the CIP, there was recently a draft on line, they took a look at that and kind of summarized that in that last chapter and just talked about going forward, your Capital Improvement Plan should reflect the recommendations in the Master Plan.

Chairperson Crutcher thanked Novak and opened the floor for questions from the Commissioners.

Majoros said he had one comment, that he felt it was really well done, consistent with all of the things that we've been talking about or doing in these groups, consistent with the other plans that it needs to tie to, it serves as a nice guidepost for it, a one touch reference, and he commended the group on their nice work.

MOTION by Waun, supported by Perrot, to move to schedule the Public Hearing for the Draft City of Farmington Master Plan Update for 2018/2019 for the August 12, 2019 Planning Commission meeting.

Motion carried, all ayes.



Regular City Council Meeting 7:00 p.m., Monday, June 3, 2019 City Council Chambers 23600 Liberty Street Farmington, MI 48335

#### FINAL

#### **REGULAR MEETING MINUTES**

A regular meeting of the Farmington City Council was held on June 3, 2019, in Farmington City Hall, 23600 Liberty Street, Farmington, MI. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 7:00 p.m. by Mayor Schneemann.

#### 1. ROLL CALL

Attendee Name	Title	Status	Arrived
Sara Bowman	Mayor Pro Tem	Present	
William Galvin	Councilmember	Present	
Joe LaRussa	Councilmember	Present	
Steve Schneemann	Mayor	Present	
Maria Taylor	Councilmember	Present	1

#### **City Administration Present**

Director Christiansen

Superintendent Eudy

City Clerk Mullison

City Manager Murphy

City Attorney Saarela

City Treasurer Weber

#### 2. APPROVAL OF AGENDA

Move to approve the regular meeting agenda as presented.\*\*

RESULT:

APPROVED AS AMENDED [UNANIMOUS]

MOVER:

LaRussa, Councilmember

SECONDER:

Bowman, Mayor Pro Tem

#### PUBLIC COMMENT

Greg Collins, 33632 State Street, commented on the Master Plan proposing a change for City Hall to become commercial property in the future.

#### 4. APPROVAL OF ITEMS ON CONSENT AGENDA

- A. Consideration to adopt a resolution recognizing the 100th Anniversary of the 19th Amendment, guaranteeing and protecting women's constitutional right to vote
- B. Proclamation: June 29, 2019 as Farmington Area Juneteenth Celebration Day throughout Farmington
- C. Special Event Application: Annual Farmington Community Band Concert, July 29, 2019 from 7-8:30 p.m. in Riley Park

Move to approve the consent agenda as presented.\*\*

**RESULT:** 

APPROVED AS PRESENTED [UNANIMOUS]

MOVER:

LaRussa, Councilmember

SECONDER:

Bowman, Mayor Pro Tem

#### 5. MAIN STREET OAKLAND COUNTY PRESENTATION

Tim Colbeck, Main Street Oakland County, explained the Main Street accreditation process and presented Farmington with accreditation confirmation as a select level community. He said Farmington has met all the goals of the Main Street evaluation, highlighting a very active and involved board, an Executive Director that is in tune with the goals, high level of cooperation between the DDA, the public, and the business community, the successful Metromode partnership, the public art program which was a model for other communities, and volunteers who are up for the challenge.

Bowman congratulated DDA Director Knight and asked Colbeck what could be done to do an even better job in meeting the Main Street goals. He said things can always improve, but that Farmington is on a very good track. He cited historic preservation and keeping volunteers interested in training.

#### 6. DUAL WATER METER DISCUSSION

City Treasurer Weber explained why six to twelve residents ask every year to have a dual meter to separate out sewer charges from water usage not funneled through the sewers such as pool filling, lawn watering, and irrigation. He spoke about the financial impact to the City when irrigation related water units reduced consumer cost, and explained why allowing dual water meters would raise non-irrigation rates. Set up costs to the consumer might reduce the number of those taking advantage of the proposed system change. He walked Council through potential yearly revenue loss and how much that would raise regular usage rates. He said that big users would save money and smaller residential users would have to pay more.

LaRussa quizzed Weber on the current fund balance for water and sewer and about the cumbersome possibility of measuring actual sewage use. Weber responded that with a revenue loss, there would less funding for capital projects. He also explained how difficult it would be to measure sewage on a small flow basis from individual homes. Discussion ensued about rate changes and problems in administering a dual water meter program.

Taylor asked Weber to estimate how much more the residential users would have to pay per quarter to make up for the loss in revenue, and Weber said that for the average user it would increase by \$12-\$13 per quarter.

Bowman asked about the ratio of users who request dual meters to current billed water users. Weber and Eudy answered that there were about six to twelve calls per year out of 3400 users.

Galvin asked City Manager Murphy whether Council would be needing to look at this problem yearly. He stated that it was redundant to look at it when the rates have not changed again. He stated that there would be no financial benefit to the community as a whole.

Schneemann cited his use of irrigating at his business and that he would still not support a dual meter program. He suggested that Council did not need to look at this topic again in another two years.

LaRussa asked the mayor what the next step would be if Council wanted to move it forward and asked Council to adopt a second meter policy and monitor the take rate.

Schneemann asked Murphy what the cost would be to put together a proposed ordinance change. Discussion ensued about usage, risks, setting up a new ordinance, adoption rates, revenue losses, rate of adoption, and future forecast.

Bowman stated that she did not support going forward, LaRussa and Taylor supported going to a first reading of a dual meter ordinance, and Schneemann directed Murphy to explore the process and come back with an estimate of cost to create an ordinance change. Bowman indicated that she saw a risk in passing an ordinance that is only taken up by a few, yet impacted costs for all other users. She stated that she didn't support a first or second reading because of the unnecessary cost of preparation if there was no support from the rest of Council for the ordinance.

Discussion followed about what might need to be included in an ordinance change including process and procedure rules, processes of other comparable communities, inspections required, what users might be willing to adopt the new program, how the ordinance might promote higher use and waste of water, and the environmental impact of higher use. Weber reminded Council that water rates are based on the peak hour and the peak day of use, and increased watering or use would automatically raise rates. Schneemann reiterated his request to the City Manager to bring a cost estimate for a first reading forward for a dual meter program to Council. He also directed administration to bring forward at the same time any other unforeseen effects or impact to the City adoption of such an ordinance would bring.

## 7. CONSIDERATION TO APPROVE DISTRIBUTION OF PROPOSED CITY OF FARMINGTON MASTER PLAN 2019

Director Christiansen introduced the distribution for the Master Plan 2019. He explained the requirements for approval of a Master Plan and summarized each step in the process including both those yet to be done and those already achieved.

Galvin thanked Christiansen and the Planning Commission for all their work and asked about how the 2013 Vision Plan interfaces with the Master Plan now being considered. Christiansen laid out the various plans that are being used as planning tools to guide Farmington's future direction. LaRussa asked about Council's approval of the plan, the community engagement threshold, best practices, and public outreach. Bowman also thanked Christiansen and asked about the future use of the Master Plan, stating that by plan approval, it does not divest Council of responsibility for going through all appropriate planning processes. Taylor pointed to the page citing the redevelopment of the City Hall property and said that she was not in favor of approving the Master Plan until discrepancies were discussed. Christiansen suggested Council could change details and went into great detail about zoning, land use, and planning tools. He stressed that the Master Plan is a guide. Taylor wanted language added that would reassure residents that Council does not intend to move City Hall. LaRussa asked about zoning classifications and changes to existing zoning with a zoning audit.

Schneemann also thanked Christiansen and the focus group for all of their work and described alternate community outreach and feedback. He specified that the Master Plan is high-level generic planning, and all specifics would need to be looked at individually.

Move to approve the distribution of the proposed City of Farmington Master Plan 2019 incorporating Councilmembers Taylor's and LaRussa's commented requests.\*\*

RESULT: APPROVED AS AMENDED [UNANIMOUS]

MOVER: Taylor, Councilmember SECONDER: LaRussa, Councilmember

AYES: Taylor, Bowman, Galvin, LaRussa, Schneemann

#### 8. OAKLAND STREET PROJECT

City Manager Murphy read the staff report summarizing the current status of the Oakland Street Project and asked Council to come to some consensus about the future of the project.

Matt Parks, OHM, walked Council through the current handout. Value engineering was considered, and material modifications and omissions were looked at without much sacrifice, with an overall savings of approximately \$50,000 as well as some contingent savings by waiting until next year for some of the landscaping concerns. Parks' intent was not to wipe out the well thought out design, but to make alternative choices in materials, etc.

Discussion ensued about the requested motion. Schneemann suggested that the actual paving must be done now as it will not get cheaper by waiting and design work has already been done. He stated that Council needs to have confidence moving into this since voters told Council that

they want infrastructure improvements and progress. He also requested to keep this in context because it is a relatively small project. Bowman thanked Parks for the readable summary and asked Knight about present DDA commitment. Taylor concurs with Schneemann, Galvin asked Parks about whether the project was scaled back at all. He asked what the project would look like to get down to the already approved amount. He also asked Parks about cost estimates as the projected redesign was developing. Unit pricing was discussed. Galvin asked for a review of project processes with an eye to the public. LaRussa asked about specifics in cost estimates and asked how open and variable timing might have impacted the bid. He wanted to know what to do to change the City's planning processes to avoid this issue in future. He expects next year's budgeted projects to be ready for bid at the right time with the right information. Schneemann concluded by agreeing that adjustments in processes may need to be made and reminded Council that with regard to public input, he felt that no other project had been scrutinized this much. He agreed that better communication would be better moving forward when the DDA design committee is contemplating a project.

Move to direct City Administration to work with DDA Director, City Attorney and City Engineer to finalize agreement with contractor to proceed with the Oakland Street project with the City paying the overages associated with street repairs/paving, water and sewer and the DDA paying for overages connected with streetscape items, contingent on the DDA Board's Approval to include the VE items that were presented, excluding Items 30, 39, 40 adding a contingency fee.

**RESULT:** 

**APPROVED AS AMENDED [4-1]** 

MOVER:

Bowman, Mayor Pro Tem Taylor, Councilmember

SECONDER: AYES:

Bowman, LaRussa, Schneemann, Taylor

NAYS:

Galvin

#### 9. OTHER BUSINESS

Murphy would like the City to implement a loan program from the ICMA-RC 401a. This change would make loans available for all purposes rather than just hardship. Discussion about the merits of the option was heard and a resolution was requested. Galvin expressed that the City should have been offering this all along.

Move to authorize City Administration to execute a modification to the 401a Retirement Plan #107962 as proposed.

**RESULT:** 

APPROVED AS ADDED [UNANIMOUS

MOVER:

Galvin, Councilmember

SECONDER:

LaRussa, Councilmember

AYES:

LaRussa, Schneemann, Taylor, Bowman, Galvin

Murphy announced that Warner Mansion Director Kim Shay recently resigned. City Administration will work on a solution to the absence of a director. Her resignation letter is slated to be in the Council packet for next meeting.

#### 10. CITY COUNCIL COMMENTS

Galvin clarified that his no vote on the Oakland Street project was to raise awareness of DDA transparency issues. He also announced that he was recently a judge at the First Methodist Pie Contest.

Bowman stated that she was devastated that Kim Shay resigned as Mansion Director. She felt that the resignation was the direct result of the support or non-support of City Council.

Schneemann said he was thrilled the Oakland Street project passed, and that it will be good to see work going on downtown.

#### 11. **CLOSED SESSION - PROPERTY ACQUISITION**

Move to enter closed session to discuss property acquisition.

**RESULT:** APPROVED [UNANIMOUS]

MOVER: LaRussa, Councilmember SECONDER: Galvin, Councilmember

AYES: Galvin, LaRussa, Schneemann, Taylor, Bowman

Council entered closed session at 9:35 p.m.

#### Move to exit closed session.

**RESULT:** APPROVED AS PRESENTED [UNANIMOUS]

MOVER: Taylor, Mayor Pro Tem

SECONDER: Bowman, Councilmember

Council exited closed session at 10:32 p.m.

Move to authorize the City Manager and City Attorney to finalize the proposed purchase agreement for presentation to the School District.

**RESULT:** 

APPROVED [4-1]

MOVER:

LaRussa, Councilmember

SECONDER:

Galvin, Councilmember

AYES:

Schneemann, Bowman, Galvin, LaRussa

NAYS:

Taylor

#### 12. ADJOURNMENT

Move to adjourn the meeting.

**RESULT:** 

APPROVED AS PRESENTED [UNANIMOUS]

MOVER:

Bowman, Mayor Pro Tem

SECONDER:

Taylor, Councilmember

Meeting adjourned at 10:33 p.m.

Steven Schneemann, Mayor

Mary J. Mullison, City Clerk

Approval Date: June 17, 2019

<sup>\*\*</sup>To view approved documents, please see the Agenda Packet link that is relevant to this meeting at <a href="http://farmgov.com/City-Services/Government/Agendas-and-Minutes/City-Council.aspx">http://farmgov.com/City-Services/Government/Agendas-and-Minutes/City-Council.aspx</a> or contact the City Clerk.

# Farmington Planning Commission Staff Report

Planning Commission Date: August 12, 2019

Reference Number 5

Submitted by: Kevin Christiansen, Economic and Community Development Director

**<u>Description</u>** Public Hearing – Zoning Ordinance Text Amendment: Marijuana Establishments

#### **Background**

This item is a Public Hearing for a proposed Zoning Ordinance Text Amendment regarding marijuana establishments. The proposed amendment would add the definition of the term "marijuana establishments" to Chapter 35, Zoning, Article 21, Definitions; and amend Article 2, General Provisions, to add new section 35-61, entitled "Marijuana Establishments" prohibiting marijuana establishments within the City of Farmington pursuant to Michigan Regulation and Taxation of Marijuana Act, initiated Law 1 of 2018, MCL 333.27951, *Et Seq.* 

The following additional information is attached:

- Attorney Memorandum
- Notice of Public Hearing
- Copy of Proposed Ordinance

Attachments

Planning Commission Staff Report Subject: Special Land Use Application – Indoor Entertainment and Amusement, 23311 Orchard Lake Road

For the Agenda of: June 11, 2012

Page 2

#### **MEMORANDUM**

# CONFIDENTIAL CORRESPONDENCE ATTORNEY-CLIENT PRIVILEGE

TO: Kevin Christiansen

FROM: Tom Schultz

RE: Marijuana Establishments

DATE: August 9, 2019

In November 2018 voters in the State of Michigan approved a ballot proposal authorizing so-called "recreational" marijuana use. The new law adds substantially to the rights previously allowed to users of "medical" marijuana. The 2018 law allows—without any action of regulation by the City—those over 21 to grow, possess, consume, and even transfer marijuana subject to various regulations that are established in the law. These rights became effective as soon as the new law did, and, again, they apply without the need for any City approvals or authorization to engage in such conduct.

There is another aspect of the new law, however, that does potentially involve City authorization or approval, and that is with respect to what are called "marijuana establishments" in the new law. These are essentially commercial or business operations that relating to the retail sale/distribution and commercial growing of marijuana.

The new law states that "a municipality may completely prohibit or limit the number of [marijuana] establishments within its boundaries," and also that "a municipality may adopt other ordinances that are not unreasonably impracticable and do not conflict with this act or with any rule promulgated pursuant to this act" that regulate other commercial aspects of such businesses. In addition, the State of Michigan (though the administrative agency Department of Licensing and Regulatory Affairs, LARA) is charged with coming up with administrative rules that license and govern such commercial establishments. The State has a year from the effective date of the new law to do so.

City Council has already adopted (in April) an amendment to the *City Code* that opts out of these establishments. That probably is enough for LARA to know not to issue a license to an establishment in Michigan. However, the City wants to make sure that it has made its intentions clear by also putting the opt out language in its *Zoning Ordinance*—essentially, these establishments are land uses, and it makes sense to regulate them that way, too. That is why it is now before the Planning Commission for similar action.

Adopting an ordinance prohibiting such establishments does not preclude the City from revisiting the issue in the future, should the Council choose to do so. And if the Council decides to continue

August 9, 2019 Memo to K. Christiansen Page 2

discussion of the issue, adoption of this opt out ordinance now would give the City time decide what it might want to allow/not allow regarding such businesses, and how many it might decide to allow, as well as the criteria for allowing them. It would also allow the City to wait and see what the final State regulations will include, which could then help the City decide if it wants to allow businesses in the City under whatever those rules might turn out to be.

CITY OF FARMINGTON PLANNING COMMISSION NOTICE OF PUBLIC HEARING MONDAY, AUGUST 12, 2019 7:00 P.M.

Please take notice, the Farmington Planning Commission will hold a Public Hearing on Monday, August 12, 2019 at 7:00 p.m. in the Council Chambers located at 23600 Liberty Street, Farmington, MI 48335 to review a proposed amendment to the Farmington Zoning Ordinance regarding marijuana establishments.

The proposed amendment would add the definition of the term "marijuana establishments" to Chapter 35, Zoning, Article 21, Definitions; and amend Article 2, General Provisions, to add new section 35-61, entitled "Marijuana Establishments" prohibiting marijuana establishments within the City of Farmington pursuant to Michigan Regulation and Taxation of Marijuana Act, initiated Law 1 of 2018, MCL 333.27951, Et Seq.

All interested residents are encouraged to attend the public hearing to be heard, and any written materials concerning the proposed amendment shall be received and considered.

The Zoning Ordinance and proposed amendment are available for review at the Farmington City Hall located at 23600 Liberty Street, Farmington, MI 48335 during regular business hours.

Kevin P. Christiansen, AICP, PCP, Economic and Community Development Director

Publish: July 24, 2019, Farmington Press

# CITY OF FARMINGTON OAKLAND COUNTY, MICHIGAN

0	R	D	IN	A	N	$\mathbf{CE}$	NO.	

AN ORDINANCE TO AMEND THE CITY OF FARMINGTON CODE OF ORDINANCES, CHAPTER 35, "ZONING," ARTICLE 21, "DEFINITIONS," SECTION 35-252, "DEFINITIONS," TO ADD A NEW DEFINITION OF THE TERM "MARIJUANA ESTABLISHMENTS," AND TO AMEND ARTICLE 2, "GENERAL PROVISIONS," TO ADD NEW SECTION 35-61, ENTITLED "MARIJUANA ESTABLISHMENTS," **PROHIBITING MARIJUANA** ESTABLISHMENTS WITHIN THE BOUNDARIES OF THE CITY OF **FARMINGTON** PURSUANT TO MICHIGAN REGULATION TAXATION OF MARIJUANA ACT, INITIATED LAW 1 OF 2018, MCL 333.27951, ET SEQ.

#### THE CITY OF FARMINGTON ORDAINS:

#### Section 1 of Ordinance. Ordinance Amendment.

The Farmington City Code, Chapter 35, "Zoning," Article 21, "Definitions," Section 35-252, "Definitions," is hereby amended to add the newly defined term "marijuana establishments" in alphabetical order with all other existing definitions, which newly defined term shall read as follows:

Marijuana establishments means those establishments as provided for in the Michigan Regulation and Taxation of Marijuana Act, Initiated Law 1 of 2018, MCL 333.27951, et seq., as may be amended.

#### Section 2 of Ordinance. Ordinance Amendment.

The Farmington City Code, Chapter 35, "Zoning," Article 2, "General Provisions," is hereby amended to add a new subsection 35-61, entitled "Marijuana Establishments," to read as follows:

#### Sec. 35-61 Marijuana Establishments.

Pursuant to the Michigan Regulation and Taxation of Marijuana Act, Initiated Law 1 of 2018, MCL 333.27951, et seq., all marijuana establishments are prohibited within the boundaries of the City of Farmington.

#### Section 3 of Ordinance. Repealer.

All ordinances, parts of ordinances, or sections of the City Code in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect, and the Farmington Code of Ordinances shall remain in full force and effect, amended only as specified above.

#### Section 4 of Ordinance. Savings.

The amendments of the Farmington Code of Ordinances set forth in this ordinance do not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendments of the Farmington Code of Ordinances set forth in this ordinance.

#### Section 5 of Ordinance. Severability.

If any section, clause or provision of this ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any court of competent jurisdiction, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated, and such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this ordinance shall stand and be in full force and effect.

#### Section 6 of Ordinance. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect on the date provided by applicable law following publication.

#### Section 7 of Ordinance. Date and Publication.

This Ordinance is declared to a meeting called and held of publication in the manner pre	have been enacted by the City Council of the City of Farmington at on the day of, 2019, and ordered to be given escribed by law.
Ayes: Nays: Abstentions:	
Absent:	
STATE OF MICHIGAN	) ) ss.
COUNTY OF OAKLAND	)
Michigan, do certify that the the City Council of the G	ed and acting City Clerk of the City of Farmington, Oakland County, foregoing is a true and complete copy of the Ordinance adopted by City of Farmington at a meeting held on the day of _, 2019, the original of which is on file in my office.
	Mary Mullison, City Clerk
	City of Farmington

# **Farmington Planning Commission Staff Report**

Planning Commission Date: August 12, 2019

Reference Number 6

Submitted by: Kevin Christiansen, Economic and Community Development Director

<u>Description</u> Public Hearing for Special Land Use and Site Plan Review for Proposed Drive-Through – Panera Bread Bakery, 34635 Grand River Avenue

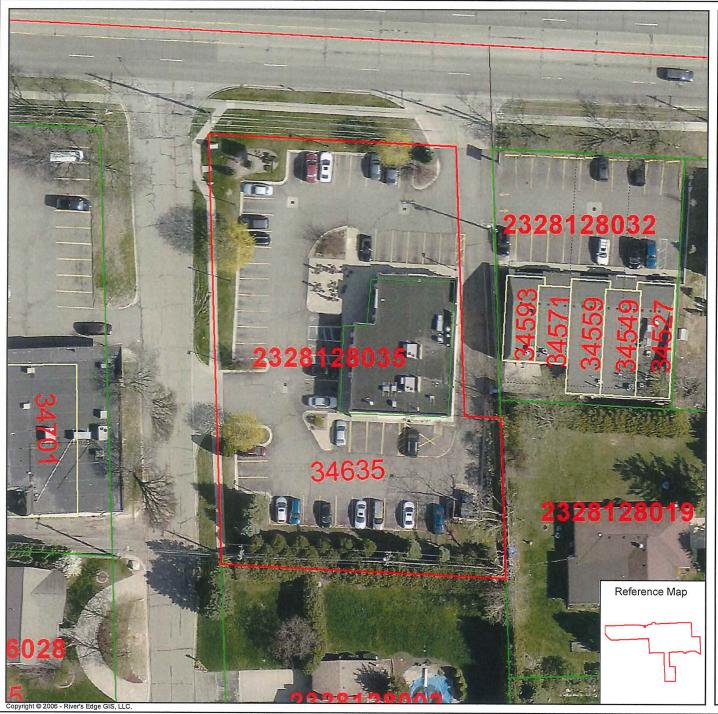
#### **Background**

This item is a Public Hearing and Consideration of a Special Land Use and Site Plan Review to construct a drive-through on the east side of the existing Panera Bread Bakery building located at 34635 Grand River Avenue. The existing commercial property is zoned C-2, Community Commercial. Drive-through establishments are a Special Land Use in the C-2, Community Commercial District, and require a public hearing and site plan review. The Planning Commission scheduled the required public hearing and site plan review at the July 8, 2019 meeting.

OHM Advisors, the City's planning and engineering consultant, has reviewed the applicant's submitted plans and has provided both a review letter (see attached letter).

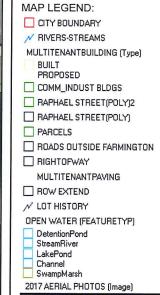
The applicant will be at the August 12, 2019 meeting to present his special land use and proposed site plan to the Commission. The requested action of the Planning Commission is to review the submitted special land use and site plan for the proposed drive-through.

Attachments





# City of Farmington CivicSight Map



Map Scale: 1 inch = 53 feet Map Date: 7/05/2019 Data Date: May 3, 2019



Sources: City of Farmington, Oakland County GIS Utility, River's Edge GIS, LLC.

Disclaimer:
Note: The information provided by this program has been compiled from recorded deeds, plats, taxmaps, surveys, and other public records and data. It is not a legally recorded map or survey and is not intended to be used as one. Users of this data are hereby notified that the information sources mentioned above should be consulted for verification of the information. Once again, USE AT YOUR OWN RISK !!!

#### **NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN THAT THE FARMINGTON PLANNING COMMISSION WILL HOLD A PUBLIC HEARING AT THE FARMINGTON CITY HALL, 23600 LIBERTY STREET, FARMINGTON, MICHIGAN 48335 ON MONDAY, AUGUST 12, 2019 AT 7:00 P.M; ALL PROPERTY OWNERS WITHIN 300 FEET OF THE SITE IN QUESTION ARE NOTIFIED.

LOCATION: 34635 Grand River Avenue

PARCEL NO.: 20-23-28-128-035

REVIEW: Consideration of a special land use for the addition of

a drive-through window for an existing 1-story restaurant building located in the C-2, Community Commercial District (Zoning Ordinance Section 35-

102(c) and Article 12-Special Land Uses).

APPLICANT: Panera Bread Bakery

Kevin P. Christiansen, AICP, PCP, Economic and Community Development Director

Publish: July 24, 2019 in the Farmington Press

Mail: July 22, 2019



# CITY OF FARMINGTON

For office us	se only
Date Filed: Fee Paid:	

# **Special Land Use Application**

1.	Project Name Pan	era Bread Bakery - Drive-thru retro-fit
2.	Location of Property	•
	Address	34635 Grand River, Farmington, MI 48335
	Cross Streets	Grand River & Whittaker St.
3.	Identification	
	Applicant	Panera Bread Bakery - Scot Schimweg
	Address	3630 S. Geyer Road, Suite 100
	City/State/Zip	St. Louis, MO 63127
	Phone(314) 98	4-2578 Fax scot.schimweg@panerabread.com
	Interest in the Proper	ty (e.g. fee simple, land option, etc.)
	☐ Property Owner	☐ Other (Specify) Leasee
	Dun in nutra Occurrent	Daniel Garber 2012 Trust & Joel Garber 2012 Trust
	Property Owner 5	
	_	P.O. Box 510140  Milwaukee WI 53202
	Phone(414) 807	7-8900 Fax <u>(414) 963-4151</u>
	•	Diffin-Umlor & Associates
	Address _	49287 West Road
	City/State/Zip _	Wixom, MI 48393
	Phone (248)	773-7656 Fax (866) 690-4307

4.		erty Informat		A 0 705	Acres
		ng District		Area 0.795 Depth 240	ft.
		ent Use		nt .	
			1.0000	Properties to the	and the second second
				East C2 West _	C2
5,	Propo	sed Use			
		Residential		Number of Units	1
		Office		Gross Floor Area	4081sq.ft.
	12	Commercia	ı	Gross Floor Area	
		Industrial		Gross Floor Area	
		Institutional			
		Other			
A copy	land u y of the npany th	al Land Use se criteria as complete leg ils application	Criteria. noted on p gal descript n.	The applicant must provide wage 3 of this application.	written responses to the special of property ownership should
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a,	The proposed special land use shall be compatible with and in accordance with the general goals, objectives and policies of the City of Farmington Master Plan.
	Restaurants with drive-through are allowed within the C2 zoning district via special
	land use per Sec. 35-102 of the City of Farmington zoning ordinance.
,	
•	
b,	The special land use shall promote the intent of the zoning district in which the use is proposed.
	Restaurants with drive-through are allowed within the C2 zoning district via special
-	land use per Sec. 35-102 of the City of Farmington zoning ordinance.
-	
-	
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_	
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-	•
c.	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 in which it is proposed.
	The drive-thru is intended to enhance the Panera Bread patron experience by reducing lines at counters and parking issues for patrons that want to come into the restaurant and dine. It provides for easier access for patrons to small items such as coffees and pastries, provides easy access to online and pre-paid orders, separates to-go orders for dine in orders within the restaurant making it more efficient. Due to the existing and proposed buffer screen walls and landscape material the proposed
_	drive-thru will not be visible from the neighboring properties.

d.	The special land use shall be served adequately by public facilities and services such as traffic operations, police and fire protection, drainage structures, water and sewer facilities and schools.
	There is no change to the existing water and sanitary service to the site. There is no significant change to the impervious area and storm drainage on the site. Other public services such as schools, fire, and police are unaffected by this proposal.
_	
	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.  None
_	
— pec ons.	ial land use criteria included above is not the only requirement for special land use  For additional information please refer to ARTICLE 12 SPECIAL LAND USES of the City of

<sup>\*</sup> The special land use crite applications. For additional inf Farmington Zoning Ordinance.

e-recorded

LIBER 52183 PAGE 571

0151592

LIBER 52183 PAGE 571 \$21.00 DEED - COMBINED \$4.00 REMONUMENTATION \$5.00 AUTOMATION 09/14/2018 05:21:28 PM RECEIPT# 104794 PAID RECORDED - Oakland County, MI Lisa Brown, Clerk/Register of Deeds

#### QUIT CLAIM DEED

KNOW ALL BY PERSONS BY THESE PRESENTS: That PETER J. KALABAT, a married man, whose address is 30 Cranhfook Lane, Blankel) Hill Michigan 4830 ("Grantor"), hereby conveys, individually, an undivided 50% interest to Joel E. Garber or his successors, as trustee of the Joel Garber 2012 Trust dated June 20, 2012, and an undivided 50% interest to Daniel B. Garber or his successors, as trustee of the Daniel Garber 2012 Trust dated June 20, 2012, ("Grantees"), the following described property situated in the City of Farmington, County of Oakland, State of Michigan, and as more particularly described as:

Lot 1, VALLEY HILL SUBDIVISION, according to the plat thereof recorded in Liber 100, page 6 of Plats, Oakland County Records.

Commonly known as: 34635 Grand River Ave, Farmington, Michigan

Tax Parcel No. 23-28-128-035

subject to building and use restrictions and easements of record, and real estate taxes which are a lien upon the land, but not yet due and payable, for no (zero) consideration. This deed is exempt from the transfer taxes otherwise imposed pursuant to MCL 207.505(a) and MCL 207.526(a).

Dated this 11th day of September, 2018.

[Signatures on following pages]

IN WITNESS WHEREOF, Grantor has executed this Deed as of the date first written above.

**GRANTOR:** 

Peter J. Kalabat

STATE OF MICHIGAN

)SS

COUNTY OF OAKLAND

The foregoing was acknowledged before me this <u>JJJ</u> day of September, 2018, by Peter J. Kalabat, on behalf of himself.

, Notary Public

County, Michigan

My Commission Expires:

Acting in the County of \_\_\_\_\_

Drafted by and after recording return to:

Andrea S. Todorovic, Paralegal Dykema Gossett PLLC 39577 Woodward Ave., Ste. 300 Bloomfield Hills, MI 48304 SANDI R. KOLEHMAINEN
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES NOV 28, 2022
ACTING IN COUNTY OF COLE (COLD)

4836-3442-4432.1 ID\TODOROVIC, ANDREA - 087112\000003

# DRIVE-THRU RETRO-FIT PANERA BREAD BAKERY CAFE #0693

CITY OF FARMINGTON, OAKLAND COUNTY, MICHIGAN SECTION, TOWN NORTH, RANGE EAST

#### CONTACT INFORMATION

#### CITY OF FARMINGTON

Economic & Community Development Kevin Christiansen, Development Director 23600 Liberty Farmington, MI 48335 Ph: (248) 474-5500 Ext. 2226 E-mail: kchristiansen@farmgov.com

Fire Department Reginald Madeline, Fire MArshal 23600 Liberty Farmington, MI 48335 Ph: (248) 474-5500 Ext. 2241

Public Works Chuck Eudy, Superintendent 23600 Liberty Farmington, MI 48335 Ph: (248) 473-7250 E-mail: ceudy@farmgov.com

## NOT APPROVED-PERMIT LIST

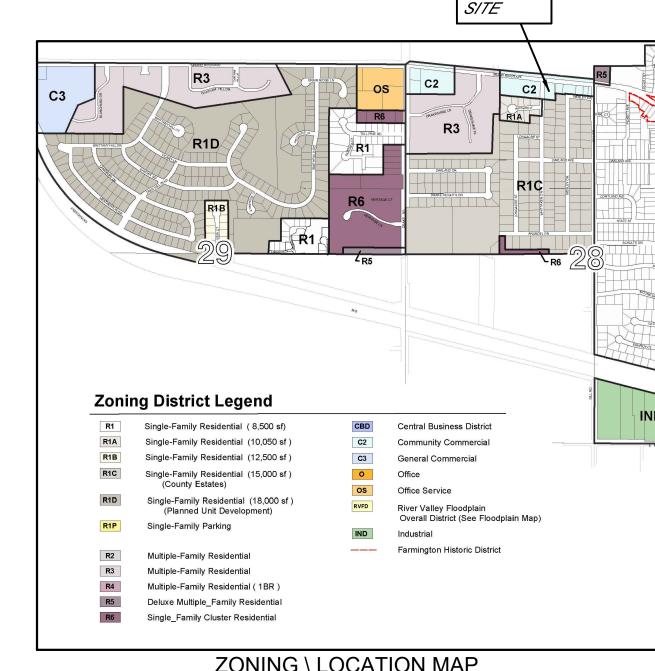
CITY OF FARMINGTON PRELIMINARY SITE PLAN CITY OF FARMINGTON ZONING BOARD OF APPEALS (NOT REQUIRED) CITY OF FARMINGTON FINAL SITE PLAN APPROVAL CITY OF FARMINGTON RIGHT-OF-WAY PERMIT (NOT REQUIRED) MDOT RIGHT-OF-WAY PERMIT (NOT REQUIRED) OAKLAND COUNTY SOIL EROSION PERMIT DEQ NPDES NOTIVE OF COVERAGE (NOT REQUIRED) DEQ PART 41 WASTEWATER PERMIT (NOT REQUIRED) DEQ ACT 399 WATER SYSTEM PERMIT (NOT REQUIRED)

CITY OF FARMINGTON WETLAND PERMIT (NOT REQUIRED) CITY OF FARMINGTON WOODLAND PERMIT (NOT REQUIRED)

### APPROVED-PERMIT LIST



**AERIAL MAP** 



#### ZONING \ LOCATION MAP

	SHEET INDEX
SHEET NO.	DESCRIPTION
C-1 C-2 C-3 C-4 C-5 C-6 A703 A711 31882.1 31882.2 31882.3 31882.4	COVER SHEET TOPOGRAPHIC SURVEY \ REMOVAL PLAN SITE PLAN SITE GRADING LANDSCAPE PLAN & DETAILS SITE DETAILS FLOOR PLAN PROPOSED CONDITION EQUIPMENT SCHEDULE WEST BUILDING ELEVATION \ SIGN PLAN NORTH BUILDING ELEVATION \ SIGN PLAN EAST BUILDING ELEVATION \ SIGN PLAN SOUTH BUILDING ELEVATION \ SIGN PLAN PYLON SIGN ELEVATION

"NOT TO BE USED AS CONSTRUCTION DRAWINGS"

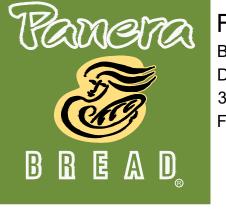


# <u>DEVELOPER</u>

# CORPORATE

Scot Schimweg, Project Manager 3630 S. Geyer Road, Suite 100 ST. LOUIS, MO 63127 Ph: (314) 984-2578 E-mail: scot.schimweg@panerabread.com

# PROJECT LOCATION



FARMINGTON, MICHIGAN BAKERY CAFE #0693 DRIVE THRU RETRO-FIT 34635 GRAND RIVER FARMINGTON, MI 48335

# LAND OWNER DANIEL GARBER 2012 TRUST **JOEL GARBER 2012 TRUST**

Mark Garber, Trustee P.O. Box 510140 Milwaukee, WI 53202

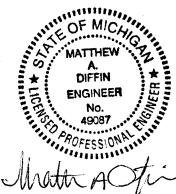
Ph: (414) 807-8900 Fax: (414) 963-4151 E-mail: garbp@aol.com

# ENGINEER/SURVEYOR Diffin-Umlor Civil Engineering • Surveying • Landscaping • Construction Services

Matthew A Diffin, P.E. Principals

49287 West Road Wixom, MI 48393 Phone: (248) 943-8244 Fax: (866) 690-4307 mdiffin@diffin-umlor.com Web: www.diffin-umlor.com

Michigan, Ohio, & Florida



DATE: 6-13-19 Drawn By: MD P.E.: AO AS SHOWN

WIXOM, MI 48393

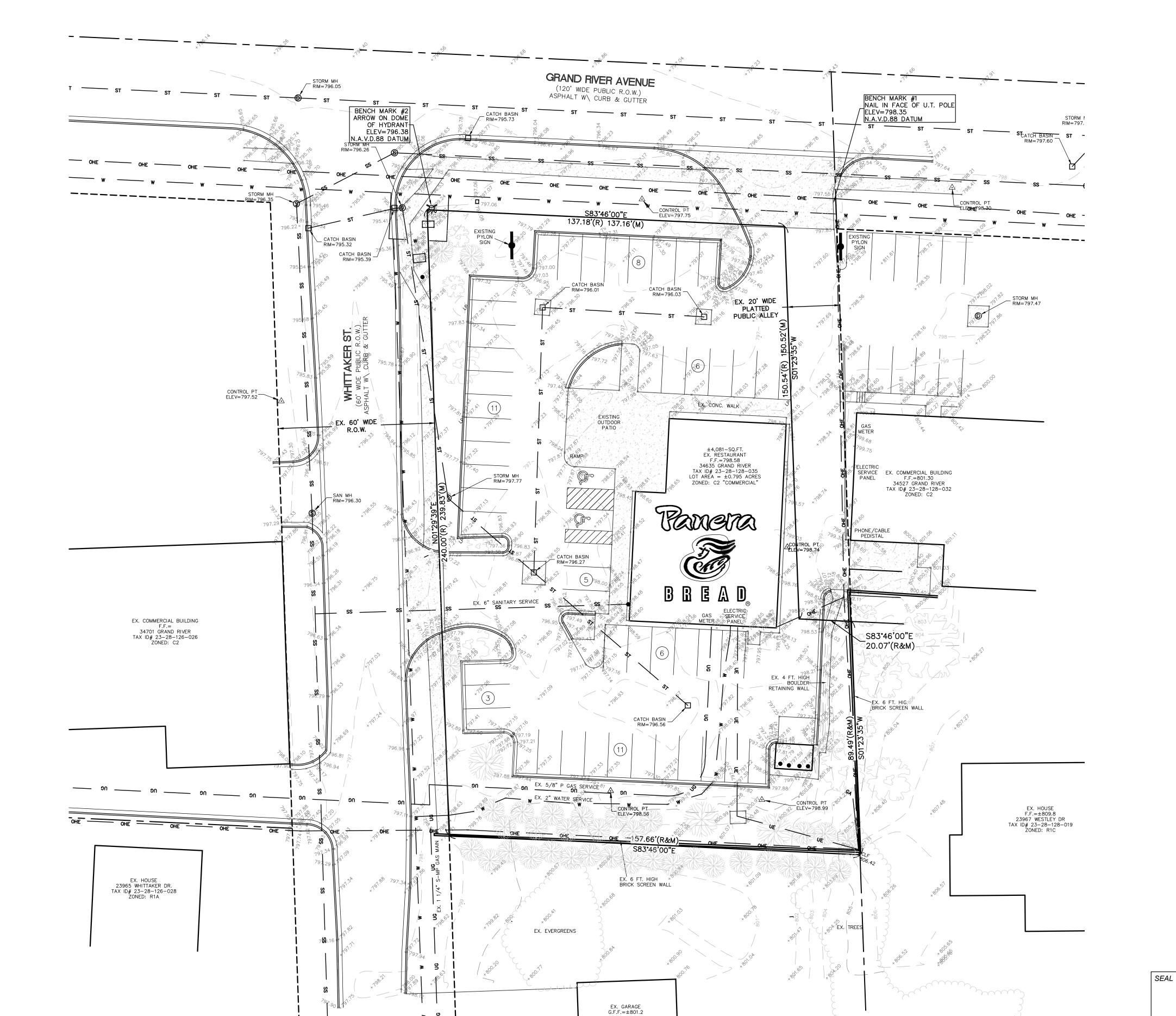
(P): 248-437-7803

(F): 866-960-4307

REVISIONS

C-1





LEGAL DESCRIPTION:

LOT 1, VALLEY HILL SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN LIBER 100, PAGE 6 OF PLATS, OAKLAND COUNTY RECORDS. LOCATED IN SECTION 28, TOWN 1 NORTH, RANGE 9 EAST, FARMINGTON, MICHIGAN. TAX PARCEL NO. 23—28—128—035
COMMONLY KNOWN AS: 34634 GRAND RIVER

#### NOTES:

BASIS OF BEARING BASED ON THE NORTH—SOUTH \$\frac{1}{4}\$ LINE OF SECTION 28 IN THE RECORDED PLAT OF VALLEY HILL SUBDIVISION, AS RECORDED IN LIBER 100 OF PLATS, PAGES 6, CITY OF FARMINGTON, OAKLAND COUNTY, MICHIGAN

- (M) DU FIELD MEASURED BEARINGS AND DISTANCES BETWEEN FOUND PROPERTY IRONS.
- PROPERTY IRONS.

  (R) RECORDED BEARINGS AND DISTANCES PER DESCRIPTION PROVIDED BY OWNER.

CONSTRUCTION SITE SAFETY IS THE RESPONSIBILITY OF THE CONTRACTOR.
NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY
RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK,
OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

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EX. FIBER MARKER

EX. MEDIA MARKER

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.



I HEREBY CERTIFY THAT I HAVE LOCATED AND MAPPED THE LAND HEREON PLATTED AND/OR DESCRIBED, ON THE DATE NOTED HEREON, THAT I HAVE COMPLIED WITH THE REQUIREMENTS OF ACT 132, P.A. OF 1970 AND THAT THE ERROR OF CLOSURE OF THE UNADJUSTED FIELD OBSERVATION IS WITHIN THE LIMITS ESTABLISHED FOR THE PROFESSION.

DATE: 6-14-19
Drawn By: MD
P.E.: AO

Job No.: 180606
Sheet No.

C-2

49287 WEST ROAD WIXOM, MI 48393

(P): 248-437-7803 (F): 866-960-4307

REVISIONS

P.E.: AO

1"

Job No.: 180

SITE DATA **EXISTING ZONING** ±0.795 ACRES GROSS SITE AREA ±4,522-SQ.FT. EXISTING BUILDING AREA **EXISTING IMPERVIOUS AREA** 28,599-SQ.FT. PROPOSED IMPERVIOUS AREA 28,279-SQ.FT. CHANGE IN IMPERVIOUS AREA 320-SQ.FT. PARKING CALCULATION: Restaurant/Tavern, with Lounges, Bars and Entertainment Facilities 1 space per 3 seats (Inside Seating 68/3 + Outside Seating 19/3 = 29-SPACES GRAND RIVER AVENUE (120' WIDE PUBLIC R.O.W.) ASPHALT W\ CURB & GUTTER Drive—In Restaurants; Drive—Through; and Fast Food Restaurants 1 space per 3 seats; plus 10 drive—through stacking spaces from the location where orders are placed BENCH MARK ; NAIL IN FACE OF U.T. POLE (Drive-through = 10-spaces) BENCH MARK #2 ELEV=798.35 ARROW ON DOME N.A.V.D.88 DATUM TOTAL REQUIRED PARKING = 39-SPACES OF HYDRANT ELEV=796.38 N.A.V.D.88 DATUM SHARED PARKING PROVIDED HANDICAP PARKING = 2 SPACES = 42 SPACES .-----STANDARD PARKING DRIVE THRU STACKING = 8 SPACES 137.18'(R) 137.16'(M) \_\_\_\_\_\_\_\_\_\_\_ = 52 SPACES TOTAL PARKING PROVIDED 49287 WEST ROAD WIXOM, MI 48393 **WSQ LED** EX. 20' WIDE (2) "DO NOT LED AREA LIGHTS - LSI SLICE SMALL (XLCS) PLATTED Architectural Wall Sconce ENTER" SIGNS (P): 248-437-7803 PUBLIC ALLEY (FACING NORTH) SMARTTECTM - LSI drivers feature integral sensor which reduces drive current, when ambient (F): 866-960-4307 **ENERGY SAVING CONTROL OPTION - DIM - 0-10 volt dimming enabled with controls by** REVISIONS **EXPECTED LIFE** - Minimum 60,000 hours to 100,000 hours depending upon the ambient The classic Architectural Wall Sconce is now temperature of the installation location. See LSI web site for specific guidance. available with the latest in LED technology. The LEDS - Select high-brightness LEDs in Cool White (5000K), or Neutral White (4000K) color result is a long-life, maintenance-free product with "STOP" SIGN Luminaire Optional Back Box (BBW) typical energy savings of 75% compared to metal (FACING SOUTH) DISTRIBUTION/PERFORMANCE - Types 3, FT, 5 and enhanced 5E and FTE. Exceptional halide versions. The integral battery backup option Height: uniformity creates bright environment at lower light levels. Internal Louver (IL) option provides emergency egress lighting, without the available for improved backlight control without sacrificing street side performance for F use of a back-box or remote gear, so installations maintain their aesthetic integrity. EX. CONC. WALK HOUSING - One-piece, die-formed aluminum housing contains factory prewired driver. Wiring The WSQ LED is ideal for replacing existing 50 -DOE LIGHTING FACTS access door (with safety lanyard) located underneath. data and results in accordance with its Lighting Facts Program.

Visit www.lightingfacts.com for specific catalog strings.

OPTICAL UNIT - Clear tempered flat glass lens permanently sealed to weather-tight aluminum optic frame creates an IP65 rated optical unit (includes pressure-stabilizing breather) 175W metal halide wall-mounted products. The EXISTING OUTDOOR PATIO expected service life is 20+ years of nighttime use. MOUNTING - Tapered rear design allows fixtures to be mounted in 90° and 120° 10'x20' configurations without the need for extension arms. Use with 3" reduced drilling pattern. A WINDOW round pole plate is required for mounting to round poles. Wall mount available by ordering CONC. PAD ±4,081-SQ.FT. wall mounting bracket (BKS-XBO-WM-\*-CLR). Proprietary pole quick mount accessories EX. RESTAURANT available with horizontal mounting or fixed 15° angled mounting (PQMH-KIT-CLR and ELECTRIC
SERVICE
PANEL
F.F.=801.30
34527 GRAND RIVER
TAX ID# 23-28-128-032
ZONED: C2

CITY TO VACATE EXISTING 20' WIDE

ALLEY. INGRESS \ EGRESS F.F.=798.58 PQM15-KIT-CLR) for mounting to square poles. See Accessory Ordering Information chart 34635 GRAND RIVER TAX ID# 23-28-128-035 LOT AREA =  $\pm 0.795$  ACRES ZONED: C2 "COMMERCIAL" ELECTRICAL - Two-stage surge protection (including separate surge protection built into electronic driver) meets IEEE C62.41.2-2002, Location Category C. Available with universal voltage power supply 120-277 VAC (50/60Hz input), and 347-480 VAC. Optional button-PR. WALL type photocells (PCI) are available in 120, 208, 240, 277 or 347 volt (supply voltage must LIGHTS DRIVER - Available in SS (Super Saver) and HO (High Output) drive currents. Components AGREEMENT TO BE EXECUTED AND are fully encased in potting material for moisture resistance. Driver complies with FCC RECORDED BETWEEN OWNER'S OF standards. Driver and key electronic components can easily be accessed. 34527 & 34635 GRAND RIVER OPERATING TEMPERATURE - -40°C to +50°C (-40°F to +122°F) PRIOR TO THE START OF FINISH - Fixtures are finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling. CONSTRUCTION Available in black, bronze and white. Other standard LSI finishes available. Consult factory. WARRANTY - LSI LED fixtures carry a limited 5-year warranty. INSTALL NEW A.D.A. PHOTOMETRICS - Please visit our web site at <a href="https://www.lsi-industries.com">www.lsi-industries.com</a> for detailed photometric COMPLIANT RAMPS, SHIPPING WEIGHT (in carton) - One fixture: 17.5 lbs. (7.9 kg). Packed two per carton: 30 lbs. SIGNS, AND PAVEMENT MARKINGS LISTING - UL listed to U.S. and international safety standards. Suitable for wet locations. For EX. 6" SANITARY SERVICE a list of the specific products in this series that are DLC listed, please consult the LED RELOCATE EX. 2' TO 3' Lighting section of our website or the Design Lights website at www.designlights.org. BOULDER RETAINING WALL. EX. COMMERCIAL BUILDING
F.F.=
34701 GRAND RIVER
TAX ID# 23-28-126-026
ZONED: C2 This product, or selected versions of this product, meet the standards listed below. Please consult factory for S83°46'00"E ARRA we becation with C & FC P65 \_20.07'(R&M) PROPOSED 4' TO 6' HIGH POURED Fixtures comply with ANSI C136.31-2010 American National Standard for Roadway Lighting Equipment - Luminaire Vibration 1.56 CONCRETE RETAINING WALL WITH FACE BRICK TO MATCH THE BUILDING. PROPOSED DUMPSTER ENCLOSURE REPLACE EX. LIGHT SHARED DUMPSTER AGREEMENT TO POLE AND BASE BE EXECUTED AND RECORDED 10'x20' CONC. PAD LED FIXTURE BETWEEN OWNER'S OF 34527 & 34635 GRAND RIVER PRIOR TO THE Luminaire Schedule
Project: All Projects
Symbol Qty START OF CONSTRUCTION Label Mounting Height Arrangement Description SINGLE LSI LIGHTING XLCL-3-LED-SS-CW-HSS LSI LIGHTING XLCL-3-LED-SS-CW-HSS WALL PACK LITHONIA WSQ LED 30C 1000 50K TFTM EX. 2" WATER SERVICE EX. HOUSE F.F.=±809.8 23967 WESTLEY DR TAX ID# 23-28-128-019 ZONED: R1C PROVIDE SHEILDING WHERE NECESSARY TO ELIMINATE GLARE ON TO ADJOINING PROPERTIES. \_157.66'(R&N S83°46'00"E EX. HOUSE 23965 WHITTAKER DR. TAX ID# 23-28-126-028 ZONED: R1A EX. 6 FT. HIGH BRICK SCREEN WALL SHADED AREA DENOTES LIMITS OF NEW PAVEMENT 16' SQUARE STEEL POLE INSTALLED PER MANUFACTURES MOUNTING HEIGHT =  $\pm 20'$ RECOMMENDATIONS. EX. EVERGREENS HOURS OF OPERATION - SHALL BE 6 A.M. TO 9:30 P.M. ALL LIGHT FIXTURE SHALL BE WITH BOTH A TIMER FOR AUTOMATIC OPERATION AND LIGHT SENSORS. Required conditions, When site plan approval is required for the installation or modification of exterior lighting, the following conditions shall apply: a. Light fixtures shall not be mounted in excess of the maximum height limitation of the district in which they are located. For lighting in residential districts and for uses adjacent to residential districts or uses, light fixtures shall GRADE not be mounted in excess of twenty-five (20) feet above grade. Fixture height shall be measured from the grade of the illuminated surface to the bottom of the fixture. THE LIGHT POLE BASE SHALL BE EX. GARAGE INSTALLED 36" ABOVE FINISHED b. Electrical service to light fixtures shall be placed underground. c. No flashing light shall be permitted. d. Glare control shall be accomplished primarily through the proper selection and application of lighting equipment and shielding. EX. HOUSE F.F.=±802.6 DATE: 6-14-19 LIGHTING DETAIL 23960 WHITTAKER DR. TAX ID# 23-28-128-002 ZONED: R1C Drawn By: MD P.E.: AO NO SCALE CONSTRUCTION SITE SAFETY IS THE RESPONSIBILITY OF THE CONTRACTOR. THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS Job No.: 180606 REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL Know what's **below**. EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE Sheet No. OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS. Call before you dig. FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S *C-3* FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. COPYRIGHT © 2019 DIFFIN-UMLOR & ASSOCIATES; ALL RIGHTS RESERVED.

# PAVING PAVING PAVING CURB AND GUTTER CATCH BASIN, DRAIN INLET CATCH BASIN, DRAIN INLET EASY TO SHAPE COLLECTS SEDIMENT CATCH SEDIMENT TRAP EASY TO SHAPE COLLECTS SEDIMENT CATCH SEDIMENT CAN BE CONSTRUCTED OF LOGS, HAY, ROCK, LUMBER, MASONRY OR SAND BAGS USES GEOTEXTILE FABRIC AND POSTS OR POLES EASY TO CONSTRUCT AND LOCATE AS NECESSARY

## **CONSTRUCTION SEQUENCE**

AUGUST 2019 - NOV. 2019 SOIL EROSION CONTROL MEASURES

PRIOR TO CONSTRUCTION

-IDENTIFY CONSTRUCTION LIMITS

BASINS

-SAWCUT AND REMOVE CURBING, ASPHALT, STRIP VEGETATION AND

-MAINTAIN CONTROL MEASURES

-MAINTAIN CONTROL MEASURES

-MAINTAIN CONTROL MEASURES

-MAINTAIN CONTROL MEASURES

-REMOVE INLET FILTERS ON CATCH

-INSTALL LANDSCAPING

-MAINTAIN OTHER CONTROL MEASURES

DEMOLITION

CONSTRUCT UTILITIES, BUILDING
PAVE LOT, CONSTRUCT CURBING

FINAL GRADING, INSTALL SIDEWALK

AFTER DISTURBED AREAS

HAVE STABILIZED

GENERAL NOTES:

CONTRACTOR SHALL OBTAIN SOIL EROSION PERMIT PRIOR TO ANY CONSTRUCTION.

SITE RESTORATION AND LANDSCAPING -TOPSOIL AND SOD

ALL GRADING, EROSION, AND SEDIMENT CONTROL AND RELATED WORK UNDERTAKEN ON THIS SITE SHALL BE IN ACCORDANCE WITH LOCAL JURISDICTION.

CONTRACTOR SHALL MAINTAIN ALL SOIL EROSION CONTROL MEASURES. THE SOIL EROSION CONTROLS SHALL BE MAINTAINED WEEKLY AND AFTER EVERY STORM EVENT. SURROUNDING PAVED AREAS SHALL BE POWER BROOMED AS NECESSARY TO REMOVE MUD TRACKING FROM THE SITE.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR MATCHING EXISTING FACILITIES TO AVOID ANY ABRUPT OR APPARENT CHANGES IN GRADES OR CROSS SLOPES, LOW SPOTS, OR HAZARDOUS CONDITIONS.

GRADING AT THE BOUNDARIES SHALL BE DONE SO AS NOT TO OBSTRUCT THE RUNOFF OF STORM WATER FROM ADJACENT PROPERTIES.

SOD AND HYDROSEEDING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPING PLAN. ALL OTHER DISTURBED AREAS SHALL BE TOPSOILED, HYDROSEEDED, FERTILIZED AND MULCHED.

THE CONTRACTOR IS REQUIRED TO HAVE A COPY OF THE CERTIFIED PLAN AT THE CONSTRUCTION SITE.

ALL SOIL EROSION CONTROL PRACTICES TO BE INSTALLED PRIOR TO ANY MAJOR SOIL DISTURBANCE, OR IN THEIR PROPER SEQUENCE AND MAINTAINED FOR ONE YEAR AFTER COMPLETION OF THE APPROVED PLAN OR UNTIL SUCH MEASURES ARE PERMANENTLY STABILIZED AS DETERMINED BY THE COUNTY SOIL EROSION AGENT.

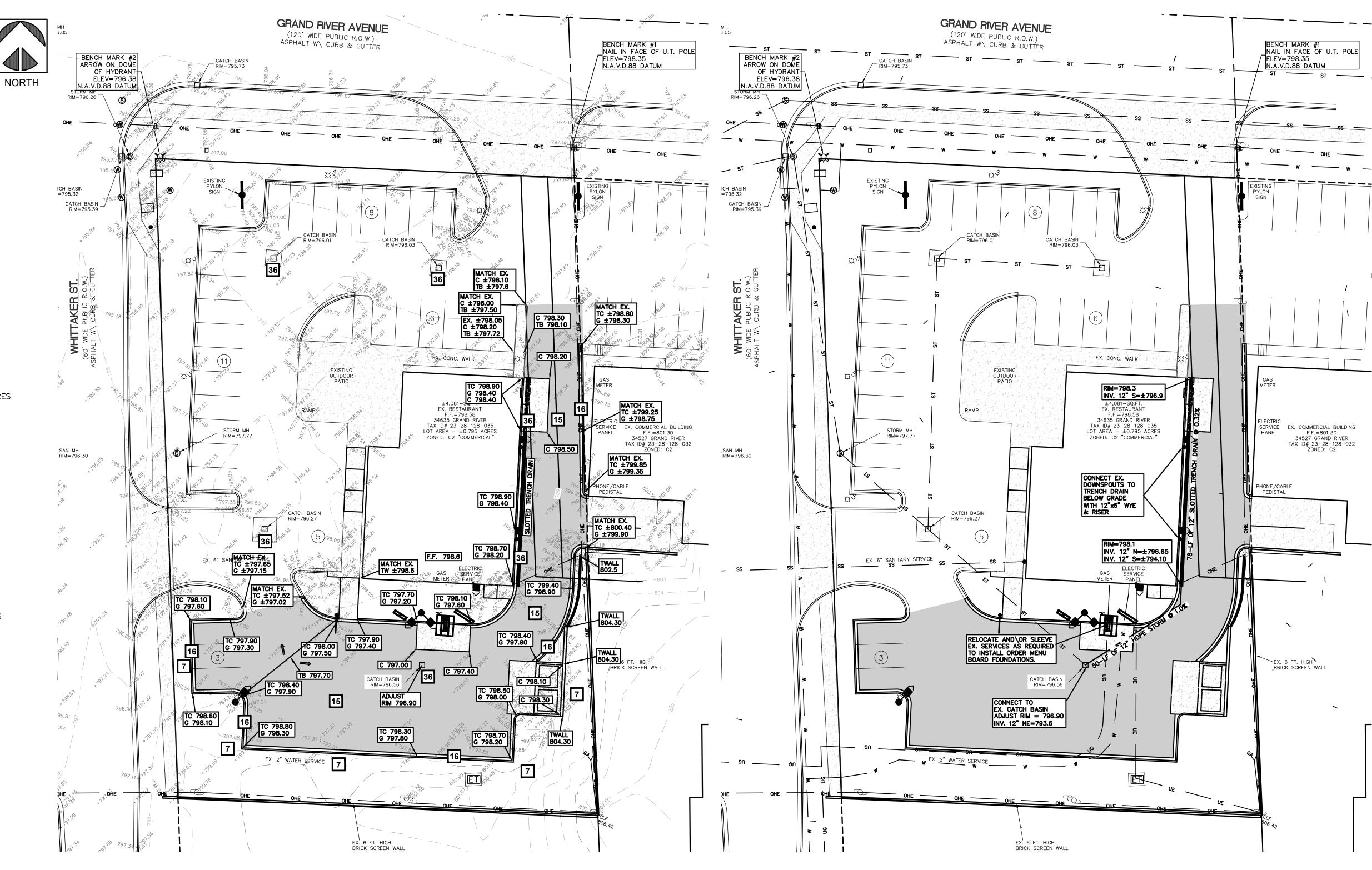
PERMANENT VEGETATION TO BE SEEDED ON ALL EXPOSED AREAS WITHIN TEN (10) DAYS AFTER FINAL GRADING. MULCH TO BE USED AS NECESSARY FOR PROTECTION UNTIL SEEDING IS ESTABLISHED.

IMMEDIATELY FOLLOWING INITIAL DISTURBANCE OR ROUGH GRADING, ALL CRITICAL AREAS SUBJECT TO EROSION (I.E., STEEP SLOPES) WILL RECEIVE APPROPRIATE VEGETATIVE COVER AS STATED IN THE CONSTRUCTION SEQUENCE.

DURING CONSTRUCTION, ANY ADDITIONAL CONTROL MEASURES AS DEEMED NECESSARY TO PREVENT EROSION OR CONTROL SEDIMENT BEYOND THOSE MEASURES SHOWN ON THE APPROVED PLANS SHALL BE INSTALLED OR EMPLOYED AT THE DIRECTION OF THE CITY SOIL EROSION AGENT.

A RING OF SILT FENCE WILL BE INSTALLED SURROUNDING ANY STOCKPILED MATERIAL.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL OF ALL SOIL SPOILS, AND CONSTRUCTION DEBRIS.



GRADING \ SOIL EROSION CONTROL PLAN

UTILITY PLAN

DATE: 6-14-19
Drawn By: MD
P.E.: AO

1"= 20'

Job No.: 180606
Sheet No.

C-4

49287 WEST ROAD

WIXOM, MI 48393

(P): 248-437-7803

(F): 866-960-4307

REVISIONS

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KEY	QUAN.	SIZE	BOTANICAL NAME	COMMON NAME
AR	2	2.5"	Acer rubrum 'Franksred'	'Red Sunset' Maple
PP	5	6'	Picea pungens glauca	Colorado Blue Spruce
TO	3	6'	Thuja occidentalis	Techny Arborvitae
BG	59	24" HT.	Buxus m. 'Green Velvet'	Green Velvet Boxwood
НА	26	24" HT.	Hydrangea 'Endless Summer'	Hydrangea
TC	50	24" HT.	Taxus cuspidata	Densiformis Yew
MF	4	2" CAL.	Malus sargentii	Sargent Crabapple
CC	2	2" Cal.	Crataegus crus—galli 'Inermis'	Thornless Cockspur Hawthorn
AP	4	2" Cal.	Acer palmatum 'Bloodgood'	Japanese Maple

-	<u>LEGEND</u>
RW	RIGHT-OF-WAY TREES
ST	STREET TREES
PL	PARKING LOT TREES
В	BUFFER TREES
	MULCH
$\square$	HYDRO-SEED \ SOD
ZoZq	DECORATIVE STONE
WATERMAIN	<b></b>
STORM SEW	ER — — <b>—</b> —
SANITARY	S

# LANDSCAPE CALC.

#### FRONTAGE LANDSCAPE SCREENING REQUIREMENTS

10' REQUIRED GREENBELT WIDTH REQUIRED CANOPY TREES (1 TREE FOR EVERY 30-LF OF FRONTAGE)

377-LF / 30-LF =13 TREES EXISTING FRONTAGE TREES 8 TREES PROVIDED ORNAMENTAL TREES 10 TREES REQUIRED SHRUBS

(6 SHRUBS FOR EVERY 30-LF OF FRONTAGE) (337—LF / 30—LF) X 6 SHRUBS = 76 SHRUBS PROVIDED SHRUBS 76 SHRUBS A HEDGEROW PLANTED SHRUBS SPACED 4 TO 5 FEET ON

CENTER MAYBE UTILIZED. TWO ORNAMENTAL TREES MAYBE USED IN PLACE OF ONE REQUIRED CANOPY TREE

PLANTING & STAKING DETAIL

BALL DIA. + 24" MIN.

PLANTING & STAKING DETAIL

TREES 2" CAL. AND GREATER NO SCALE

SHRUB PLANTING

EVERGREEN UNDER 8' AND SMALL TREES 2" CAL. AND UNDER - NO SCALE

- COMPACTED PLANTING

2 - PLY REINFORCED HOSE

TREE WRAP DECIDUOUS TREES SECURE W/ TWINE (GROUND LINE TO LOWEST BRANCHES)

GROUND LINE TO BE SAME

SPRAY W/ ANTI-DESICCANT AS PER MFG'S INSTRUCTIONS IF FOLIAGE

GROUND LINE TO BE SAME AS PREVIOUS

REMOVE BURLAP AND TWINE FROM TOP OF BALL

BREAK SUBSOIL -

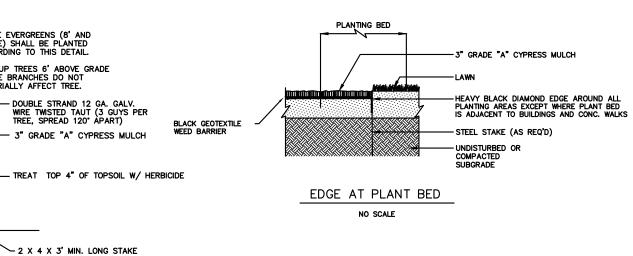
REQUIRED BUFFER ZONE WIDTH

247-LF / 20-LF =26 TREES & 50 SHRUBS

EXISTING TREES & EVERGREENS 17 TREES 9 TREES 50 SHRUBS

LANDSCAPE REQUIREMENTS

(FOR MORE THAN 10 PARKING SPACES) 1 TREE FOR EVERY 8 PARKING SPACES & 100 SQ.FT. PER TREE 6 TREES REQUIRED 44 SPACES \ 8 = REQUIRED INTERIOR AREA = 440-SQ FT.



- 3" GRADE "A" CYPRESS MULCH

- TREAT TOP 4" OF TOPSOIL W/ HERBICIDE

THE CONTRACTOR SHALL FURNISH ALL LABOR, MATERIALS, SERVICES, EQUIPMENT AND APPLIANCES REQUIRED TO PROVIDE AN IN-GROUND AUTOMATIC IRRIGATION SYSTEM AND RELATED ITEMS NEEDED TO DELIVER OPTIMAL LEVELS OF WATER TO ALL PLANTING AREAS AS SHOWN ON THE DRAWINGS. THE IRRIGATION SYSTEM, AS INDICATED ON THE DRAWINGS OR SPECIFIED HEREIN, SHALL INCLUDE, BUT IS PIPING, VALVES, PIPE SLEEVES, SPRINKLER HEADS, METER PIT, VALVE BOXES, CONTROLLER, WIRE AND WATERPROOF CONNECTIONS, RAIN SWITCH, BACKFLOW PREVENTER, WATER METER AND OTHER APPURTENANCES; AND CONNECTIONS TO WATER AND ELECTRICAL SERVICE SYSTEMS.

2. THE DRAWINGS AND SPECIFICATION MAY NOT SHOW ALL THE DETAILS OF CONSTRUCTION, BUT THE CONTRACTOR SHALL BE REQUIRED TO FURNISH AND INSTALL ALL MATERIALS NECESSARY TO COMPLETE THE IRRIGATION SYSTEM IN ACCORDANCE WITH APPLICABLE CODES THE BEST PRACTICES AND TO THE FULL INTENT OF THE DRAWINGS AND SPECIFICATIONS.

3. PRIOR TO CONSTRUCTION THE IRRIGATION CONTRACTOR SHALL VISIT THE SITE AND EVALUATE THE AVAILABLE WATER PRESSURE AND PIPE SIZE SERVICING THE IRRIGATION SYSTEM. THE CONTRACTOR SHALL MODIFY, OR IF A DETAILED DESIGN DOES NOT EXIST, PREPARE THE IRRIGATION DESIGN BASED ON SITE CONDITIONS. THE IRRIGATION SYSTEM SHALL BE DESIGNED WITH INDEPENDENT ZONES FOR LAWNS AND PLANT BEDS AND PROVIDE A MINIMUM OF TWO QUICK COUPLING VALVES. PRIOR TO INSTALLATION THE CONTRACTOR SHALL

IRRIGATE ONLY THOSE AREAS THAT ARE PLANTED WITH SHRUBS AND GRASS BETWEEN BUILDING FRONT AND R.O.W.

IRRIGATION MAIN LINE SHALL NOT BE LOCATED WITHIN THE

MINIMUM REQUIRED IRRIGATION EQUIPMENT AND MATERIALS

IRRIGATION METER BACK-FLOW PREVENTER/CHECK VALVE RAIN GAUGE AUTOMATIC CONTROLLER WITH AT LEAST TWO EMPTY STATIONS. AUTOMATIC ELECTRIC VALVES AT LEAST TWO QUICK COUPLING VALVES

16. ALL LAWN AND LANDSCAPE AREAS SHALL BE

4. THE IRRIGATION SYSTEM SHALL BE GUARANTEED FOR A YEAR BEGINNING AT THE TIME OF ACCEPTANCE OF THE PROJECT BY THE OWNER. AT THE TIME OF ACCEPTANCE, THE CONTRACTOR SHALL PROVIDE THE OWNER WITH MAINTENANCE INSTRUCTIONS FOR THE IRRIGATION SYSTEM. DURING THE ONE YEAR GUARANTEE PERIOD THE CONTRACTOR SHALL PROVIDE, AT NO ADDITIONAL COST, MAINTENANCE INCLUDING FALL BLOW OUT AND SPRING ACTIVATION.

CONTRACTOR TO PROVIDE AN AUTOMATIC IRRIGATION SYSTEM

14. ALL PLANTING BEDS AND GREENBELT AREAS SHALL RECEIVE SIX INCHES (6") OF SCREENED TOPSOIL, MEASURED AFTER COMPACTION, PRIOR TO INSTALLATION OF PLANTS, SEEDING,

> 15. ALL LANDSCAPE ISLANDS SHALL BE FILLED SUCH THAT THEY ARE CROWNED IN THE MIDDLE TO PROVIDE POSITIVE DRAINAGE AND TO PRVENT POOLING WITHIN THE LANDSCAPED AREA (TYP.)

1. ALL PLANTS MUST BE HEALTHY, VIGOROUS MATERIAL, FREE OF PESTS AND

ALL TREES MUST BE GUYED OR STAKED AS SHOWN IN THE DETAILS. ALL PLANTING AREAS MUST BE COMPLETELY MULCHED AS SPECIFIED.

INDICATED IN THE PLANT LIST.

BEFORE, DURING, AND AFTER INSTALLATION.

THESE PLANS BEFORE PRICING THE WORK.

MEETING ALL PLANT LIST SPECIFICATIONS.

QUALITY REQUIREMENTS FOR PLANT MATERIAL.

CONDITION THROUGHOUT THE CONSTRUCTION PERIOD.

LANDSCAPED ISLANDS AND ENTRANCE AREAS.

1. LOAM USED IN PLANTING BEDS SHALL BE UNIFORM IN

RECOMMENDED BY MANUFACTURER.

COMPOSITION, FREE OF STONES LARGER THAN 1", AND SHALL

NOT CONTAIN TOXIC SUBSTANCES HARMFUL TO PLANT GROWTH.

QUANTITIES SUFFICIENT TO COMPLETE THE PLANTING SHOWN ON

ESTABLISHED BY THE AMERICAN STANDARD FOR NURSERY STOCK

PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN, INC.

2. CREATE A PLANTING MIX COMPRISED OF 2/3 SCREENED LOAM

AND 1/3 PEAT MOSS OR LEAF COMPOST. AMEND WITH 'PLANTONE' ORGANIC FERTILIZER, OR EQUAL, AT THE RATE

3. THE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIALS IN

4. ALL PLANT MATERIALS SHALL CONFORM TO THE GUIDELINES

5. PLANT PITS SHALL BE DUG TWICE THE WIDTH OF THE ROOTBALL.

6. ALL PLANT MATERIAL TO BE SET PLUMB, AND TO BEAR

7. ALL BIODEGRADABLE BURLAP SHALL BE UNTIED AND PULLED

BIODEGRADABLE MATERIALS ATTACHED TO PLANTS SHALL BE

8. ALL PLANTS SHALL BE WATERED IMMEDIATELY AFTER PLANTING.

9. 3" OF COMPOSTED PINE BARK MULCH SHALL BE SPREAD OVER

10. THE CONTRACTOR SHALL MAINTAIN ALL PLANTS FOR 90 DAYS

11. PLANTS SHALL BE GUARANTEED FOR A PERIOD OF 1 YEAR

PERIOD. THE CONTRACTOR SHALL BE RESPONSIBLE TO

AFTER ACCEPTANCE OF THE PROJECT AND SHALL BE ALIVE

REMOVE ALL FAILING PLANT MATERIALS, AND REPLACE THEM

WITH THE SAME KIND AND SIZE OF MATERIAL AS SPECIFIED IN THE PLANT LIST, WITH THE SAME GUARANTEE AS

12. ANY PROPOSED SUBSTITUTIONS OF PLANT SPECIES SHALL BE

AND ONLY AFTER WRITTEN APPROVAL OF THE OWNER.

MADE WITH PLANTS OF EQUIVALENT OVERALL FORM, HEIGHT,

13. CONTRACTOR SHALL LOCATE AND VERIFY ALL EXISTING UTILITY LINES PRIOR TO PLANTING AND SHALL REPORT ANY

BRANCHING HABIT, FLOWER, LEAF, COLOR, FRUIT AND CULTURE,

AND IN SATISFACTORY GROWTH AT THE END OF THE GUARANTEE

AFTER THE COMPLETION OF PLANT INSTALLATION. MAINTENANCE

SHALL CONSIST OF KEEPING ALL PLANTS IN A HEALTHY GROWING

REMOVED PRIOR TO PLANTING. CARE SHALL BE TAKEN NOT TO

DOWN ON THE BALL. WIRE BASKETS AND OTHER NON

NATURAL RELATIONSHIP WITH FINISHED GRADE.

BREAK OR DISTURB ROOTBALL OF PLANTS.

PLANT PITS AND PLANTING BEDS SHALL BE BACKFILLED WITH

THE AMENDED PLANTING MIX IN LIFTS TO AVOID AIR POCKETS

REQUIREMENTS SPECIFIED.

LANDSCAPE CONSTRUCTION.

PRIOR TO INSTALLATION.

THE CONSTRUCTION PERIOD.

SPACING SHOWN.

AND STORM SEWER.

PLANTING NOTES

IN BACKFILL.

ALL PLANT BEDS.

INITIAL PLANTING.

CONFLICTS TO THE OWNER.

OR SODDING.

ALL PLANTS MUST BE CONTAINER GROWN OR BALLED AND BUR LAPPED AS

ALL TREES MUST BE STRAIGHT TRUNKED AND FULL HEADED AND MEET ALL

ALL PLANTS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT

THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON

(INCLUDING BUT NOT LIMITED TO: WATERING, SPRAYING, MULCHING, FERTILIZING,

ETC.) OF THE PLATING AREAS AND LAWN UNTIL THE WORK IS ACCEPTED IN TOTAL

PERIOD OF ONE (1) YEAR BEGINNING ON THE DATE OF TOTAL ACCEPTANCE. THE CONTRACTOR SHALL PROMPTLY MAKE ALL REPLACEMENTS BEFORE OR AT THE END

THE ARCHITECT SHALL APPROVE THE STAKING LOCATION OF ALL PLANT MATERIAL

ACCLIMATED FOR TWO (2) WEEKS UNDER A MIST SYSTEM PRIOR TO  $\,\,\,$  INSTALLATION.

TOTAL ACCEPTANCE OF THE WORK) SHALL BE PROMPTLY REMOVED FROM THE SITE

AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY, AND SIZE AND

REPRESENT GUIDELINE SPECIFICATIONS ONLY AND SHALL CONSTITUTE MINIMUM

TO BE COMPLETELY COVERED WITH PINE BARK MULCH TO A MINIMUM DEPTH OF

UPON BEST AVAILABLE INFORMATION AND ARE TO BE CONSIDERED APPROXIMATE.

CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL UTILITY LINES DURING

15. ALL SHRUB, GROUND COVER AND SEASONAL COLOR ANNUAL PLANTING BEDS ARE

16. LOCATIONS OF EXISTING BURIED UTILITY LINES SHOWN ON THE PLANS ARE BASED

IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE

LOCATIONS OF UTILITY LINES AND ADJACENT TO THE WORK AREA. THE

19. ALL PLANT MATERIALS QUANTITIES SHOWN ARE APPROXIMATE. CONTRACTOR

20. ALL DISTURBED AREAS ARE TO RECEIVE 4" OF TOP SOIL, MULCH, AND WATER UNTIL A HEALTHY STAND OF GRASS IS OBTAINED. THIS EXCLUDING ALL

17. SAFE, CLEARLY MARKED PEDESTRIAN AND VEHICULAR ACCESS TO ALL ADJACENT

18. DURING THE GROWING SEASON ALL ANNUALS SHALL REMAIN IN A HEALTHY, VITAL

SHALL BE RESPONSIBLE FOR COMPLETE COVERAGE OF ALL PLANTING BEDS AT

21. ALL TREES SHALL BE A MINIMUM OF 10' FROM ALL WATERMAIN, SANITARY SEWER,

PROPERTIES MUST BE MAINTAINED THROUGHOUT THE CONSTRUCTION PROCESS.

THE CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING ALL PLANTING

10. THE CONTRACTOR SHALL COMPLETELY GUARANTEE ALL PLANT MATERIAL FOR A

12. AFTER BEING DUG AT THE NURSERY SOURCE, ALL TREES IN LEAF SHALL BE

14. STANDARDS SET FORTH IN "AMERICAN STANDARD FOR NURSERY STOCK"

13. ANY PLANT MATERIAL WHICH DIES, TURNS BROWN, OR DEFOLIATES (PRIOR TO

PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING THE COURSE OF THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY AND ALL DAMAGE TO UTILITIES. STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCURS AS A RESULT OF THE

IRRIGATED, EXCLUDING THE WETLANDS AREAS.

17. ALL GROUND MOUNTED UTILITIES SHALL BE FULLY SCREENED WITH LANDSCAPE PLANTINGS.

#### RESIDENTIAL BUFFER ZONE LANDSCAPE SCREENING REQUIREMENTS

(2 TREES & 4 SHRUBS OR 1 TREE, 1 EVERGREEN, & 4 SHRUBS PER 20-LFT ALONG PROPERTY LINE

PROPOSED TREES & EVERGREENS PROVIDED SHRUBS

PROVIDED INTERIOR AREA = EXISTING TREES PROPOSED TREES

1205-SQ.FT. 3 TREES 3 TREES

IRRIGATION NOTES

NOT LIMITED TO: IRRIGATION COMPLETELY INSTALLED; ALL NECESSARY

SUBMIT THE IRRIGATION DESIGN FOR APPROVAL BY THE OWNER.

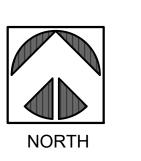
WITH REMOTE ELECTRIC VALVES WITH ZONES SEPARATING SHRUB AREAS FROM GRASSED AREAS.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE

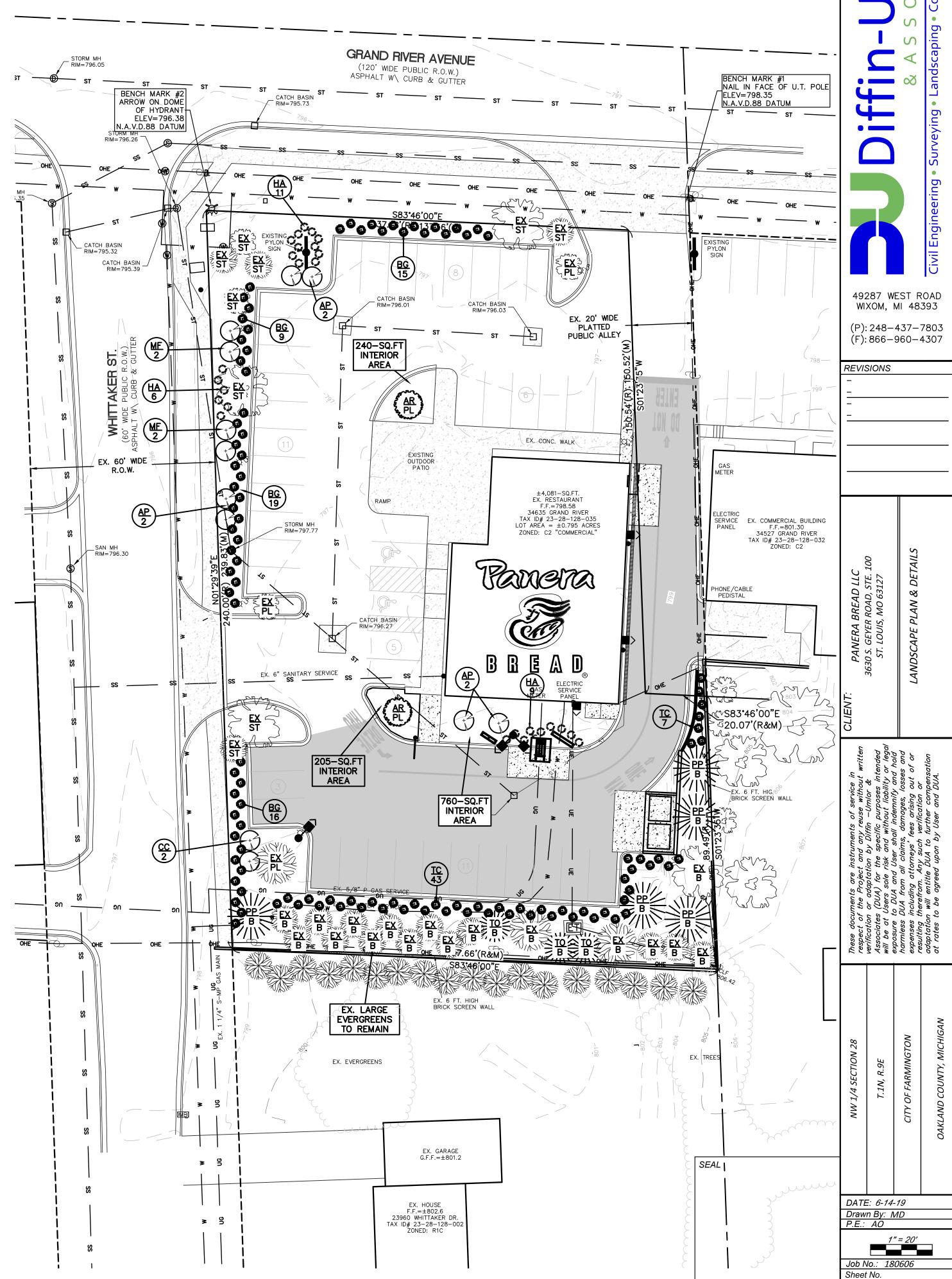
CLASS 200 PVC MAIN AND LATERAL LINES

SCH. 40 SLEEVES





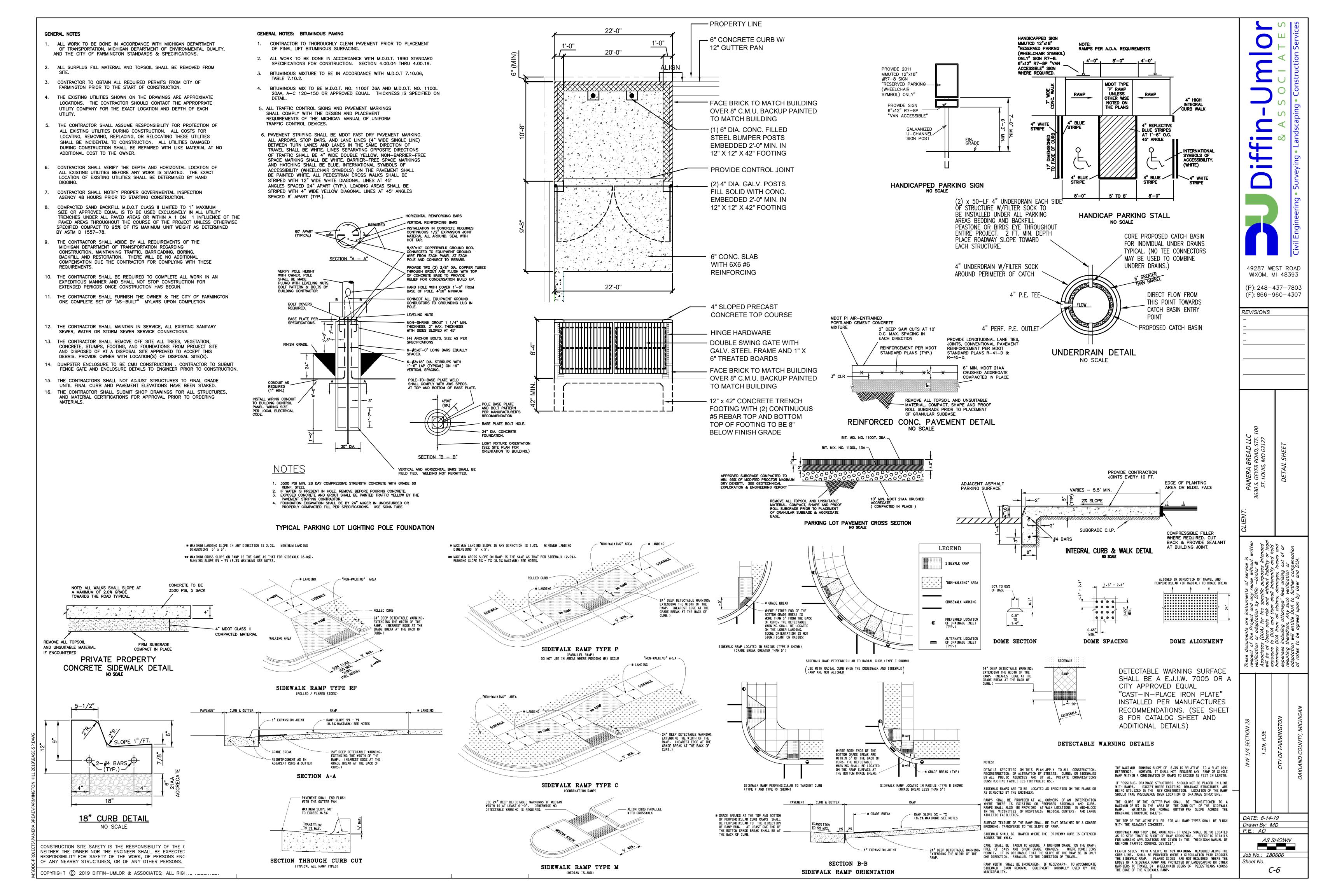
C-5

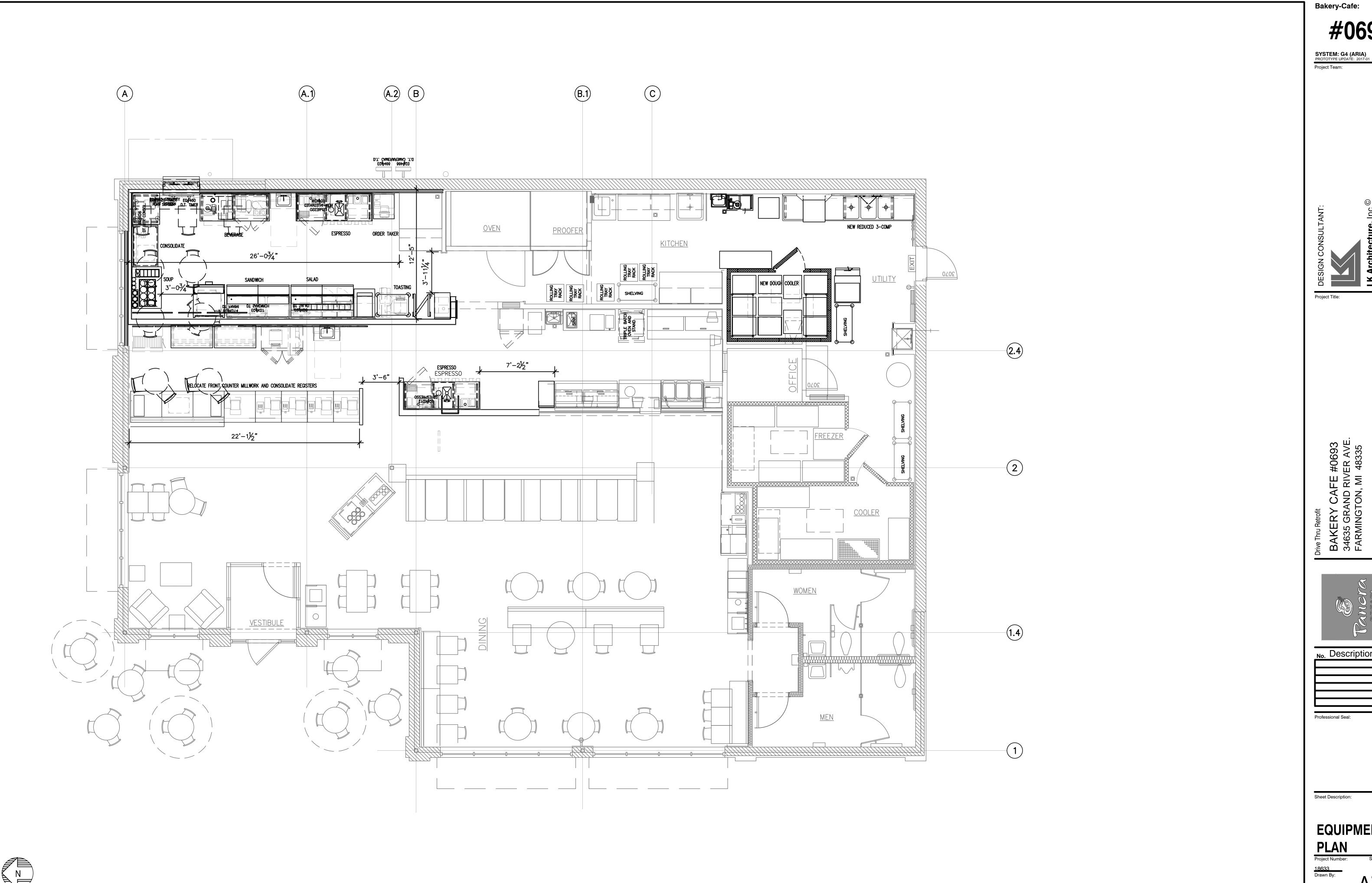


CONSTRUCTION SITE SAFETY IS THE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY

RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

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EQUIPMENT FLOOR PLAN

SCALE: 1/4"=1'-0"

#0693

No. Description Date

**EQUIPMENT** 

EQU	IPMENT SCHEE	DULE	(NEW)		LAST UPI	DATE: PU201:	2-02	EC	QU —	IPMENT SCHEE	DULE (CONTINU	ED) (NEW)	
DE QTY	DESCRIPTION	MANUFACTURER	MODEL #	DIMENSIONS	SUPPLIED	INSTALLED	NOTES	CODE	QTY	DESCRIPTION	MANUFACTURER	MODEL #	DIME
'G24 3	WALL SHELF, SINGLE, DOWN BRACKETS – 24"		YPB-0048-24; WB24-C BRACKETS	26.595"W × 25.289"D	E.S.	E.S.		459	1	DRIVE THRU COFFEE RACK & DECANTER	WILBUR CURTIS	WRCLXP2B / CLXP6401S00 / CLXP6401S00D	/.04
G36 4	WALL SHELF, SINGLE, DOWN BRACKETS – 36"		YPB-0048-36; WB24-C BRACKETS	38.595"W × 25.289"D	E.S.	E.S.		460	1		HYPERACTIVE	CUSTOM	8"H 21"\
7G42 2	WALL SHELF, SINGLE, DOWN BRACKETS - 42"	EAGLE	YPB-0048-42; WB24-C BRACKETS	44.595"W x 25.289"D	E.S.	E.S.		462B	1	TIMER FLAT SCREEN (23" LCD )	NEC	EA232WMI-BK	21.7 "H
7G48 2	WALL SHELF, SINGLE, DOWN BRACKETS - 48"	EAGLE	YPB-0048-48; WB24-C BRACKETS	50.595"W x 25.289"D	E.S.	E.S.		463	1	SECURITY FLAT SCREEN MONITOR 17"	CLINTON ELECTRONICS	VT768U	14.8 12.5
'J24 2	WALL SHELF, SINGLE, UP BRACKETS – 24"	METRO	1824C SHELF; 18WB1C BRACKETS	24"W x 18"D	E.S.	E.S.		466	2	PELCO DRIVE THRU CAMERA ENCLOSURE	PELCO	EH3515	17.7 3.9"
J30 2	WALL SHELF, SINGLE, UP BRACKETS -	METRO	1830C SHELF; 18WB1C BRACKETS	30"W x 18"D	E.S.	E.S.		?	701	?	?	?	?
42 1	WALL SHELF, SINGLE, UP BRACKETS -	METRO	1842C SHELF; 18WB1C BRACKETS	42"W x 18"D	E.S.	E.S.		KD12 KD14		KDS DT ESPRESSO STN MONITOR  KDS DT PANINI MONITOR	LG NEC	23MB35PM-B EA232WMI-BK	21.6
48 2	WALL SHELF, SINGLE, UP BRACKETS -	METRO	1848C SHELF; 18WB1C	48"W x 18"D	E.S.	E.S.		KD14	'	KDS DT MASTER CONSOLIDATOR			"H
BD 1	48" BAGEL SLICER/TOASTER CART	EAGLE	BRACKETS PAN BAGELCART2	36"Wx24"Dx32"H	E.S.	G.C.	_			MONITOR	LG	23MB35PM-B	21.0
9A 2 1A 2	FAUCET (ESPRESSO) WALL MTD SS HANDSINK	ZURN EAGLE	Z812B1-15F HSA-10-F	6.5"W x 2"D x 11.9"T 17.75"W x 15.25"D	C.S. E.S.	G.C. G.C.	- G,H	KD7			NEC	EA232WMI-BK	"H
	ICE CADDIE	CAMBRO	IC125LB	22"W x 26"D x 29.25"H	E.S.	G.C.	0,11	KD8			NEC	EA232WMI-BK	"H
3B 1	ICE MACHINE (w/remote condenser)	HOSHIZAKI	KMD-860MRJ	30"W x 24.625"D x 28"H	OWNER	G.C.	-	KD9	1	KDS NON-INTEGRATED ESPRESSO STN MONITOR	LG	23MB35PM-B	21.
BA 2	PAPER TOWEL DISPENSER, MECHANICAL, PORTION CONTROLLED	TORK	551028A - TORK ELEVATION MATIC HAND TOWEL ROLL	13.26"W x 7.99"D x 14.65"H	SCA	G.C.	_						
9 2	SOAP DISPENSER	ECOLAB	DISPENSER, BLACK 92633825	4"W x 4"D x 8"H	ECOLAB	G.C.							
	DECICIED WITH CACH DRAWED	NOD	REAL POS 72XRT WITH	REGISTER - 14.5"W x 10.5"D x 15"H, CASH	100	NOD							
0 2	REGISTER WITH CASH DRAWER	NCR	COMPACT CASH DRAWER	DRAWER – 16.2"W x 16.3"D x 4.3"H	NCR	NCR							
	PRINTER  DOLICH COOLER PRINCE SHELE	EPSON/MICROS	TM-T88	6.5"W x 13.6"D x 9.6"H	MICROS	MICROS							
B 2 E 1	DOUGH COOLER - BRIDGE SHELF FAST-TRACK WALK-IN DOUGH COOLER	EAGLE NORLAKE	PAN BRIDGE SEE SHOP DWGS	48"W x 24"D x 86"H SEE SHOP DWGS	E.S. E.S.	E.S. G.C.	_						
1 12	CARBONATOR TRANSPORT CABINET	CORNELIUS  NATIONAL CART	1624 AL-1840EC-HD	12"W x 9"D x 10.5"H 27"W x 21"D x 68"H	PEPSI OWNER	PEPSI OWNER							
1	SS TABLE (24")	METAL MASTERS	T3024SB-BS	24"W x 30"D x 34.5"H	E.S.	E.S.	Α						
J 1 - 1	SS TABLE (18") SS. TABLE W/OPEN BASE (24")	METAL MASTERS EAGLE	T3018SB-BS YPB-53324-0001-00	18"W x 30"D x 34.5"H 24"W x 33"D x 38"H	E.S. E.S	E.S. E.S.	Α						
1	DUAL THICKNESS BREAD SLICER	OLIVER	758-N	38.25"W x 29.75"D x 54.25"H	E.S.	E.S.							
1	72" SANDWICH PREP TABLE	RANDELL	8368NM-PANERA	72"W x 37"D x 48"H	E.S	E.S.							
1 1	36" DRIVE THRU TOPPING STATION SODA/ICE DISP. DT (8 HD)	RANDELL CORNELIUS	11336PR-PANERA IDC255 #621063045	36"W x 38"D x 36"H 30"Wx36"Dx40"H	E.S PEPSI	E.S. PEPSI							
L) 1	U.C. 1 DR REFRIGERATOR	TRUE MANUFACTURING	·	27.5"W x 30"D x 33.25"H	E.S.	E.S.	0						
(R) 1	U.C. 1 DR REFRIGERATOR	TRUE MANUFACTURING	TUC-27 W/RH DR	27.5"W x 30"D x	E.S.	E.S.	0						
1	WORKTOP 2 DR REFRIGERATOR	TRUE MANUFACTURING	, , , , , , , , , , , , , , , , , , ,	33.25"H 48.3"Wx30.1"Dx39.7"H	E.S.	E.S.	0						
1	ROLL-IN 2 DR REFRIGERATOR SALAD CRISPER	TRUE MANUFACTURING SILVER KING	TUC-36 SKSD	36.4"Wx30.1"Dx36"H 17.62"Wx28.42"Dx36.39"H	E.S. E.S.	E.S. E.S.	O A						
† † †	NARROW TEA DISPENSER (BETA)	WILBUR CURTIS	TCN	5.625"W x 15.5"D x	E.S.	E.S.	^						
2	ESPRESSO MACHINE (AUTOMATIC)	FRANKE	EVOLUTION 2-STEP	22.125"H 13"W x 24"D x 31"H	OWNER	OWNER	_						
2	MICROWAVE (BETA)	PANASONIC	NE-1757	16.625" x 20"D x 13.18"H	E.S.	E.S.							
1	COOLER COMPRESSOR	KOLPAK	SEE SHOP DWGS	SEE SHOP DWGS	E.S.	G.C.							
A 1 C 2	COOLER EVAPORATOR  CONVEYOR TOASTER	KOLPAK  HATCO CORPORATION	SEE SHOP DWGS TQ3-900H	SEE SHOP DWGS 14.7"W x 20.62"D x	E.S. E.S.	G.C.							
-			CS-4E-16	17.13"H 20.4"W x 17.7"D x									
D 1 - 1	SIMPLICITY BUBBLER - 4 BOWL	CRATHCO BY GMCW	CS-4E-16   8368NM-PANERA w/	25.5"H 72"W x 37"D x	E.S.	E.S.							
<sup>-</sup> 1	72" SALAD PREP TABLE	RANDELL	#4SHERCO	54.625"H  72"W x 17.992"D x	E.S	E.S.							
G 1	SALAD COOLER CONDIMENT TOPPER	RANDELL	#4 SHERCO	6.625"H	E.S.	G.C.							
2 1	BAGEL SLICER BAGEL SLICER	OLIVER OLIVER	702-N 702-N	30"W x 13"D x 21"H 30"W x 13"D x 21"H	E.S. E.S.	E.S. G.C.							
3 1	BAGEL SLICER BASKET -LARGE	_	CUSTOM	12"W x 12"D x 8"H 12.5"W x 33.3"D x	E.S.	G.C.							
C 1	BAGEL SLICER CHUTE	OLIVER	_	31.4"H	E.S.	E.S.	_						
1	BAGEL SLICER CHUTE	OLIVER	_	12.5"W x 33.3"D x 31.4"H	E.S.	G.C.	_						
A 4	BLENDER	VITAMIX	03066	8.5"W x 10"D x 18.0"H (24.5"H WITH LID	E.S	E.S.							
2	SS WALL SHELF (48")	EAGLE GROUP	CUSTOM STAINLESS	ÒPENED) 48"W x 12"D	E.S.	G.C.							
N 1	BREAD STORAGE SHELF	RANDELL	4SHERBREAD-PANERA	72"W x 15.25"D x 15.125"H	E.S.	G.C.							
Г 1	MICROWAVE SHELF	EAGLE	YPB-0221-00	72"W x 18.875"D x 2.25"H	E.S.	G.C.							
A 1	HEATED SHELF	HATCO	GRS-18-1	18"W x 19.5"D x	E.S.	E.S.		RΑ	KF	RY CAFE EQUIPM	IENT SCHE	DUI F NOTF	S
-	HEATED SHELF	HATCO	GRS-18-1	2.25"H 18"W x 19.5"D x	E.S.	G.C.			D NOTE:	· · · · · · · · · · · · · · · · · · ·	OOIIL	GENERAL NOTES:	<u> </u>
A 1 D 1	HEATED SHELF	HATCO	GRSS-2418PANERA	2.25"H 24"W x 18"D x 2.5"H	E.S.	E.S.		A.	EQUIP	MENT TO HAVE 4" CASTERS W/ 2 LOCKING		GENERAL NOTES:  A. ONLY ITEMS WITH Q	UANTITY N
5H 1	DOUBLE BATCH OVEN	TURBOCHEF	HHD-9500-21	27.7"W x 31.7"D x 23.2"H	E.S.	E.S.		C.	WALL	MENT TO HAVE (2) 5M & (2) 5MB CASTERS MOUNTED SH W/ RAILS (4) SIDES		WORK.	
C(L) 1	LEFT HAND BEVERAGE STATION	EAGLE	YPB-T3280-0010-00	80"W x 32"D x 36"H	E.S.	E.S.	_	υ. Ε. Γ		MENT TO HAVE 6" CASTERS W/ 2 LOCKING		B. STAINLESS STEEL WO	
	(DRIVE THRU) SS DT CONSOLIDATOR STATION (48")	EAGLE	YPB-0289-00	48"W x 30"D x	E.S.	E.S.		G.	FURNI	SH W/ SIDE SPLASHES		C. G.C. TO COORDINA	ATE THE D
A 1	POS STATION (DRIVE THRU)	EAGLE	YPB-0289-00 YPB-T3236-0003-00	33.3125"H 36"W x 32"D x 35.25"H		E.S.	_	Н. Ј. К	NOT (	IS FURNISHED W/ FAUCET. JSED IC LAMINATE DESK TOP CLEATED TO WALLS.		SUPPLIED AND/OR INS' FOR NOTES ON SCOPE	TALLED BY
<del>                                     </del>	PASS THRU WINDOW (DRIVE THRU) W/POWER SUPPLY IN LEFT HAND JAMB,			3322 7 33123 11				<b>N.</b>	INSTA	IC LAMINATE DESK TOP CLEATED TO WALLS. LL (2) 2"Ø GROMMIT HOLES FOR ELEC WIRE DUT FOR DROP-IN SINK	S.	ABBREVIATIONS:	
7   1	THRU-BEAM PHOTO ELECTRIC EYE BAR & 5/8" INSULATED TEMPERED	QUICKSERV CORP	FM-42E	42"W x 40"T x 21"D	G.C.	G.C.	_	M. N.		SHED W/ STAND		B BOWL C.S CAEWORK SUPF	PLIER
	GLAZING (BRONZE TINT), FRAME SHALL BE INSULATED & HAVE A				5.0.	5.5.		0. P	EQUIP	MENT TO HAVE 3" CASTERS SH W/RICHLITE CUTTING BOARD		D DEPTH E.S. EQUIPMENT SUI	IPPLIER
	CLEAR ANODIZED ALUM FINISH  NON—HEATED AIR CURTAIN UNIT	Olivios	05 05	25"W x 9"D x 10				Q. R	EQUIP	SH W/RICHLITE CUTTING BOARD MENT TO BE SECURED TO WALL E SHELF SUPPORTS W/ SINGLE DIRECT WALL	MTS	EP. EPOXY FINISH F.S FURNITURE SUF	PPLIER
1	ABOVE DRIVE THRU WINDOW	QUIKSERV CORP.	CF-25	3/8"H	G.C.	G.C.	-	S. T	25' D	E SHELF SUPPORTS W/ SINGLE DIRECT WALL RAFT INDUCER W/ MOTOR DRAFT INDUCER W/ MOTOR	. шіЗ	G.C. GENERAL CONT H. HEIGHT	RACTOR
5 1	SMARTWALL @ DRIVE THRU: INCLUDES 5 WIRE BASKETS AND 3 SHELVES	EAGLE	PAN DT-WS-84	84"W x 32.25"H x 8"D	E.S	E.S.	_	U.		MENT TO BE BOLTED TO FLOOR.		SH. SHELF S.W. SMALL WARES S.S. STAINLESS STEI	
) 4	CUP DISPENSER INSERT AT DT DRIVE THRU CONSOLIDATOR SWEETS	ROYSTON	CD170 YPB-RACK-0005-00	7-1/8"DIA X 22"D 20.5"W x 26"D x	E.S.	G.C. E.S.						S.S. STAINLESS STE W WIDTH Z ZINC COATED	
\	1 .	I LAOLL	11 P	33.5"H	<b>∟.</b> ى.	ا د.ی.	_					LING GOATED	
0A 1 F1 1	RACK (7 PAN CAPACITY)  Z TYPE NESTING RACK (20 PAN	EAGLE	OUR-1820-3-N	20.5"W x 26"D x	OWNER	OWNER							

Bakery-Cafe:

SUPPLIED INSTALLED NOTES

E.S. E.S.

G.C.

OWNER

E.S.

E.S.

OWNER

E.S

OWNER

E.S.

UAS

21.6"W x 2.4"D x13.2"H OWNER OWNER

21.6"W x 2.4"D x13.2"H | OWNER | OWNER

21.6"W x 2.4"D x13.2"H | OWNER | OWNER

?

OWNER

OWNER

OWNER OWNER

A. ONLY ITEMS WITH QUANTITY NUMBERS LISTED ARE INCLUDED IN THIS SCOPE OF WORK.

C. G.C. TO COORDINATE THE DELIVERY & INSTALLATION OF ALL EQUIPMENT TO BE

FOR NOTES ON SCOPE OF WORK & ITEMS NOT IN CONTRACT.

B. STAINLESS STEEL WORK TABLES WITH DROP—IN SINKS ARE TO BE INSTALLED BY THE GC. ESPRESSO SINK INSTALLED BY CASEWORK VENDOR.

SUPPLIED AND/OR INSTALLED BY OTHERS. REFER TO SPEC - SECTION 01010 & 01640

DIMENSIONS

DECANTER: 9.26"DIAM. x 7.04"H; RACK:7.25"W x 8"H x 15"D

21"W x 6"D x 18"H

14.88"W x 1.91"D x 12.50"H

17.75"W x 5.2"D x 3.9"H

21.7 "W x 2.8"D x 13

SYSTEM: G4 (ARIA) PROTOTYPE UPDATE: 2017-01



No. Description Date

UPDATED 06.30.06

Professional Seal:

Sheet Description:

**EQUIPMENT SCHEDULE** 

ZONING CLASSIFICATION: C2 COMMUNITY COMMERCIAL

DRIVE-THRU WILL REQUIRE A SPECIAL USE PERMIT.

PARKING:

ONE SPACE PER THREE SEATS PLUS ONE SPACE PER TABLE OUTDOORS.

STACKING:

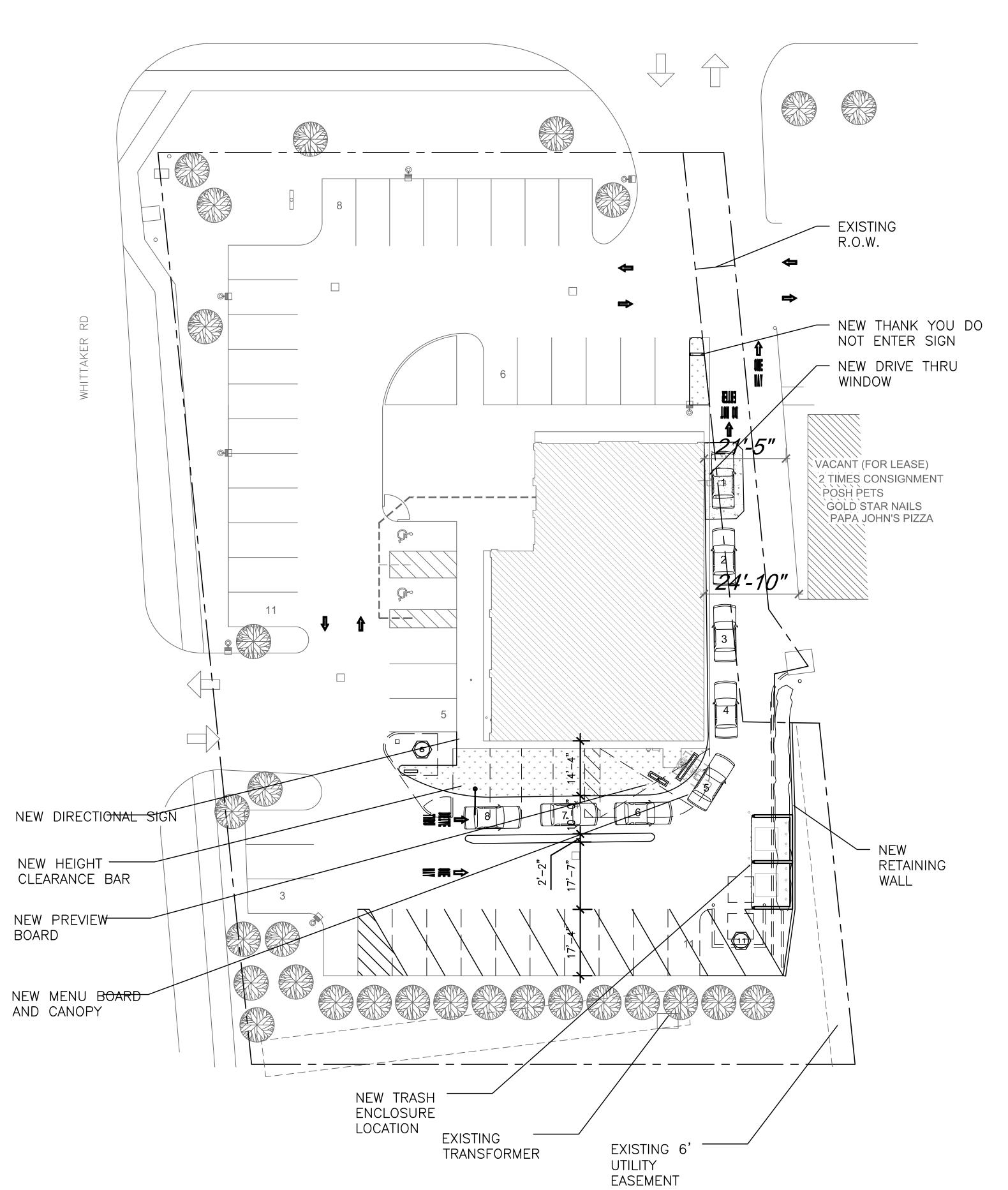
TEN DRIVE—THRU STACKING SPACES FROM THE LOCATION WHERE ORDERS ARE PLACED.

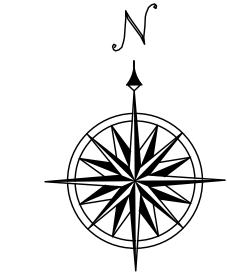
PARKING PATTERN:

	30°-74°	75°-90°	PARALLE
MIN LANE WIDTH	12'	22'	22'
MIN SPACE WIDTH	9'	9'	9'
   MIN_SPACF_LENGT	-H 18'	18'	18'

EXISTING PARKING	=48
REMOVE	=3
PROPOSED PARKING	=4

GRAND RIVER AVE





Bakery-Cafe:

#0693

PROTOTYPE UPDATE: 2017-01
Project Team:

.K Architecture, Inc.©

Project Title:

BAKERY CAFE #0693 34635 GRAND RIVER AVE. FARMINGTON, MI 48335



No. Description Date

Professional Seal:

Sheet Description:

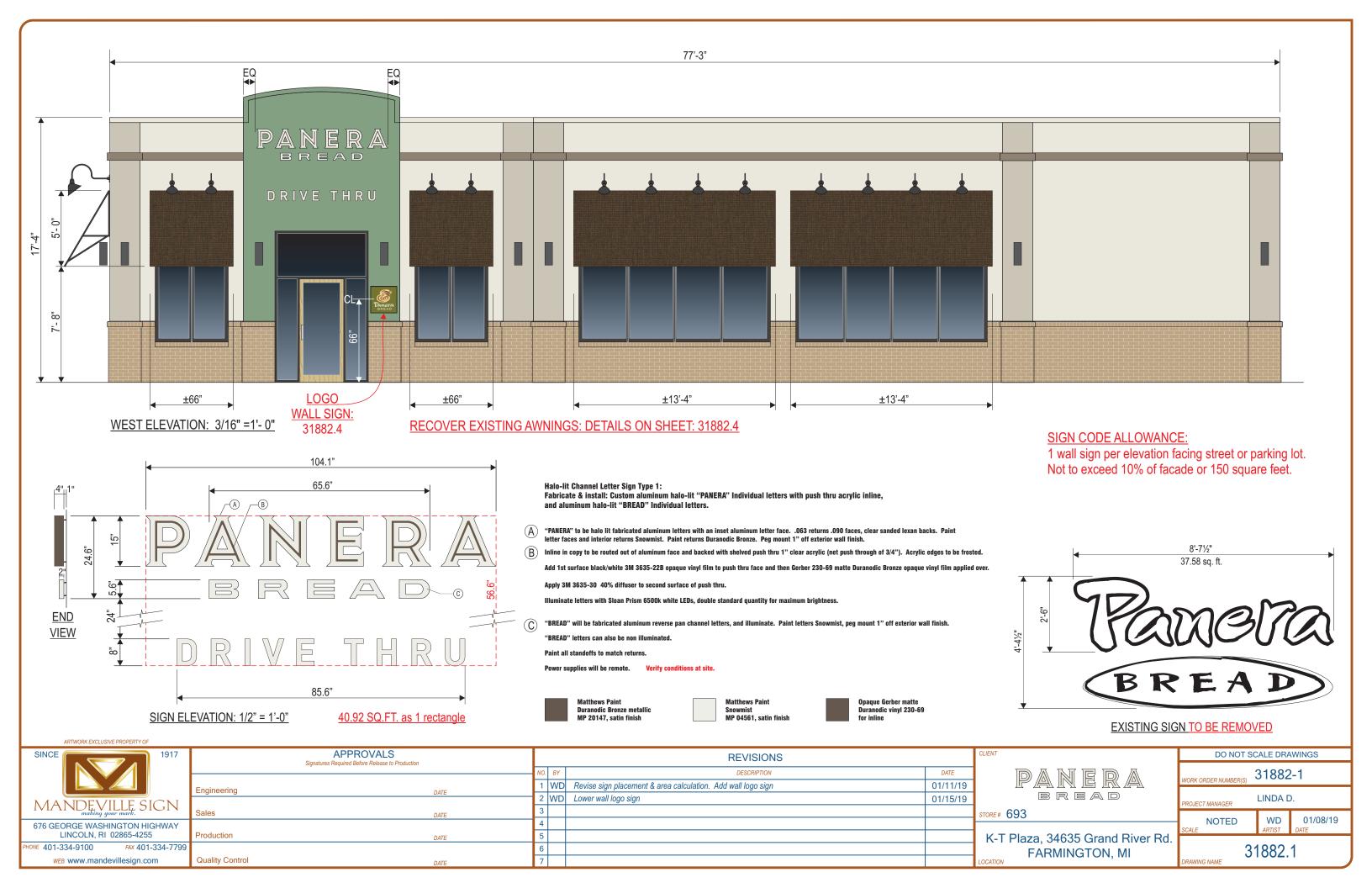
SITE PLAN
Project Number: Sheet

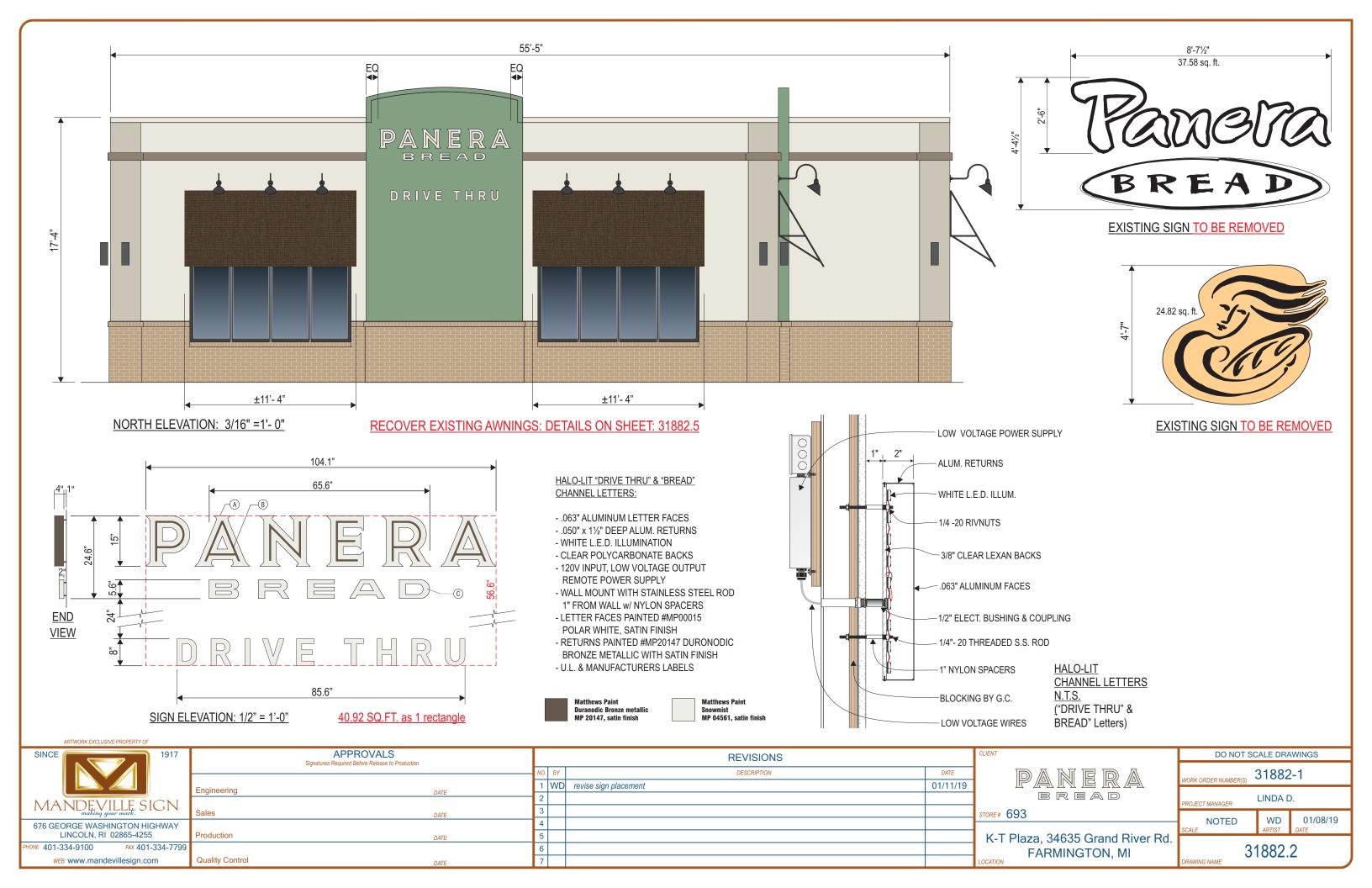
Project Numb

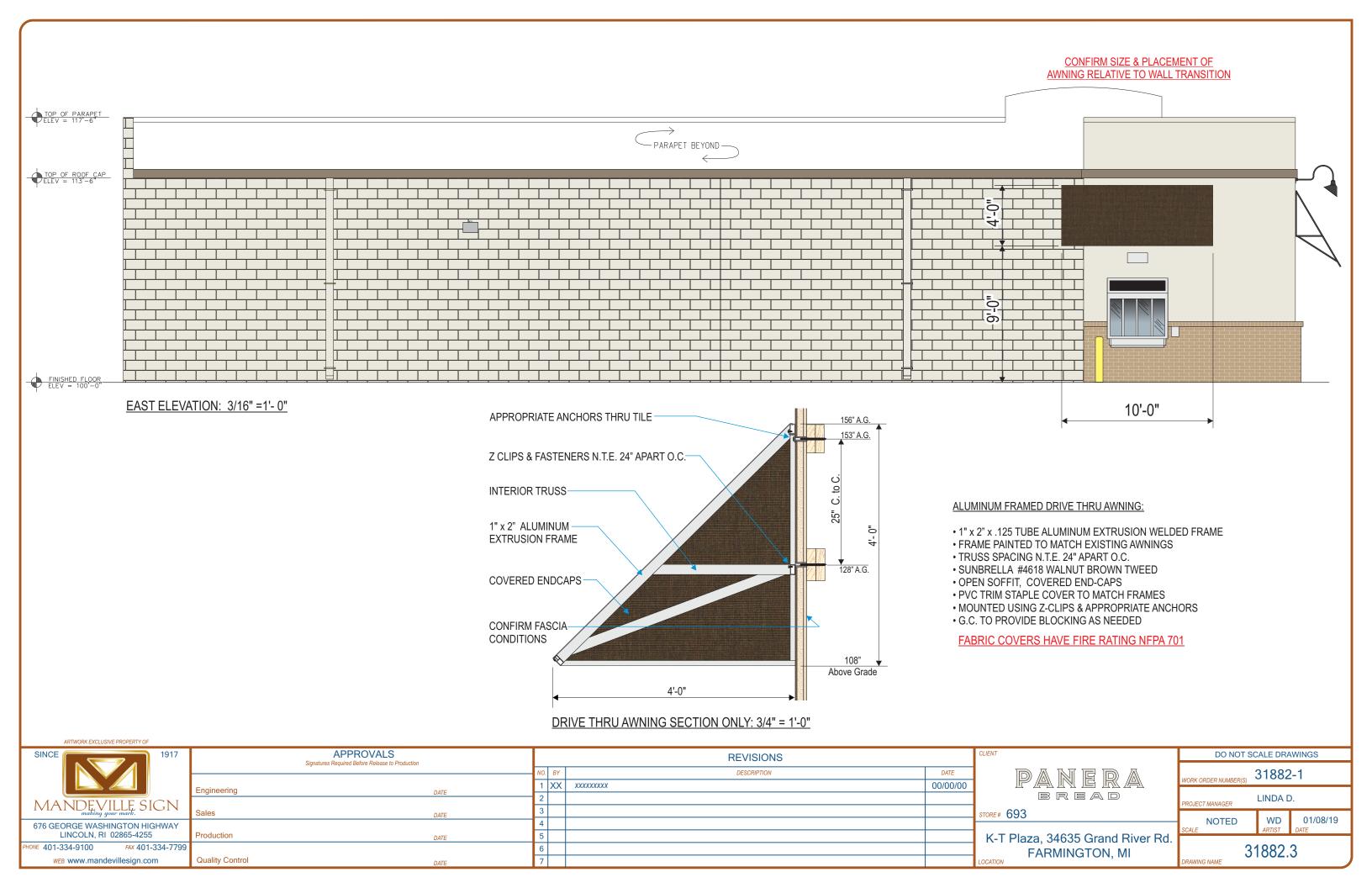
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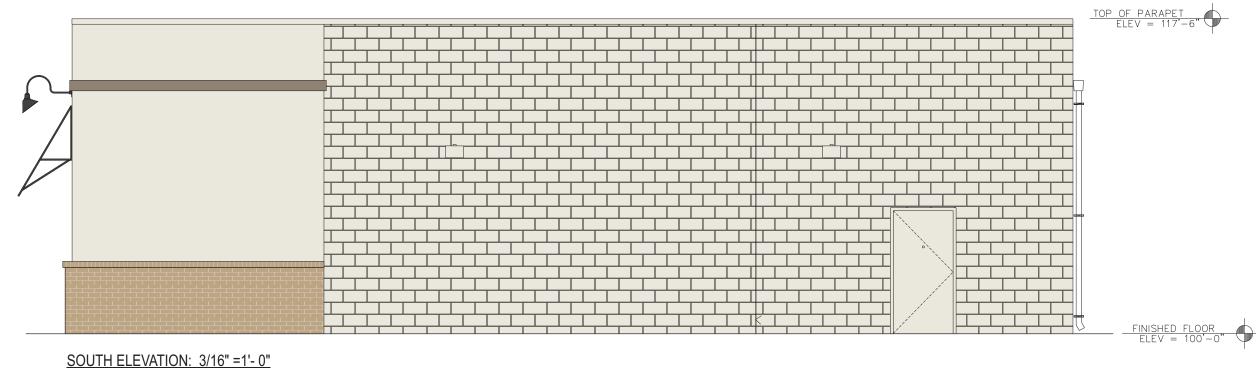
N

24 SITE PLAN
SCALE: 1/16"=1'-0"





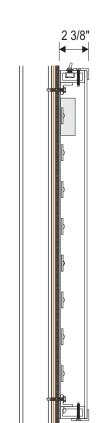






# **ILLUMINATED WALL LOGO SIGN:**

- ALUMINUM FRAMED CONSTRUCTION
- CLEAR LEXAN FACE w/ DIGITALLY PRINTED GRAPHICS:
- (PMS 1345U) MOTHER BREAD LOGO w/ PANTONE 476C BROWN DETAILS
- (WHITE) PANERA BREAD COPY & "®" TRADEMARK
- SELF CONTAINED POWER SUPPLY w/ EXTERNAL DISCONNECT SWITCH
- 2 3/8" DEEP CABINET PAINTED BLACK
- PANEL MOUNTED FLUSH TO WALL

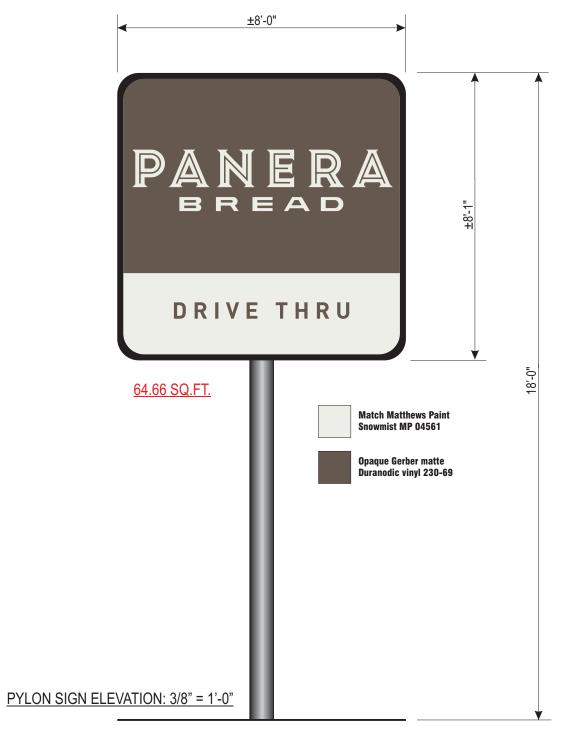


# LENGTHS VARY AWNING - TYPICAL: 3/8" = 1'-0"

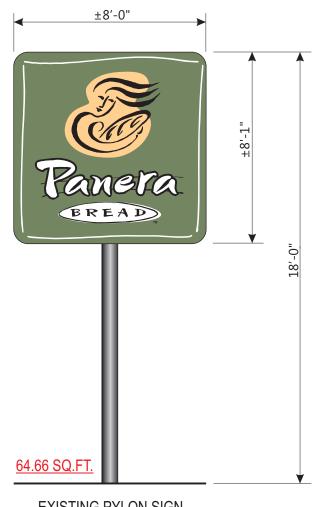
# RECOVER (6) EXISTING AWNINGS:

- EXISTING ALUMINUM EXTRUSION WELDED FRAMES
- SUNBRELLA FABRIC: WALNUT BROWN TWEED #4618
- PVC STAPLE COVER TRIM TO MATCH FRAMES

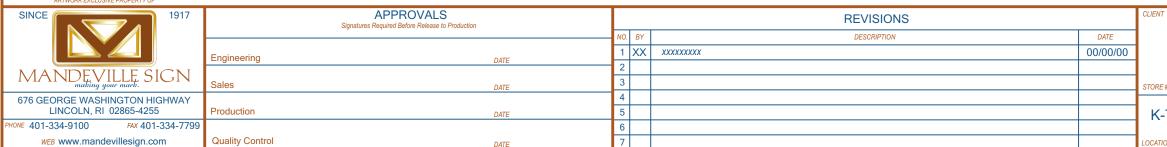
ARTWORK EXCLUSIVE PROPERTY OF							
SINCE 1917	APPROVALS Signatures Required Before Release to Production	REVISIONS		CLIENT	DO NOT	SCALE DRAWINGS	
	Organization Required Ecolor Frontaction	NO. BY DESCRIPTION	DATE	PANERA	WORK ORDER AN IMPERIO	31882-1	
	Engineering	1 WD wall logo sign detail added	01/11/19		WORK ORDER NUMBER(S		•
MANDEVILLE SIGN					PROJECT MANAGER	LINDA D.	
making your mark. 676 GEORGE WASHINGTON HIGHWAY	Sales DATE	4		STORE# 693	NOTED	WD 01/08/1	19
	Production	5		K-T Plaza, 34635 Grand River Rd.	SCALE	ARTIST DATE	
PHONE 401-334-9100 FAX 401-334-7799		6		FARMINGTON, MI		31882.4	
WEB www.mandevillesign.com	Quality Control DATE	7		LOCATION	DRAWING NAME		



PROPOSED NEW GRAPHICS, COLORS AS SHOWN. UPDATE EXISTING D/F PYLON SIGN



**EXISTING PYLON SIGN** 



BREAD

STORE# 693

K-T Plaza, 34635 Grand River Rd. FARMINGTON, MI

DO NOT SCALE DRAWINGS 31882-1 LINDA D. WD ARTIST 01/08/19 NOTED 31882.5



July 31, 2019

Mr. Kevin Christiansen Economic and Community Development Director City of Farmington 23600 Liberty Street Farmington, MI 48335

RE: Drive-thru Retro-fit, Panera Bread Bakery Cafe – Site Plan Review #1

34635 Grand River Avenue

### Dear Mr. Christiansen:

At your request, we have reviewed the site design of the plans, dated June 13, 2019, for the proposed Drive-thru retrofit for Panera Bakery Café #0693 located at 34635 Grand River Avenue The applicant is proposing the addition of a drive through lane, façade, landscaping, and other various minor site improvements related to the development on the site. Vehicular access is currently provided by one (1) curb cut on Grand River Avenue and one (1) curb cut on Whittaker Drive.

# **Executive Summary**

In terms of compliance with the zoning ordinance, the proposed site design meets land use requirements, and Special Land Use requirements contingent on completion of items further outlined in this letter. Adjustments to the design of the drive through should be made to meet zoning requirements. The proposed design supports all applicable plans and reports for the area in terms of land use and general site objectives.

# **Existing Site**

The proposed site is roughly 0.795 acres in size and is zoned Community Commercial (C2). Surrounding zoning districts include Community Commercial (C2) to the east and west, and Single Family Residential (R1A) to the south. The site currently contains one existing building along the western border, as well as existing parking spaces and landscaping.





# **Overall Land Use Compliance Summary:**

Planning/Zoning Document	Planning/Zoning Land Use Designation	Compliance of Project with Land Use Designation
Zoning Ordinance	Existing: Community Commercial	Use permitted by right. Drive through layout adjustments are needed.
Farmington Master Plan (future land use map)	Neighborhood Centers	As this site includes an existing use, compliance may not be applicable.
2015 Downtown Area Plan	Site does not include land use designation	N/A
2016 Downtown Master Plan	Site does not include land use designation	N/A
Downtown Farmington Parking Study	Site does not include land use designation	N/A

## Zoning:

The site is currently zoned as C2 – Community Commercial, where restaurants are permitted by right, and drive through windows as a Special Land Use.

To fully meet the zoning requirements, the site plan will need to address the following:

# Special Land Use Requirements

In order to grant acceptance of the proposed drive through window, the site design must address the following elements:

- a. Sufficient stacking capacity in accordance with Article 14, Parking and Loading Standards, for the drive-through portion of the operation shall be shown on the site plans to ensure the correct amount of spaces are provided.
- b. In addition to parking space requirements for restaurants and pharmacies, at least three (3) parking spaces shall be provided, in close proximity to the exit of the drive-through portion of the operation, to allow for customers waiting for delivery of orders.
- c. Outdoor speakers for the drive-through facility shall be located in a way that minimizes sound transmission toward neighboring properties and uses.

Further submittals will require detailed drawings to show adequate stacking spaces, spaces dedicated for customers waiting, and outdoor speaker details.

## Miscellaneous Items:

Further submittals will require detailed plans providing compliance with the following items, further outlined in the City of Farmington's Zoning Ordinance:

- A lighting photometric grid overlaid on the proposed site plan indicating the overall lighting intensity of the site (in footcandles)
- All proposed awnings shall be shown on the site plan
- The applicant will need to work with the City on permitting the drive-thru as the proposed location
  for the drive-thru is in an alley the City owns. Further investigation may be needed to ensure no
  utilities are in the alley. In addition, coordination with adjacent property owners will be needed to
  address the dumpster locations.



# **Engineering Comments:**

The following comments shall be addressed by the applicant:

- 1. The existing downspouts on the east side of the building will need to be shown on the plans. It is recommended the drainage be captured and routed to the existing storm on site.
- 2. Additional information will need to be provided for the proposed retaining wall. Plans should include dimensions, height, material type, and detail of the proposed wall.

Our comments are provided to help direct the Planning Commission discussion, and to explain the benefits that may be derived from this project. Additional input from the City's Engineer and Attorney should also be considered during the City's review.

Sincerely, OHM Advisors

Marguerite Novak, Planne

cc: Jeff Bowdell, City of Farmington Chuck Eudy, City of Farmington

Scott Schimweg, Panera Bread Corporate

Matthew A. Diffin, PE, Diffin-Umlor & Associates

Matthew Parks, OHM Advisors

File

P:\0101\_0125\SITE\_FarmingtonCity\2019\0111191040\_Panera\_Bread\_Drive\_thru\MUNI\01\_SITE\Planning\Panera Bread\_SP#1\_7.31.19.docx

# Farmington Planning Commission Staff Report

Planning Commission Date: August 12, 2019

Reference Number 7

Submitted by: Kevin Christiansen, Economic & Community Development Director

<u>Description</u> Site Plan Amendment for Outdoor Seating – Sidecar Slider Bar, 32720 Grand River Avenue

# **Background**

The owner of Sidecar Slider Bar, Scot Pelc, has requested a Site Plan Amendment for their approved outdoor seating for his new/existing restaurant located at 32720 Grand River Avenue in the CBD Central Business District. Façade improvements and outdoor seating were approved by the Planning Commission at the May 14, 2018 meeting (see attached copy of minutes). No changes regarding building dimensions or other site improvements are proposed.

The applicant/petitioner has submitted plans for the proposed amended outdoor seating area, including a layout of the proposed outdoor seating area and the proposed outdoor seating tables and chairs. The applicant/petitioner intends to review the plans and site plan information with the Planning Commission at the August 12<sup>th</sup> meeting.





# City of Farmington CivicSight Map

MAP LEGEND:
CITY BOUNDARY
✓ RIVERS-STREAMS
MULTITENANTBUILDING (Type)
BUILT PROPOSED
COMM_INDUST BLDGS
RAPHAEL STREET(POLY)2
RAPHAEL STREET(POLY)
PARCELS
☐ ROADS OUTSIDE FARMINGTON
RIGHTOFWAY
MULTITENANTPAVING
☐ ROW EXTEND
// LOT HISTORY
OPEN WATER (FEATURETYP)
DetentionPond StreamRiver
LakePond
Channel SwampMarsh
2015 AERIAL PHOTOS (Image)

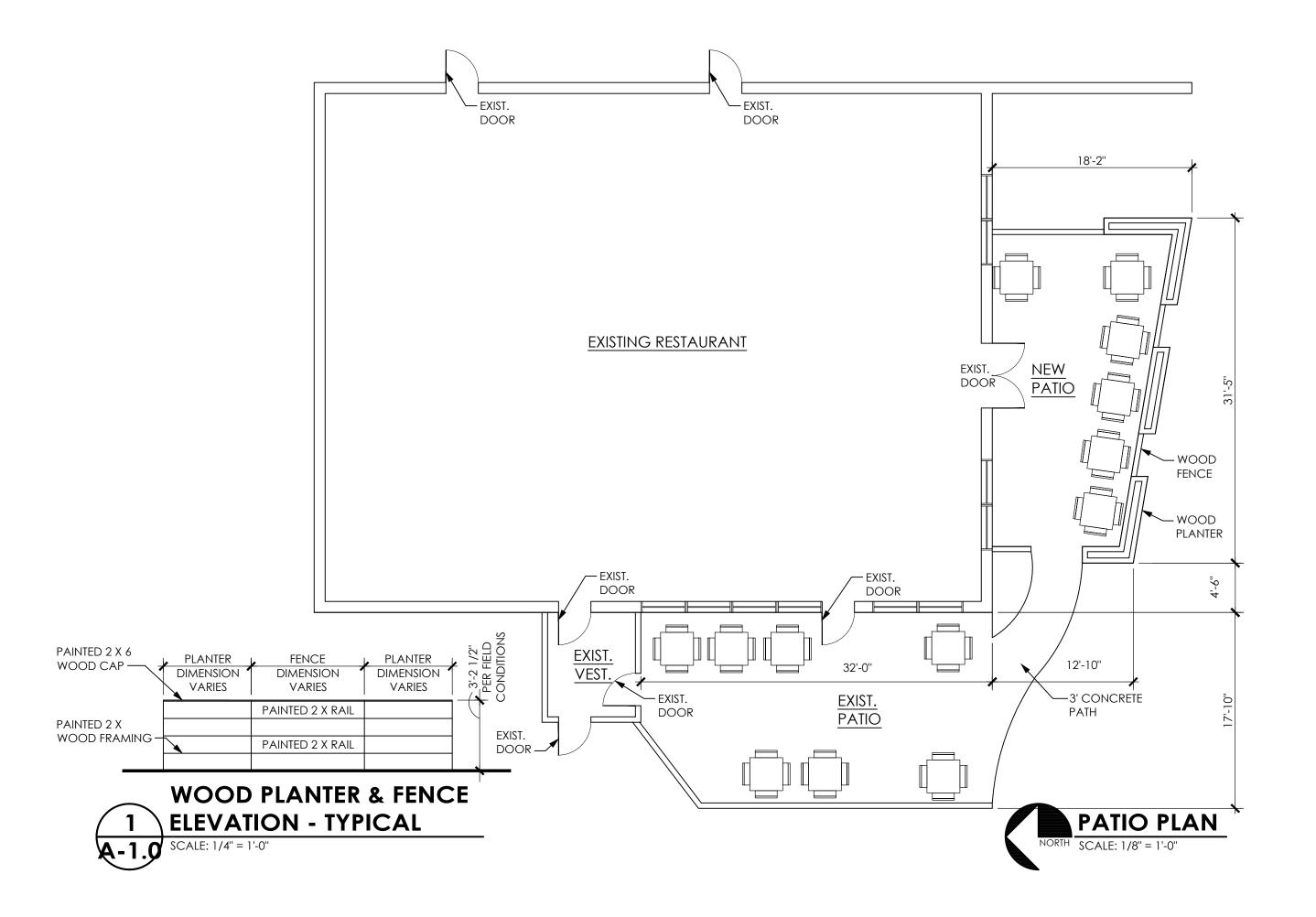
Map Scale: 1 inch = 32 feet Map Date: 5/11/2018 Data Date: April 13, 2018



Sources: City of Farmington, Oakland County GIS Utility, River's Edge GIS, LLC.

Disclaimer:

Note: The information provided by this program has been compiled from recorded deeds, plats, taxmaps, surveys, and other public records and data. It is not a legally recorded map or survey and is not intended to be used as one. Users of this data are hereby notified that the information sources mentioned above should be consulted for verification of the information. Once again, USE ATYOUR OWN RISK !!!





George J. Hartman Architects, P.C.

6905 Telegraph Road Suite 101 Bloomfield Hills, MI 48301

248-258-5811 ph. hartmanarchitects@ameritech.ne

Date: July 10, 2019

COpyright 2019

Project:

# Sidecar BBQ

32720 Grand River Farmington, MI 48336





GHA Project #1940

A-1.0

Patio Plan

# FARMINGTON PLANNING COMMISSION PROCEEDINGS

City Council Chambers, 23600 Liberty Street Farmington, Michigan May 14, 2018

Chairperson Crutcher called the Meeting to order at 7:00 p.m. at City Council Chambers, 23600 Liberty Street, Farmington, Michigan, on Monday, May 14, 2018.

# **ROLL CALL**

Present: Chiara, Crutcher, Gronbach, Majoros, Perrot

Absent: Kmetzo, 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. April 9, 2018 Minutes

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

# <u>SITE PLAN REVIEW – FOR FAÇADE IMPROVEMENT AND OUTDOOR SEATING – SIDECAR SLIDER BAR, 32720 GRAND RIVER AVENUE</u>

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

Christiansen stated that Sidecar Slider Bar owner Scott Pelc has submitted a site plan for proposed façade improvements and outdoor seating for his new restaurant located at 32720 Grand River Avenue, in the former Bellacino's unit at Village Commons Shopping Center located in the Central Business District. Façade improvements and outdoor seating in the CBD requires approval from the Downtown Development Authority as well as the Planning Commission. No changes regarding building dimensions or other site improvements are proposed at this time.

The DDA Design Committee is scheduled to review the proposed façade improvements and outdoor seating for Sidecar Slider Bar at their next meeting.

The Applicant, Mr. Pelc has submitted plans for the proposed façade improvements and outdoor seating area including a layout of the proposed outdoor seating area and the proposed outdoor seating tables and chairs as well as other amenities including firepits.

City of Farmington Planning Commission Minutes of May 14, 2018 Page 2

Mr. Pelc intends to review the plans and site plan information with the Planning Commission this evening. Also here this evening is the owner of the Village Commons Shopping Center and the Sidecar Slider Bar is a tenant within the shopping center which is actually the old Bellacino's spot which is the end cap unit along Grand River.

Information was attached with the staff packets.

Christiansen put an aerial photo of the site on the screen. He pointed out the landscaped area in front of the unit, that is the area to be utilized for outdoor seating, that is the area that the gathering space, where the firepits are proposed to be.

Chairperson Crutcher thanked Christiansen and invited the Petitioner to the podium.

Scott Pelc, owner of Sidecar Slider Bar of Farmington came to the podium. He handed out two sets of pictures to the Commissioners which included photos of the tables and chairs they are proposing to be utilizing as well as the firepit tables that they intend to use with seating around it.

He stated that they had already pulled up the blocks on Grand River and cut down the trees to expose more of the building, to get a better view going up and down Grand River and that they plan to lay out concrete squares for the firepits and they will contain the area with fencing, planters and plants itself.

Along the side one of the new features will be a two sided fireplace cutting off the current patio from the front of the building, it will be glassed in on both sides with seating on both sides. The interior seating will have tables and chairs for dining and on the Grand River side there will be some chairs around the fireplace for mingling and gathering. He indicated the idea for the fireplace in the front and the firepits with chairs is to give people the feeling of being in their backyard, in a casual, laid back area and the fire itself should be eye catching going up and down Grand River.

Christiansen added that the Sidecar Slider Bar is going into the endcap unit of the Village Commons Shopping Center, they are repurposing the former Bellacino's space, so that space has been a restaurant food service use. He pointed out on the drawing on the screen is the existing unit and clock tower. He also pointed out where the outdoor seating area is, the awnings, and a new sign is being proposed that are being added as an upgrade to the existing unit to accommodate Sidecar.

City of Farmington Planning Commission Minutes of May 14, 2018 Page 3

He then put the floor plan up on the screen which shows the kitchen area, the entrance to the building which is being upgraded to an enclosed vestibule area, the customer service area, and the seating area as well as the restroom facilities. What is changing is the interior decorating, a little bit of the layout, upgrades to the kitchen and the facilities but it is going from restaurant to restaurant. The interior modifications and upgrades are required to have reviewed, approved and receive a building permit and Mr. Pelc is in the process of getting those. The changes to the exterior, any façade changes and the proposed outdoor seating are required to come before the Planning Commission and the DDA. He indicated the issue for the Planning Commission is the awnings that Mr. Pelc is proposing to put in, as well as the vestibule and outdoor seating as well as the sign which has met all of the requirements in the sign ordinance. He indicated that samples of the outdoor tables and chairs as well as the tabletop firepits were provided and will be reviewed by the Building staff and Fire Marshall to make sure they are Code compliant.

Chairperson Crutcher stated in the report it states there are no changes to the building's footprint but you are proposing to add a vestibule.

Pelc stated that yes, they are proposing a vestibule but it falls under the existing overhang.

Crutcher asked if seating is the same or more or less than was there before and the Petitioner stated probably more because of the table size on the patio, not a lot more, but there will be between 100 and 110 seats.

Chairperson Crutcher asked about the seating for the firepits and Pelc replied that they are fire tables with a small pit in the middle of them, with probably six chairs around the tables. He then asked if there will be seating around the two-sided fireplace and Pelc replied they will serve as a waiting area, not dining. Crutcher then asked if the seating around the firepits are for dining and Pelc replied yes.

Chairperson Crutcher then asked with the additional seating is the amount still Code compliant and Christiansen replied that it is and will be reviewed before a permit is issued by the Building Department.

Majoros asked if the two concentric circles on the floor plan are representative of the firepits and the Petitioner replied yes. He then asked what would be in front of the two-sided fireplace on the Grand River side and the Petitioner replied it will be grass and mulch like it is now, not concrete. Majoros stated he felt that he didn't see that being a chair area, and the Petitioner said it will not be a dining area but there will be chairs sitting next to the fireplace.

City of Farmington Planning Commission Minutes of May 14, 2018 Page 4

Majoros then inquired about the intended hours of operation and the Petitioner stated they will be open 11:00 a.m. to 2:00 a.m.

Chiara asked if Bellacino's sold alcohol and Christiansen answered no. He then asked the Petitioner if he was going to acquire a liquor license and he replies yes.

Majoros then asked about the awnings and how far out they will go and is their intended use for shading or decorative.

The Petitioner replied the current overhang blocks most of the sun coming into the restaurant itself, the awnings are going to help for the patio seating. They will match the current awnings in the establishment next door, they will be black and the same height.

Majoros then asked how far they will go out perpendicular to the building and the Petitioner said that the awning will definitely provide shade for the people on the patio.

Majoros inquired about the sign and the Petitioner responded it will be backlit with Sidecar up and down it and Slider Bar underneath.

Perrot inquired if the firepits were natural wood and the Petitioner replied they are looking into them to see if there's a way to make them gas in the summer and electric in the winter just as a visual effect.

Perrot stated there is currently a sidewalk between the driveway and restaurant now and the Petitioner stated that yes, there is, it is currently divided by planters so the sidewalk between the driveway and planters will stay clear, the sidewalk between the planters and the building will be covered with the awning.

Perrot stated there is a lot of pedestrian traffic there and Christiansen said they have to make sure that there has to be unencumbered ability to continue pedestrian access from Grand River.

MOTION by Majoros, supported by Chiara, to approve the site plan Side Car Slider Bar at 32720 Grand River, as proposed. and note that items noted by the Planning Commission, such as the access off Grand River, the appropriate fencing and screening of the fire be addressed by the appropriate departments in the City. Motion carried, all ayes.

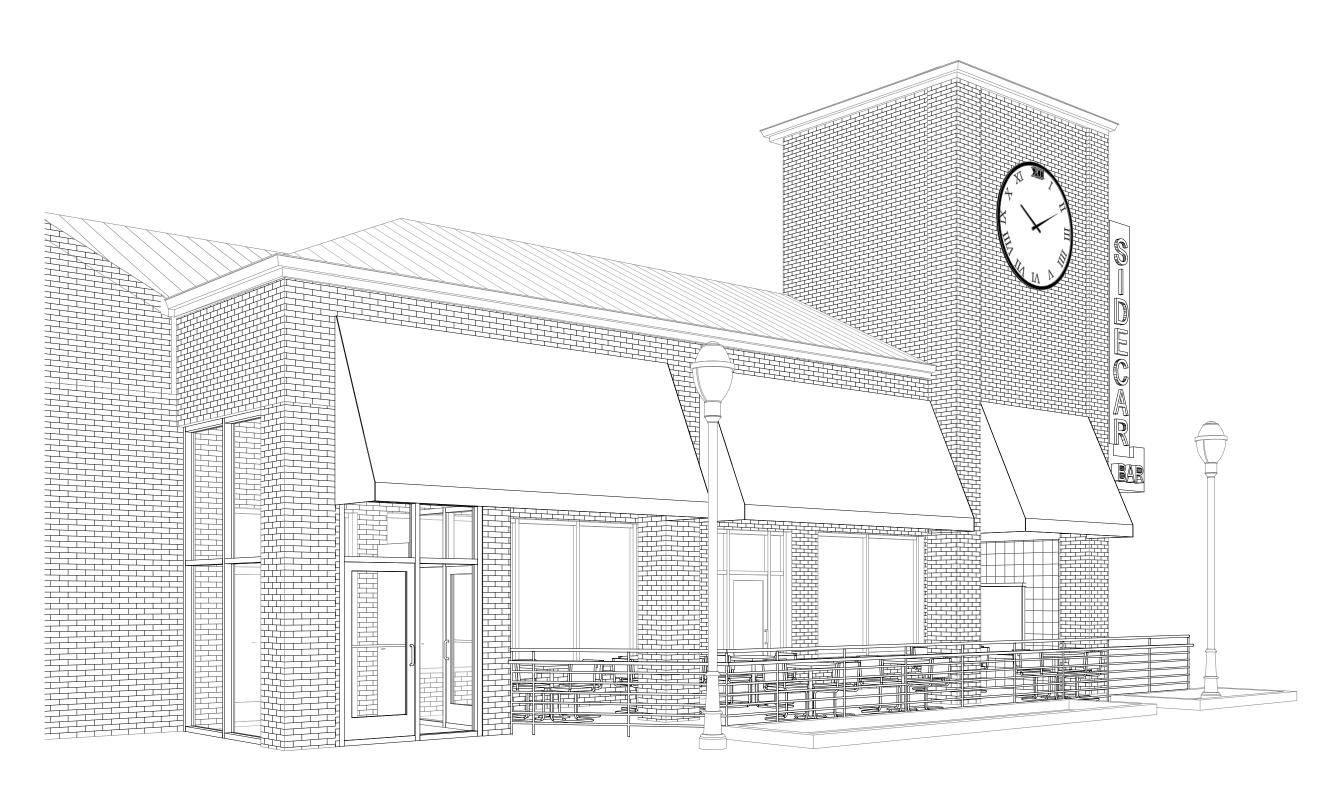


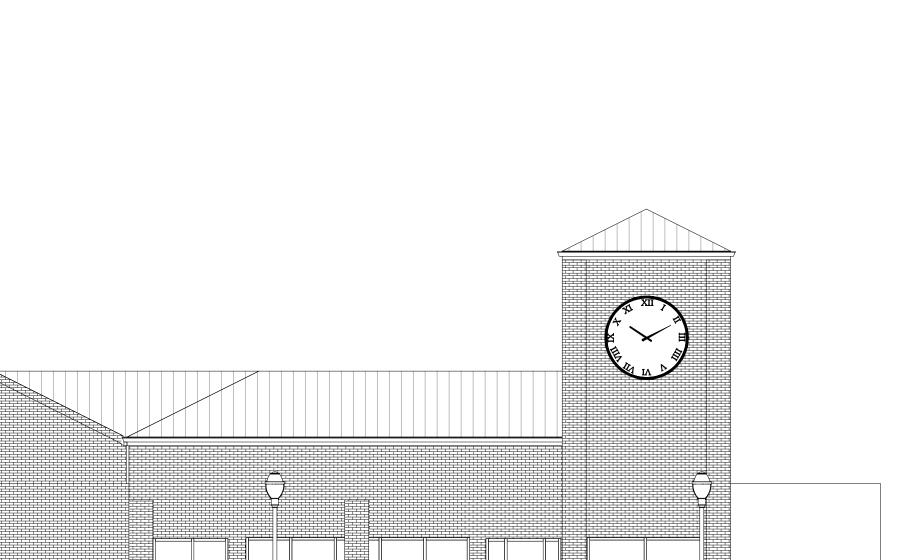
(4) EXISTTING

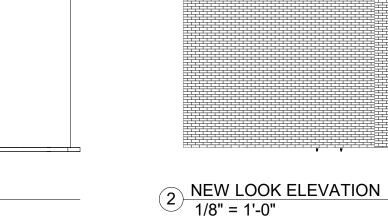
3 EXISTING ELEVATION 1/8" = 1'-0"

# SIDE CAR

# 32720 GRAND RIVER AVE FARMINGTON, MI

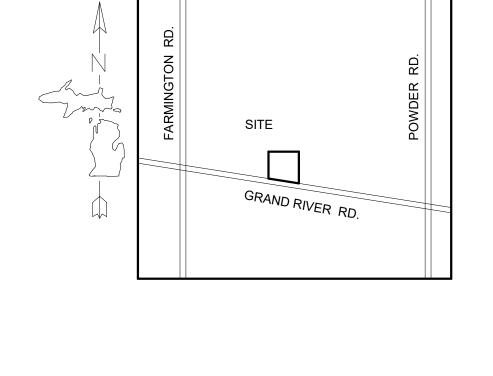






NEW RAILING

NEW AWNING -



JURISDICTION:	FARMINGTON TWP
GOVERNING CODE:	1. 2015 MICHIGAN BUILDING CODE 2. 2015 MICHIGAN MECHANICAL CODE 3. 2015 MICHIGAN PLUMBING CODE 4. MICHIGAN ELECTRICAL CODE, 2011 NEC WITH PART 8 STATE AMENDMENTS 5. ICC/ANSI A 117.1-2003 AND MICHIGAN BARRIER FREE DESIGN LAW OF PUBLIC ACT 1 OF 1966 AS AMENDED 6. MICHIGAN UNIFORM ENERGY CODE RULES PART 10 WITH ANSI/ASHRAE/IESN Standard 90.1-2007 7. INTERNATIONAL FIRE CODE 2009 APPROVED PLANS TO BE ON SITE AT ANY TIME PERMIT MUST BE OBTAINED FROM THE CITY PRIOR TO ANY TYPE OF WORK
USE GROUP:	A2
TYPE OF CONSTRUCTION	3B
BUILDING AREA:	3099
ZONING:	CBD
TOTAL OCCUPANTS	98 INTERIOR -28 EXTERIOR
NUMBER OF EGRESS	3 EXIT- BUILDING IS SPRINKLERED

# GENERAL CONSTRUCTION NOTES:

- NEW FIRE PIT

BAR

1. THE SUB CONTRACTOR SHALL VISIT THE JOB SITE PRIOR TO BIDDING AND ASSUME FULL/ SUBCONTRACTOR RESPONSIBILITY FOR VISUAL OBSERVATION OF EXISTING CONDITIONS. DURING THE VISIT THE CONTRACTOR SHALL RELATE THE PROPOSED FLOOR PLANS TO THE EXISTING SPACE CONDITIONS AND BE FAMILIAR WITH THE AREAS WHERE WORK WILL BE PERFORMED. THE CONTRACTOR SHALL REPORT ANY DISCREPANCIES, IF ANY, PRIOR TO SUBMITTING THE BID AND START OF CONSTRUCTION.

2. THE SUB CONTRACTOR SHALL ACCEPT THE SITE IN THE CONDITION IN WHICH IT EXITS AT THE TIME OF THE CONTRACT AWARD. ALL EXCLUSIONS SHALL BE MADE ON THE BID PROPOSAL AND SUBMITTED TO THE OWNER FOR REVIEW.

3. THE SUB CONTRACTOR SHALL PROVIDE ALL LABOR, EQUIPMENT, AND MATERIALS NECESSARY TO COMPLETE THE WORK SPECIFIED ON THE DRAWINGS AND HEREINAFTER SPECIFIED.

4. LAYOUT OF THE WORK, LOCATION OF REFERENCES AND DIMENSIONS PER PLANS AND COORDINATE LOCATION OF ALL CHASES, OPENINGS, DUCTS, LINES, CONDUITS, FIXTURES AND EQUIPMENT.

5. TEMPORARY PARTITIONS, DUST PROTECTORS, ENCLOSING OF OPENINGS, RAMPS AND CAT WALKS AS REQUIRED BY OSHA FOR SAFETY.

6. NO ALLOWANCE SHALL BE MADE ON BEHALF OF THE CONTRACTOR ON ACCOUNT OF AN ERROR ON HIS PART OR HIS NEGLIGENCE OF FAILURE TO ACQUAINT HIMSELF WITH THE EXISTING CONDITIONS OF THE SPACE.

7. USE MEANS NECESSARY TO PREVENT DUST FROM BECOMING A NUISANCE TO THE PUBLIC, GUESTS, OR OTHER WORK BEING PERFORMED NEAR THE SITE.

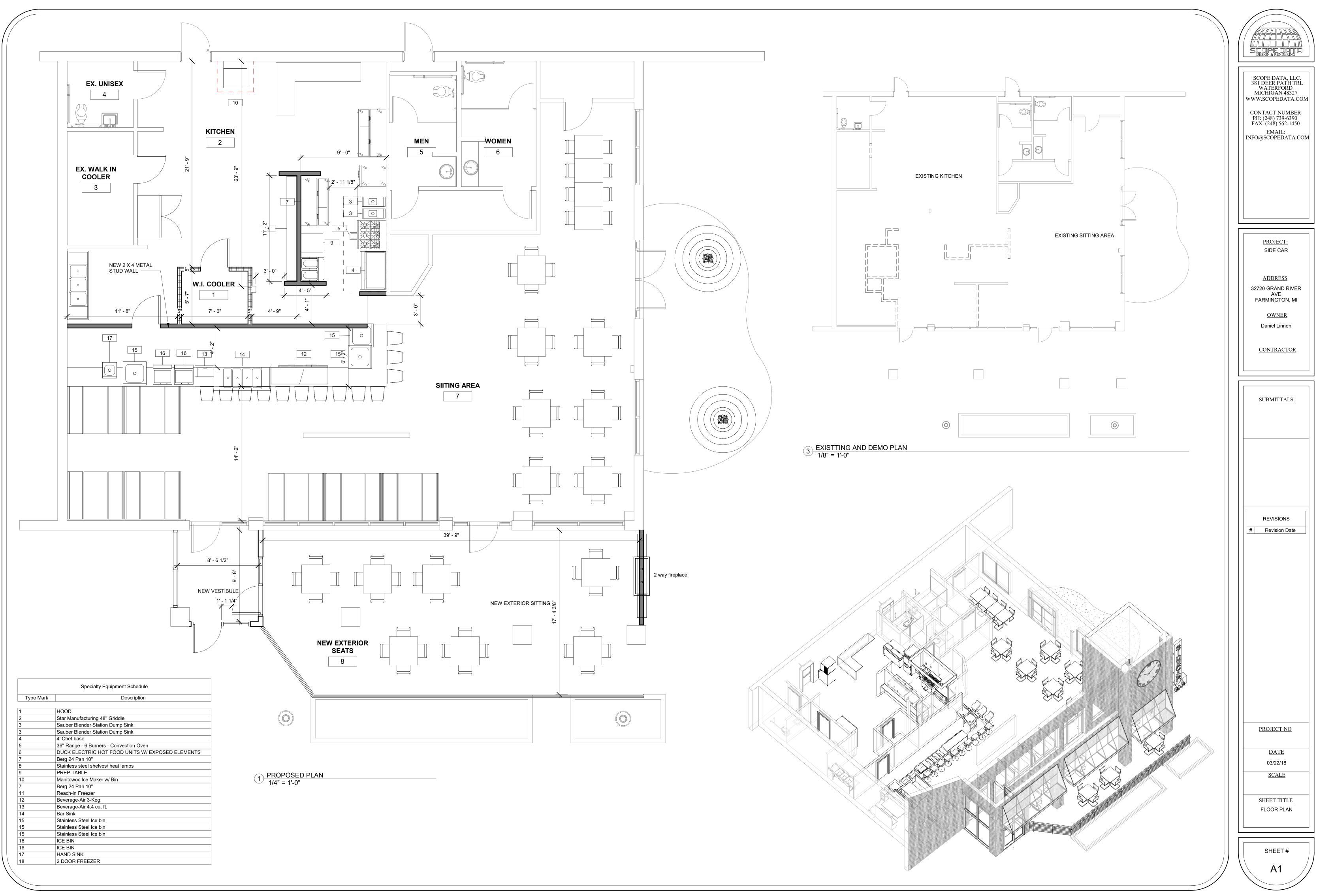
8. THE SUB CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLYING WITH THE FEDERAL, STATE, AND LOCAL SAFETY REQUIREMENTS.

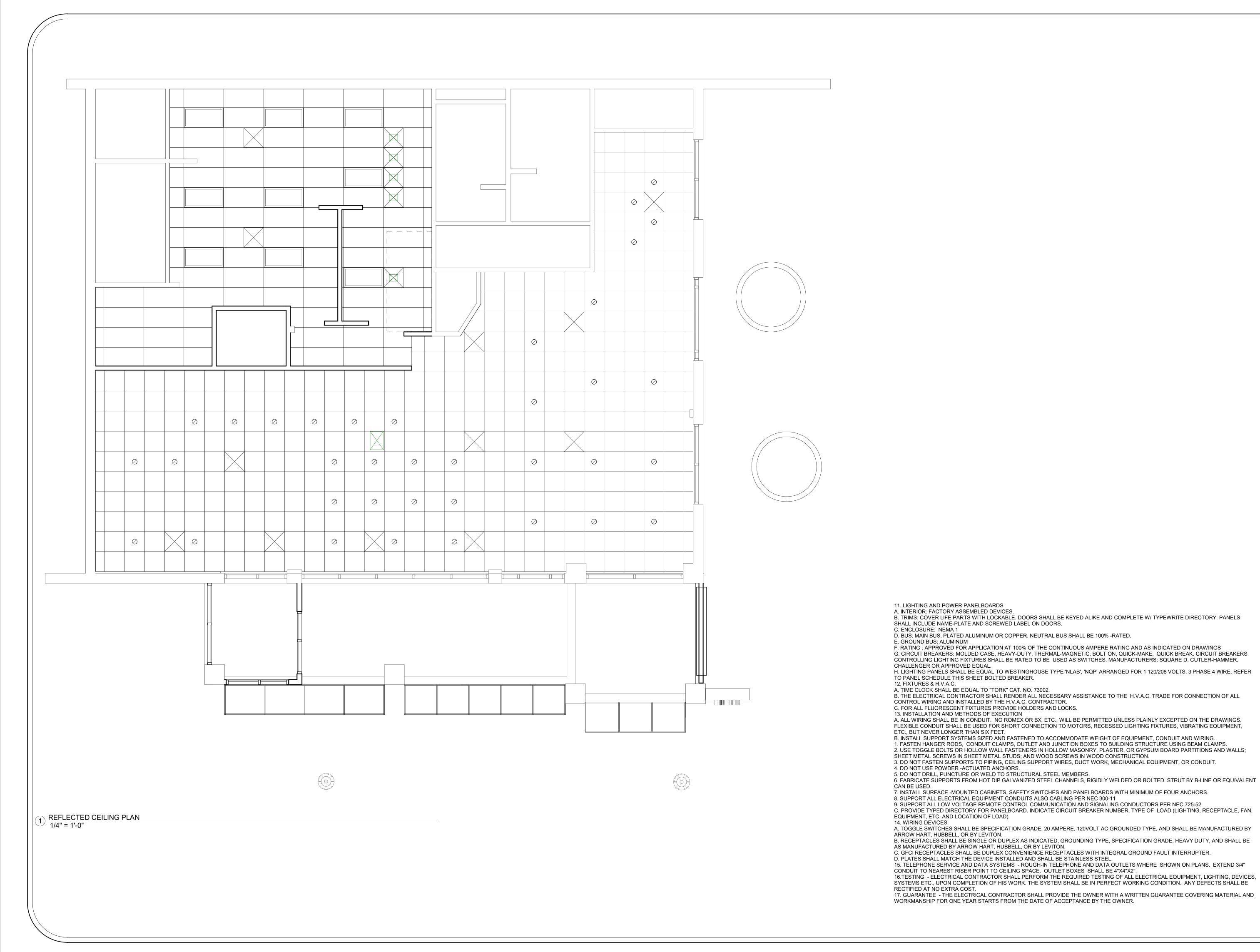
9. MAINTAIN SAFE CONSTRUCTION ACCESS TO THE WORK AREA AT ALL TIMES AND POST WARNING SIGNS AT ALL PEDESTRIAN TRAVEL PATHS.

10. ALL ASSOCIATED ELECTRICAL, PLUMBING, ETC. TO BE DEMOLISHED SHALL BE

DISCONNECTED AND REMOVED TO THE SOURCE.

11. EACH SUBCONTRACTOR SHALL BE FULLY RESPONSIBLE FOR THE CLEANUP OF DEBRIS AND CUTTING MATERIALS DAILY.
12. OWNER TO OBTAIN FINAL ENGINEERING REPORT IF NECESSARY







SCOPE DATA, LLC. 381 DEER PATH TRL WATERFORD MICHIGAN 48327 WWW.SCOPEDATA.COM

CONTACT NUMBER
PH: (248) 739-6390
FAX: (248) 562-1450
EMAIL:
INFO@SCOPEDATA.COM

PROJECT: SIDE CAR

ADDRESS

32720 GRAND RIVER
AVE
FARMINGTON, MI

OWNER

Daniel Linnen

CONTRACTOR

**SUBMITTALS** 

REVISIONS

# Revision Date

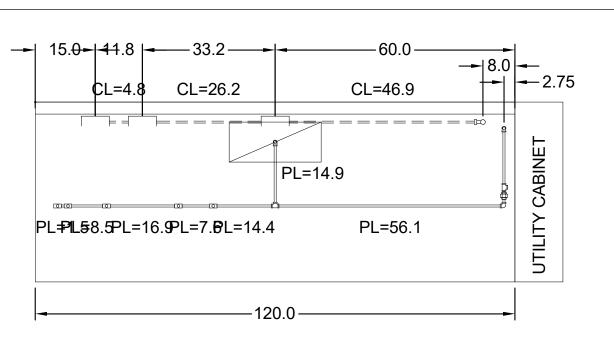
PROJECT NO

04/15/18

SHEET TITLE
CEILING PLAN

SHEET#

Α2



— 45.0 ——<del>-</del>

UTILITY CABINET(S)

SIZE MODEL

ANSUL

FIRE SYSTEM MARK: FIRE SUPPRESSION

45.0

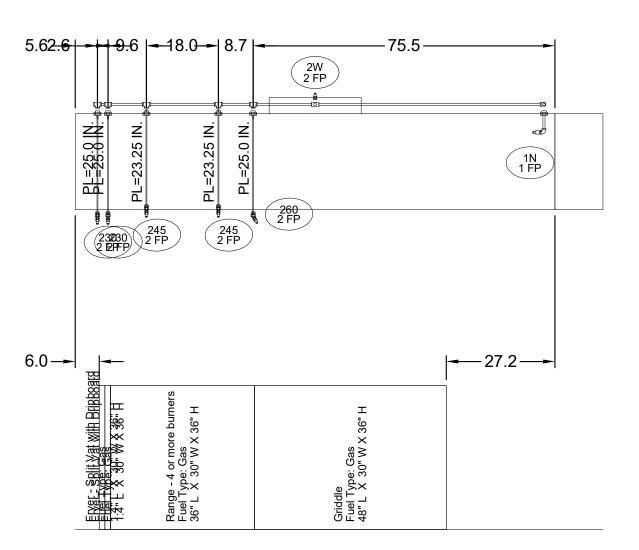
CONTROLS

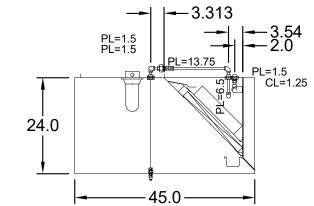
INTERFACE

FIRE SYSTEM

ANSUL R102







HOOD

MARK

5 5		3.54 2.0	HOOD I	INFORMATION																
_ 	PL=13.75	PL=1.5	LICOD			HOOD D	IMENSIO	NS (IN.)	HOOD	HOOD			EXHAL	JST			SUP	PLY	TOTAL	CECTION
71	9.5.5	CL=1.25	HOOD NO.	MARK	MODEL	LENGTH	MIDTH	HEIGHT	HOOD CONSTR.	TEMP	TOTAL		CC	LLAR(S)	)		MUA	AC	WEIGHT	SECTION LOCATION
7			INO.			LENGIH	חוטוייי	ПЕІВПІ	CONSTIX.	RATING	CFM	WIDTH I	ENGTH	DIA.	CFM	S.P.	CFM	CFM	LBS.	LOCATION
			1	HOOD	GGEW-120-S	120	15	24	430 SS WHERE	600	2400	10	23		2400	1.039			335	SINGLE
			l	HOOD	GGEVV-120-3	120	45	24	EXPOSED	DEG F	2400								333	SINGLE
-		<u>'</u>	HOOD I	INFORMATION		·														

FOOT

GREASE FILTRATION DETAILS

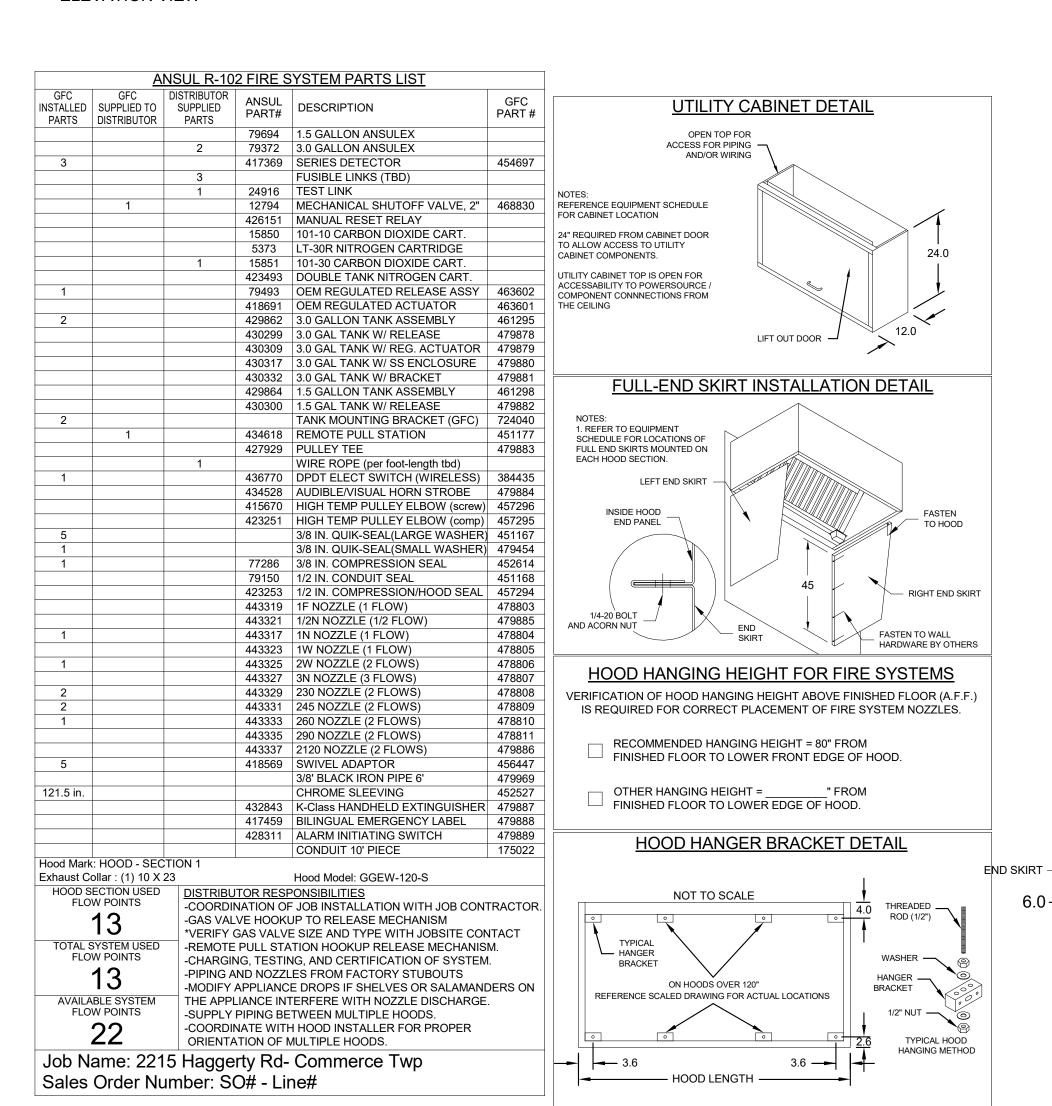
TYPE / MODEL

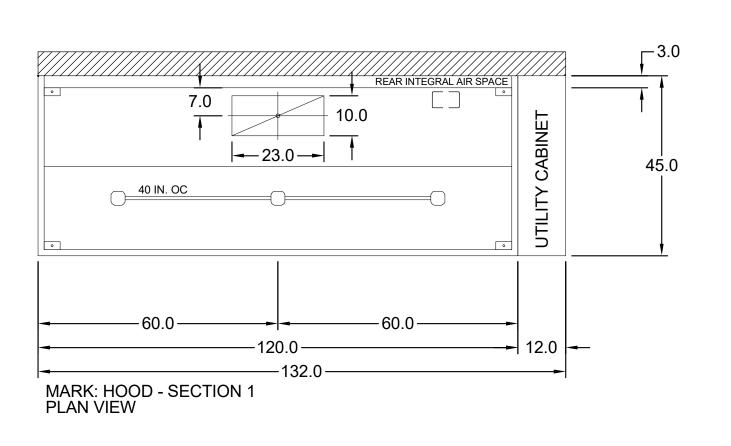
QTY SIZE (IN.)
L H

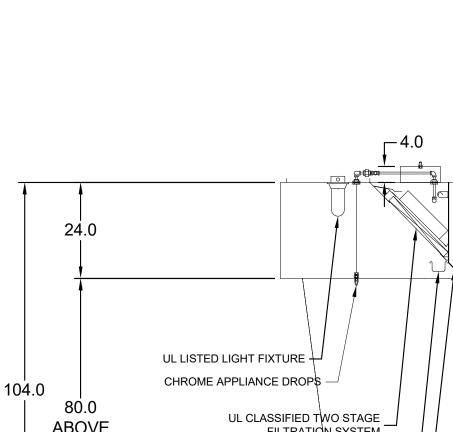
LIGHTING DETAILS

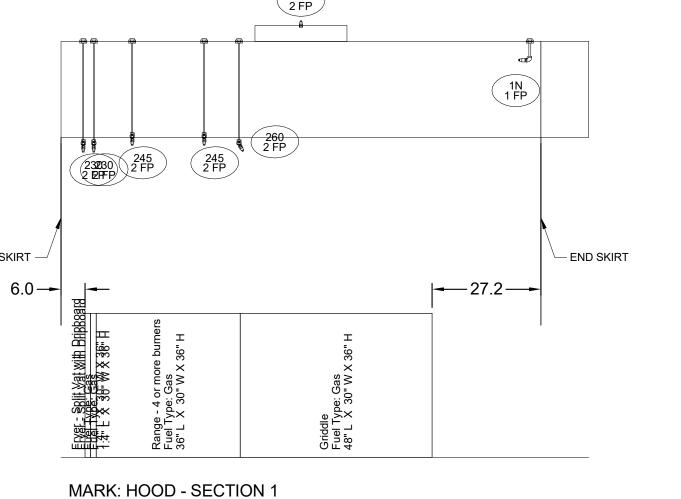
	NO.	MARK	FIXTURE TYPE	QTY	FOOT	TYPE / MODEL	QTY	SIZE	(IN.)	LOCATION
	10.		BULB / LAMP INFO	QII	CANDLES	MATERIAL	QII	L	Н	LOCATION
	4	HOOD	INCANDESCENT (GLOBE)	3	41.35	GREASE GRABBER	0	16	20	RIGHT
	ı	НООВ	100W A19 (BULBS NOT INCL.)	ာ	41.35	STAINLESS STEEL	6	20	20	WALL
НС	OOD OPTION	ONS					•			
	UL 710 LIS	STED W/ OUT EXHAUST FIRE DA	AMPER - UL #MH11726							
	BACK INT	EGRAL AIR SPACE - 3 IN WIDE								
	FACTORY	MOUNTED EXHAUST COLLAR(	S)							
	WALL UTI	LITY CABINET 24 IN HIGH 45 IN	LONG 12 IN WIDE							
	LEFT FUL	L END SKIRT - 45 IN HIGH 39.50	IN TOP WIDTH 33.5 IN BOTTOM	M WIE	DTH					
	RIGHT FU	LL END SKIRT - 45 IN HIGH 39.5	0 IN TOP WIDTH 33.5 IN BOTTO	OM W	IDTH					
	PERFORM	MANCE ENHANCING LIP (PEL) T	ECHNOLOGY							
	STANDING	G SEAM CONSTRUCTION FOR S	SUPERIOR STRENGTH							

# MARK: HOOD - SECTION 1 **ELEVATION VIEW**









**ELEVATION VIEW** 

MARK: HOOD **SECTION VIEW** 

		<del>-</del> 4.0
-	24.0	
104	4.0 80.0 ABOVE FINISHED FLOOR	UL CLASSIFIED TWO STAGE  FILTRATION SYSTEM  REMOVABLE GREASE CUP W/  CONCEALED GREASE TROUGH  INTEGRAL AIRSPACE  FULL END SKIRT

SCOPE DATA, LLC. 381 DEER PATH TRL WATERFORD MICHIGAN 48327 WWW.SCOPEDATA.COM

CONTACT NUMBER PH: (248) 739-6390 FAX: (248) 562-1450 EMAIL: INFO@SCOPEDATA.COM

> PROJECT: SIDE CAR

**ADDRESS** 32720 GRAND RIVER AVE FARMINGTON, MI

> <u>OWNER</u> Daniel Linnen

**CONTRACTOR** 

**SUBMITTALS** 

REVISIONS # Revision Date

PROJECT NO DATE

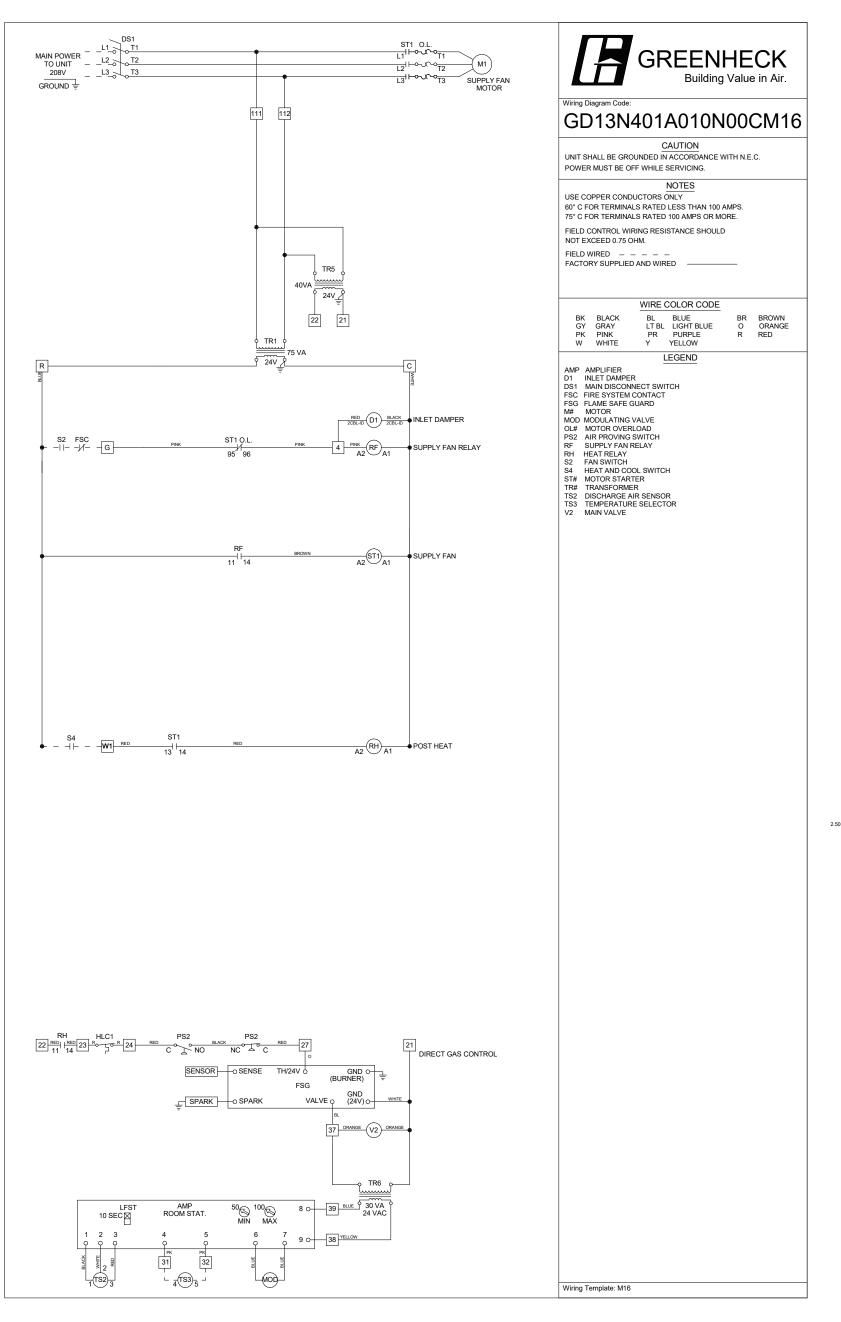
SHEET TITLE

04/15/18

**SCALE** 

HOOD

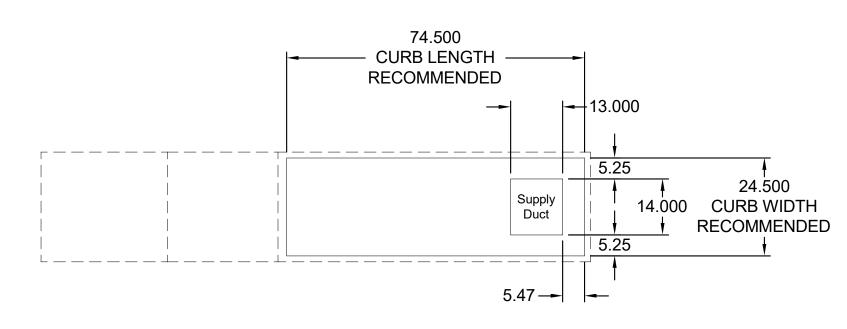
SHEET#



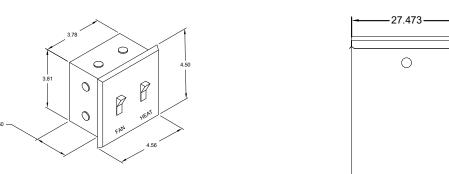
NOTE: Roof Opening Requirements:

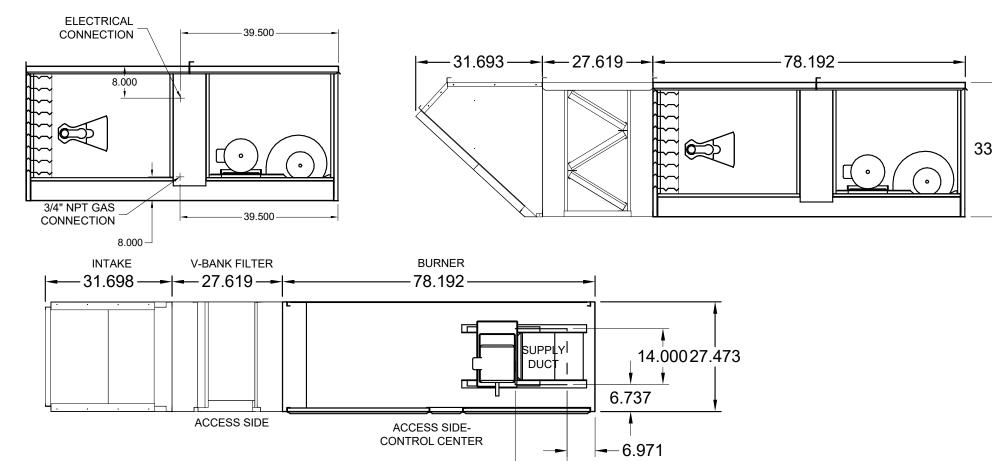
Minimum Roof Opening: The minimum roof opening size is the illustrated duct diameter plus 0.25 in. on all sides. For example: If the duct size is 14 x 14 in. square, the minimum roof opening size is 14.5 x 14.5 in. square.

Maximum Roof Opening: There must be a minimum perimeter of 1.75 in. between the roof opening and the roof curb. For example: If the roof curb is  $75 \times 30$  in. square, the maximum roof opening is  $71.5 \times 26.5$  in. inches square.

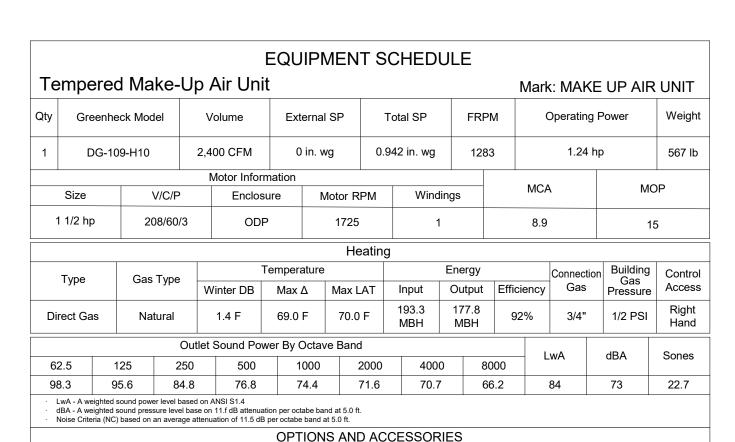


NOTE: The weatherhood and filter sections of the make-up air unit are not supported by the curb. This is by design, in order to help alleviate water infiltration issues. MUA Unit supports are shipped loose with unit.





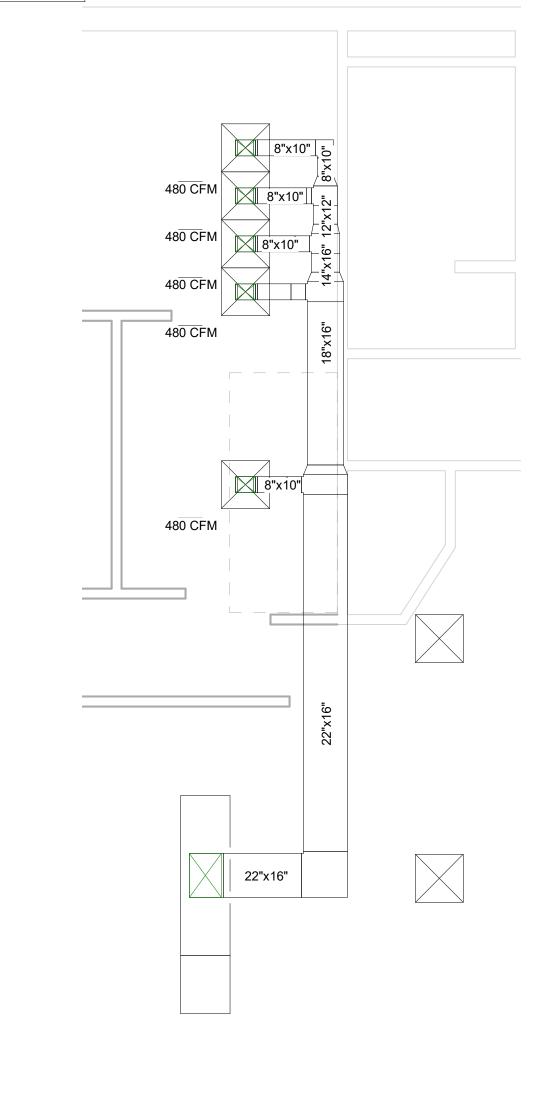
<del>-</del>13.000



Air Flow Arrangement: Outdoor Air Only
Weatherhood: Aluminum Mesh, 20x25x2 - (1), 16x25x2 - (1)
Filter Section: Aluminum, 16x25x2 - (3)
Damper: Inlet
Outdoor Air Intake Position: End
Discharge Position: Bottom
Coating: Galvanized
Insulation: Duct Liner - Heat Source On

Access Side: Right-Hand
Control Center
Remote Panel: Kitchen (ships loose)
Direct Gas Options/Accessories
Approvals: ETL and IRI
Temperature Control: Room
Flame Sensing: Flame Rod
Ignition Control: Direct Spark

Unit Rated Gas Pressure: 1/2 PSI Mounting: By Others Unit Warranty: 1 Yr (Standard)



2 MAKE UP AIR UNIT 1/4" = 1'-0"

SHEET#

PROJECT NO

<u>DATE</u> 04/15/18

SHEET TITLE

MAKE UP AIR UNIT

M2

5COPE DATA
DESIGN & RENDERING

SCOPE DATA, LLC. 381 DEER PATH TRL WATTERFORD

MICHIGAN 48327

WWW.SCOPEDATA.COM

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INFO@SCOPEDATA.COM



-MODIFY APPLIANCE DROPS IF SHELVES OR SALAMANDERS ON

THE APPLIANCE INTERFERE WITH NOZZLE DISCHARGE.

-SUPPLY PIPING BETWEEN MULTIPLE HOODS.
-COORDINATE WITH HOOD INSTALLER FOR PROPER

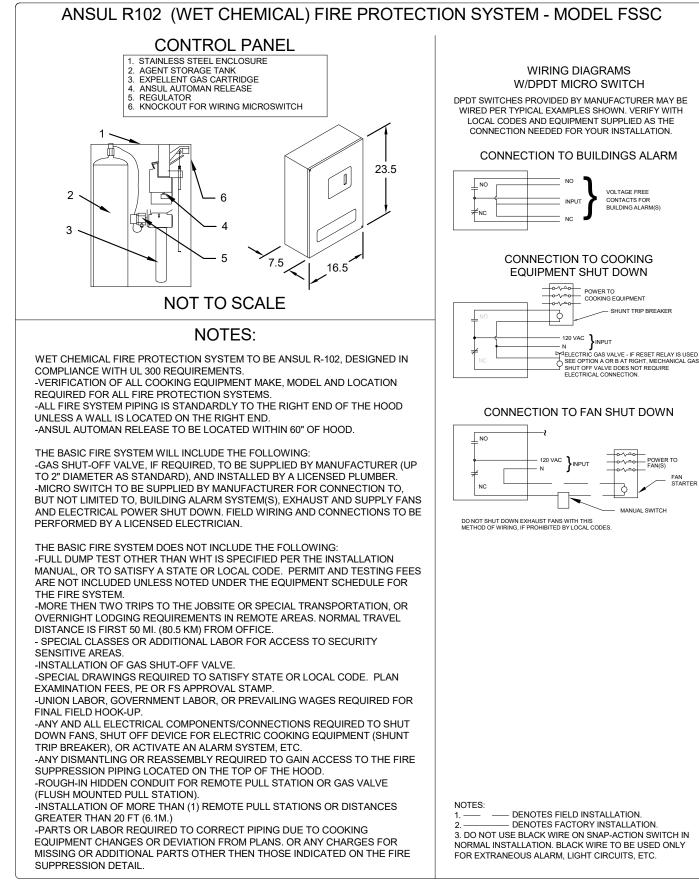
ORIENTATION OF MULTIPLE HOODS.

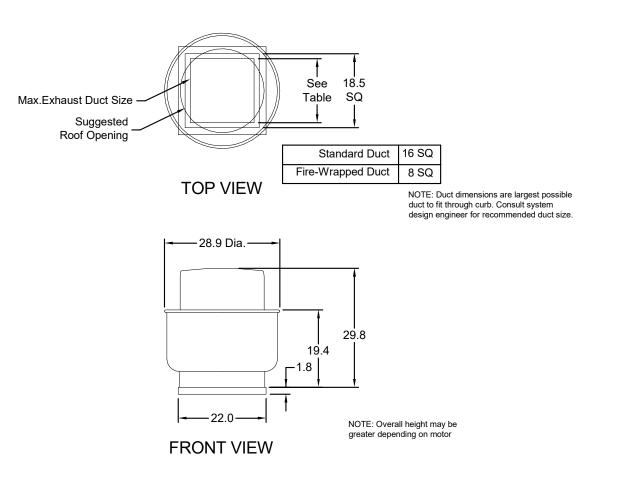
Job Name: 2215 Haggerty Rd- Commerce Twp

Sales Order Number: SO# - Line#

AVAILABLE SYSTEM

FLOW POINTS





Belt Drive Upblast Centrifugal Roof Exhaust Fan  MARK: EXHAUST FAN										FAN		
<b>α.</b>	Greenheck	Volume	External SP		Operating	Weight		Мо	tor Informa	ation		
Qty	Model	(CFM)	Total SP (in wg)	FRPM	Power (hp)	(Lb.)	Size (hp)	V/C/P	Encl:	Motor RPM	Windings	FLA
1	CUBE-161-10	2,400	1.289	1,332	0.92	83	1	208/60/3	OP	1725	1	4.6
	COBE-101-10	2,400	1.289	1,002	0.92	03	'	200/00/3	OF	1723	'	4.0
				OP.	TIONS ANI	D ACCES	SORIES					
Stand	dard curb cap size -	22 in. squa	are	OP	HONS ANI	DACCES	SURIES					

FIRE SYSTEM INFORMATION

MARK	MODEL	LOCATION	FLOW F	FLOW POINTS										DETECTION	MARK(S) PROTECTED BY FIRE SYSTEM
IVIALXIX	WIODEL	LOCATION	HOODS	PCU	LINE	DETECTION	Wirth(O)THOTEOTED BITTINE OTOTEW								
FIRE SUPPRESSION	ANSUL R-102	WALL CABINET – ON HOOD	13 UTILIZED		CONTINUOUS	S FUSIBLE LINK	HOOD SECTION 1								
FIRE SUPPRESSION	WET CHEMICAL	WALL CABINET - ON HOOD	22 AVAILABLE		CONTINUOUS	5 FUSIBLE LINK									

FIRE SYSTEM OPTIONS AND ACCESSORIES

FULL INSTALLATION (INCLUDES PRE-PIPED HOOD(S) WITH DETECTION AND FACTORY COORDINATED INSTALL)

CHROME SLEEVES FOR FACTORY PROVIDED APPLIANCES DROPS - INCLUDED METAL BLOW-OFF CAPS - INCLUDED

GAS VALVE - INCLUDED - MECHANICAL SHUTOFF VALVE, 2", (ANSUL) - PART# ANSULMECHSHUTOFFVALVE200

HOOD SUPPRESSION AGENT - INCLUDED - 6 GAL. - [(2) 3.0 TANK(S)]

REMOTE PULL STATION - STANDARD - INSTALLATION AT SINGLE POINT OF EGRESS

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SHEET TITLE FIRE SUPPRESION

SHEET#

M3