

MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION PUBLIC HEARING/REGULAR MEETING
COUNCIL CHAMBERS
OCTOBER 19, 2017, 7:30 P.M.

Vice Chair Schwartz called the Planning Commission meeting to order at 7:30 p.m. on October 19, 2017.

Commissioners Present: Brickner, Countegan, Fleischhacker, McRae, Mantey, Orr, Schwartz, Stimson

Commissioners Absent: Rae-O'Donnell

Others Present: City Planner Stec, City Attorney Schultz, Planning Consultant Tangari, City Engineers Nelson and Kennedy

APPROVAL OF AGENDA

MOTION by Stimson, support by Mantey, to approve the agenda as published.

MOTION carried unanimously.

PUBLIC HEARING

A. ZONING TEXT AMENDMENT 3, 2017

REQUEST: Amend Chapter 34" Zoning" to add Section 34-4.59 "One-Family Dwelling Standards" containing the standards applied to determine the compatibility of new construction one-family homes with existing homes in the surrounding area

ACTION REQUESTED: Recommend to City Council

CHAPTER OF CODE: Chapter 34 "Zoning"

SECTIONS: Article 4 "Use Standards", add Section 4.59 "One Family Dwelling Standards"
Article 3 "Zoning Districts", Sections 34-3.1.1 through 34-3.1.9

City Planner Stec explained that the proposed zoning text amendment transferred one-family dwelling standards from the City Code to the Zoning Ordinance. The standards defined *compatibility standards* and also addressed *dissimilarity* as that applied to new home construction in the City. The intent was to maintain the property values of the areas in which new construction occurred. At the September meeting the Planning Commission directed that the ordinance not delve into the details of the design of people's homes, but instead just transfer the existing ordinances that had been in the City Code to the Zoning Ordinance. That was the language before the Commission this evening, with the change that people who wanted relief from a Building Official's decision would go before the Zoning Board of Appeals, rather than the previously mandated One Family Design Review Board. The City Council had asked that the Planning Commission consider this change, as the Review Board had been eliminated by City Council action.

The action requested this evening was for the Planning Commission to make a recommendation to City Council regarding the proposed changes.

Commissioner Orr referred to the proposed language in 34-4.59.4.(a)(iii), which read:

(iii) that the architectural appeal and functionalism of the proposed one-family dwelling will not, when erected, be substantially dissimilar to the architectural appeal and functionalism of the one-family dwellings within the surrounding area and will not cause a substantial depreciation to the property values in the surrounding area.

Commissioner Orr objected to the idea that a home could not be substantially dissimilar to neighboring homes.

Commissioner Orr also referred to the proposed language in 34-4.59.5.(4) which read:

(4) The façade of the proposed dwellings as viewed from the street is not identical to the façade of the dwellings constructed on the lot or lots adjacent to the proposed dwelling . . .

Commissioner Orr felt that this language and the paragraphs that followed would prohibit condominium projects where every unit was almost identical to the one beside it. Noting that several such condominium projects had been approved in the past, Commissioner Orr was opposed to this language. Could language be added to exclude PUDs and condominium developments?

City Planner Stec said that the language was being transferred exactly as it had been in the Code, as directed by the Commission at the last meeting. The City had been developed with new construction and condominium developments under the Code, including some dissimilar homes and some condominium developments where the units were identical. The approvals were granted administratively; the Planning Commission did not approve the design of single-family construction.

Commissioner Orr emphasized that even with administrative approvals, it was difficult to see how identical condominium units could be approved. He was not happy with the language regarding *substantially dissimilar* or *identical* facades.

Vice Chair Schwartz opened the public hearing. Seeing that no one came forward to speak, he closed the public hearing.

Commissioner McRae said he understood that the language was being brought to the Zoning Ordinance from the Code. However, he agreed with Commissioner Orr regarding the language regarding dissimilarity in paragraph (a)(iii) under 4. *Building permit application review*, and also he did not support most of the language in paragraphs (2), (3) and (4) under 5. *Standards*.

Vice Chair Schwartz agreed that it would be difficult to approve condominium developments whose facades were identical with the language as presented.

Commissioner McRae did not think the proposed language was ready for Commission action, and offered the following motion:

MOTION by McRae, support by Orr, to postpone Zoning Text Amendment 3, 2017, pending further review at a future study session.

Commissioner Countegan said there were two issues. The first involved the existing language that was now in the City Code and would, with this change, be placed in the Zoning Ordinance. The result of this change would be that a resident who needed relief from the standards would now seek a variance from the ZBA. He did not think the Commission should frustrate this change. He suggested they recommend the

proposed amendment to City Council for approval, and at a later date examine the language for possible changes and further recommendation to Council.

City Planner Stec said he did not know of a specific Council-driven timeline, and asked for further direction from the Commission.

Vice Chair Schwartz said that he was hearing that condominiums needed to be exempted from the standards that prohibited identical dwellings next door to each other, and that *substantially dissimilar* needed more definition.

Commissioner Orr asked what 4.(c) *signed by the applicant, under oath* meant. City Planner Stec said the applicant could fill out an affidavit to meet this requirement.

Commissioner Fleischhacker said that while the existing language had been in the Code buildings had been constructed throughout the City. He did not understand why there were now issues with the language, when the Zoning Ordinance was actually a less strict location for the regulations.

Commissioner Orr reiterated that he was opposed to the language regarding dissimilar and identical, whether it was in the Code or the Zoning Ordinance. He did not understand how condominium developments had been approved under this language.

City Attorney Schultz explained that the language in the Code had been interpreted and enforced as a whole. The Building Official had worked with the language without apparent controversy. City Attorney Schultz emphasized that the changes as proposed this evening were directed by the Commission at the September meeting, with the idea that after the language was moved to the Ordinance, the Commission could then at a future date study and perhaps recommend changes to the language.

Vice Chair Schwartz also noted that the language in paragraph 8. *Abrogation and greater restrictions* referred to *the promotion of the public . . . morals . . .* He would eventually like this language removed, as it seemed difficult for an administrative official to make a determination that the façade of a house attacked morals.

Commissioner Countegan summarized the issues with the language as presented. He agreed that in the future the language could be modified. In the meantime, he emphasized his willingness to move the change forward rather than postpone action.

Commissioner Stimson agreed, especially as the original Review Board had been disbanded. If the change were not moved forward, there was no appeals process in place.

Commissioner Mantey also agreed. He thought the best thing was to recommend approval of the Amendment to the City Council, and to make specific changes in the language at a later study session.

Noting that the motion on the floor was to postpone action and refer the matter back to a study session for review, Vice Chair Schwartz called the motion.

Motion failed 4-4 (Opposed: Countegan, Fleischhacker, Mantey, Stimson)

MOTION by Mantey, support by Stimson that the Planning Commission recommend approval to City Council of Proposed Zoning Text Amendment 3, 2017 revising the following Articles in Chapter 34, “Zoning”: Article 4 “Use Standards,” to add a new Section 34-4.59 “One-Family Dwelling Standards,”; and Article 3 “Zoning Districts”, Sections 34-3.1.1. through 34-3.1.9 to include references to new Section 34-4.59 in the appropriate residential districts, and with the further recommendation that once the changes have been approved by City Council, the issue be returned to the Planning Commission in a study session for further review of the language involved.

Vice Chair Schwartz said he would support the motion so this could go on to City Council. He recommended that the minutes of this meeting be available to Council for their consideration.

Commissioner Brickner said he would also support the motion. He didn’t think anyone had used the Review Board in years. He agreed with Commissioners McRae and Orr that the language was antiquated and did not fully conform to what had been going on in the City; some changes should eventually be made to reflect current practice.

Vice Chair Schwartz called the motion.

Motion carried 6-2 (McRae, Orr opposed).

B. CITY CODE AMENDMENT 2, 2017

REQUEST:	Amend the Farmington Hills City Code to delete Article IV “One-Family Construction Review”, of Chapter 21 “Planning”
ACTION REQUESTED:	Recommend to City Council
CHAPTER OF CODE:	Chapter 21 “Planning”
SECTIONS:	Article IV “One-Family Construction Review” Sections 21-76 thru 21-88

Noting that this agenda item was related to Agenda Item 4A just discussed and acted upon, Vice Chair Schwartz immediately opened the public hearing. Seeing that no one came forward to speak, Vice Chair Schwartz closed the public hearing and indicated he was ready for a motion.

MOTION by Brickner, support by Countegan, that the Planning Commission recommend approval to City Council of proposed City Code Text Amendment 2, 2017, revising Chapter 21 “Planning”, to remove Article IV “One Family Construction Review” in its entirety.

Motion carried unanimously, 8-0.

REGULAR MEETING

A. SITE AND LANDSCAPE PLAN 63-9-2017

LOCATION:	30465 & 30455 Farmington Rd.
PARCEL I.D.:	22-23-04-276-005 & 006
PROPOSAL:	Addition to existing place of worship in RA-1, One-Family Residential district
ACTION REQUESTED:	Approval of Site and Landscape Plan
APPLICANT:	Hyejung J. Yun
OWNER:	Korean Presbyterian Church of MI (KPCM).

City Planner Stec introduced this request for Site Plan and Landscape Approval for an addition to the Korean Presbyterian Church located on Farmington Road south of 14 Mile Road. The purposes were to add additional assembly floor area and some classroom areas.

Utilizing overhead slides and referring to the October 12, 2017 Giffels Webster review letter, Planning Consultant Tangari gave the background review for this application. He pointed out that this parcel represented two addresses in the RA-1 Zoning District: 30465 and 30445 Farmington Road, which were in process of being combined. The application met the conventional requirements of the Ordinance. Outstanding issues included:

- Details of the trash enclosure were not provided; the dumpster enclosure would need to meet the design standards of Section 34-5.1.3.D.
- Regarding parking, there was more parking than an assembly area required. However, the addition was not actual worship space, but rather consisted of classrooms, a multi-use room, a conference room, and assorted other small rooms. While this appeared to serve the function of a day care, the applicant should provide more information about how this facility would be used so that the Planning Commission could determine if the parking requirements were met. Would there be simultaneous use of the assembly and worship areas, for instance, or, if the various facilities were going to be used simultaneously, would there be additional people on the site?
- Regarding exterior lighting, the 4.3:1 average:minimum ratio exceeded the required 4:1 ratio.
- Regarding tree replacement, twelve 10-foot ornamentals were shown. Ornamentals did not qualify as replacement trees unless the Planning Commission approved grouping of ornamentals intended to form a cluster or woodlot. The proposed ornamental trees were not clustered in a woodlot. Therefore the tree replacement plan required modification to address this issue.
- Regarding existing landscaping, the landscape plan reflected the existing berms and heavy mix of deciduous and evergreen plantings that surrounded the existing parking lot. It also showed the existing wall that screened the residential properties to the north from the existing parking lot. The residential backyard to the south was somewhat screened at present.
- Regarding landscape screening to the south, per Section 34-5.15, typically a masonry wall was required to screen parking areas from adjacent residential uses. The applicant instead proposed more evergreens and two eastern redbuds to screen the proposed southern parking lot from the residential neighbor to the south. The Planning Commission had the ability to waive or reduce the height of a wall where it was determined that such a wall would serve no good purpose. If the Commission were to waive the wall in this case, a hedgerow such as that proposed for the street-facing side of the parking lot might be appropriate along its southern edge as well.
- Regarding landscape screening to the west, the land to the west was occupied by a large dedicated open space that was used as a park, and which was part of the Wedgwood Commons subdivision. The Planning Commission should consider whether the additional evergreens and redbuds proposed for that property line alongside the new driveway and parking lot were adequate to screen the use, or if more intensive screening was warranted.

In response to a question from Vice Chair Schwartz, Planning Consultant Tangari said the dedicated open space to the west had been permanently set aside; homes would never be built there.

Commissioner Orr expressed reservation about claiming that homes would never be built in the open space; things could change. Vice Chair Schwartz pointed out that the park was not public property. Commissioner Orr agreed, but his reservations remained.

Commissioner Orr pointed out that over time, evergreens used for screening grew and became bare at the bottom. Did the City ever require that evergreens used as a light barrier be replaced when their bottoms no longer fulfilled that function?

City Attorney Schultz said that when a tree was removed for any reason, the City required replacement. City Planner Stec added that usually if a tree was healthy, the City did not require replacement. However, for trees that were required by the Planning Commission as a light buffer and that later became bare on the bottom, the City would require supplementation or replanting of the trees.

Mark Abanatha, Alexander V. Bogaerts & Associates, P.C., 2445 Franklin Road, Bloomfield Hills MI 48302, and Steve Sorenson, P. E., PEA Engineering, 2430 Rochester Court, Troy MI 48083 were present on behalf of this application. Representatives from the Church were also present.

Mr. Abanatha said the design goal was to bring the church to a state of the art facility. He described new spaces and their uses, including a day care area, classrooms, Sunday School area, and a multipurpose/craft room. He responded to comments from the Fire Marshall regarding the fact that the buildings were not connected, saying that the buildings would be fire suppressed. The decorative fences between the buildings would allow some of the younger children to go outside and be in an enclosed environment.

Mr. Abanatha explained that parking was based on number of pews. The sanctuary area was not changing; the church was not expected to grow dramatically. Again, the proposed work was to update the facility. Parking on the south was more for convenience, and to supplement the existing parking. They had also cleaned up the traffic flow on the north end of the site. There would be 2 entrances: one on the west side and one on the south side. The trash receptacle would be fully enclosed per ordinance and would have brick veneer to match the building. Lighting would be modified to meet standard.

Regarding landscaping, Mr. Abanatha said the house to the south was close to Farmington Road and quite a bit to the south. There were some large deciduous trees and existing pines on the south property line. Their goal was to save as many trees as possible and supplement the area with pines. They definitely didn't want to put a wall in and disturb the root structure of the existing trees. They wanted to do the same thing to the west: keep the existing trees and supplement those as necessary.

They would work with staff and resolve issues regarding the ornamental trees, swapping some of them out if necessary. Also if necessary they would install a short evergreen hedgerow along the southern edge of the parking.

Again, their desire was to keep as many trees as possible, and supplement those as necessary, rather than putting a wall in.

In response to a question from Vice Chair Schwartz, Mr. Abanatha said he didn't think the house to the south would be naturally screened by a change in elevation there; the new plantings along with the established trees would provide the screening.

Mr. Abanatha concluded that they were excited about the new architecture and new appearance of the church campus, and asked for approval this evening.

Commissioner Orr asked if the assembly area and sanctuary would be used simultaneously. For instance, would there be a wedding while the sanctuary was in use for worship services? Mr. Abanatha said the day care facility could be used while church services were being held, but such activity would not bring in any

more people or cars. No weddings or other similar activities would be held while worship services were going on.

Vice Chair Schwartz said he had lived in the area for almost 20 years and he had never seen parking spill out from the church campus onto Farmington Road.

Commissioner McRae asked about an accessory building on the north end of the parking lot that was not shown on the site plan.

Young Kang, Church Deacon, said the accessory building was used for necessary storage of outdoor maintenance equipment and was a permanent structure. According to conversations with the City, the building was too small to require a permit.

City Planner Stec said that if the building was a permanent structure, it needed to be on the site plan.

Commissioner McRae expressed concern about not having a wall on the south side. Even though the back yard was heavily wooded, he felt that a wall should be constructed to protect the southern neighbor.

Mr. Abanatha said they wanted to preserve the trees in that area and the wall would disrupt the root structure. All parking would be at least 20 feet away, and they would be willing to put in an evergreen hedge to shield any vehicle lighting directed toward the south.

In response to a question from Vice Chair Schwartz, City Planner Stec said a hedge of evergreens such as arborvitae could be substituted for the masonry wall.

Commissioner McRae said he understood the City had that option, but he was hesitant to rely on an arbor vitae buffer along the south side.

After brief discussion regarding the location of the house to the south, Vice Chair Schwartz indicated he was ready for a motion.

MOTION by Fleischhacker, support by Brickner, that Site Plan 63-9-2017, dated September 15, 2017, submitted by Hyejung J. Yun be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to a revised site plan addressing the following items be submitted for administrative review:

- **Trash enclosure details be provided.**
- **The photometric plan is revised to bring the average to minimum ratio within the 4:1 maximum ratio.**
- **The existing accessory structure in the northern end of the parking lot is added to the plan.**
- **The motion also makes the determination to waive the requirement of a screen wall being installed to separate the use from the abutting subdivision open space area to the west.**
- **The screen wall along the southern property line is also waived on the condition that the existing wooded area is supplemented with evergreens and that a minimum 3' high hedgerow be planted along the southern border of the parking lot.**

Mr. Sorenson asked for clarification as to the intent of the motion. He summarized that the vehicle lights in the south parking lot would be blocked by infill plantings along with a hedgerow/line of shrubs at the

southern end of the parking lot. The applicant's intention was to infill the spaces between existing trees with pine trees as much as possible. They would not be constructing a hedgerow along the west property line.

In response to a question from Commissioner Fleischhacker, Mr. Sorenson reviewed the landscape plan in detail, pointing out which trees would be removed and where replacement trees would be planted.

City Planner Stec confirmed that when they reviewed revised landscape plans, the plans should show a natural look on the southern property line, and to further ensure that car lights be blocked there would be a hedgerow along the south border of the parking lot.

Commissioner Fleischhacker emphasized that the hedgerow needed to be 36" high.

In response to comments from Commissioner Orr, Planning Consultant Tangari said there was a very tall berm to the west, and the homes to the west could not see the existing parking lot at all.

Vice Chair Schwartz called the motion.

Motion carried unanimously (8-0)

In response to comments from Commissioner Fleischhacker, City Planner Stec pointed out the ornamental trees on the landscape plan. Planning Consultant Tangari noted that the columnar trees were not ornamentals – the columnar trees could be counted as replacement trees. After further discussion regarding the ornamental trees, Commissioner Fleischhacker offered the following motion:

MOTION by Fleischhacker, support by McRae, that Landscape Plan 63-9-2017, dated September 15, 2017, submitted by Hyejung J. Yung be approved because it appears to meet all applicable Zoning Chapter requirements, and applicable Design Principles as adopted by the Planning Commission, subject to a revised landscape plan addressing the following items be submitted for administrative review:

- **Ornamental trees proposed as required replacement trees are replaced with alternative non-ornamental variety(s). Trees smaller than 3" caliper may be provided if they are planted in a clustered manner intended to recreate or create a densely wooded area.**
- **Any additional replacement trees that may be required shall be planted in the southern portion of the property**
- **A dense hedgerow, minimum 3' in height, is planted along the southern edge of the new southern parking lot, along with the southern edge of the fire lane.**

Commissioner McRae supported the inclusion of planting the required hedgerow along the southern property line as well as the southern end of the fire lane.

Mr. Sorenson clarified that replacement trees would be planted along the south and west property lines.

Commissioner Fleischhacker responded that he was mainly concerned with the southern property line, but when that area was full, placing replacement trees along the western boundary would be fine.

Commissioner Countegan said his understanding was that trees should be planted wherever they could be filled in to screen headlights along the southern property line; it was not necessary to plant them in a straight line.

Commissioner Mantey offered an amendment to remove the requirement to screen the southern end of the fire lane. He didn't feel people would park there, and the requirement was unnecessary. Vice Chair Schwartz thought that the lights would be visible when cars were backing out, and Commissioner McRae said people would park there, even though they weren't supposed to. Commissioner Stimson added that vehicle lights would show when people were driving into the parking lot.

Commissioner Fleischhacker said he preferred to keep the requirement to shield the southern end of the fire lane.

Vice Chair Schwartz asked if anyone wanted to second the motion to amend. As no second was offered, the motion to amend failed for lack of support.

Vice Chair Schwartz called the original motion.

Motion carried 7-1 (Mantey opposed).

B. ZONING TEXT AMENDMENT 4, 2017

REQUEST:	Amend the definition of "Gasoline Service Station" included in Section 2.0, "Definitions" of Chapter 34 "Zoning", to permit the sale of alcoholic beverages at gasoline service stations
ACTION REQUESTED:	Set for Public Hearing by Planning Commission
CHAPTER OF CODE:	Chapter 34 "Zoning"
SECTION:	Section 2.2 "Definitions"

City Attorney Schultz explained that the memorandum in the Commissioners' packets regarding this agenda item had originated with City Council, who had received some correspondence from City Attorney Joppich regarding this issue. The bottom line was that from the City Attorneys' perspective changes needed to be made to the 7-year old provision in the Zoning Ordinance regarding sales of beer and wine at gas stations.

City Attorney Schultz gave some background to this suggested change, explaining that 7 years ago some communities, including Farmington Hills, wanted to regulate the sale of beer and wine at gas stations. The way Farmington Hills did this was to add language to the definition of a gas station, making it clear that the City did not feel alcohol sales were an accessory use to a gas station. Some time after that the Court of Appeals said, in a case involving Bloomfield Township, that municipalities could regulate the sale of alcohol at gas stations. However, in 2016 the State Legislature amended the Liquor Control Regulations to allow big box retailers to sell alcohol at secondary gas station locations, and in January 2017, new legislation leveled the playing field for smaller gas stations, eliminating inventory requirements and reducing spacing requirements between the alcohol and fuel pumps from 50 to 5 feet.

The new regulations made it a little bit harder for the City to say beer and wine sales were not an accessory use to a gas station. If the City wanted to continue to regulate these sales, there were ways to do that separate from the gas station definition, and City Attorney Schultz was recommending that the language regarding alcohol sales in the definition of gas station be eliminated.

Commissioner Mantey noted that he had opposed the language adopted 7 years ago, and he supported eliminating it now.

City Attorney Schultz further explained that the ordinance in front of the Commission basically took the approach of leaving the decision-making regarding alcohol sales to the State. However, if the City did want to regulate this, there were other ways to do so.

Commissioner Brickner spoke to the desire of local communities to regulate their own neighborhoods. The State legislature was too often taking local control away from local communities; the new regulations mentioned this evening were an example of this.

Commissioner Brickner also mentioned that 7 years ago proprietors of other establishments who sold beer, wine and other liquor were concerned about the competition gas stations provided.

In response to further comments from Commissioner Brickner, City Attorney Schultz explained that the quota system in liquor sales applied to Class C liquor licenses. Gas stations were not included in this quota.

After brief further discussion, Commission McRae indicated he was ready to offer a motion.

MOTION by McRae, support by Orr, that Zoning Text Amendment 4, 2017, petitioned by the Planning Commission, proposing to amend Chapter 34 “Zoning”, Section 34-2.2 “Definitions” revising the definition of “Gasoline Service Station” to remove restrictions on the sale of alcoholic beverages at gasoline service stations, be set for Public Hearing on November 16, 2017.

Commission Mantey said he felt this change was pro-business, in that it encouraged customers to walk in to the gas station stores and make purchases there.

Vice Chair Schwartz called the motion.

Motion carried 7-1 (Brickner opposed).

C. PLANNING COMMISSION BY-LAWS REVIEW AND UPDATE

City Planner Stec said that information was provided in the Commissioners’ packets regarding the Planning Commission By-Laws review and update. This would be discussed at the November Study Session meeting.

Vice Chair Schwartz made the following observations:

- The requirement to remove a Commissioner after 3 absences should be modified to 3 (or similar number) *unexcused* absences, to perhaps include absences without prior notification.
- Removing a Commissioner should be the purview of the City Council, not the Commission.
- Instruction could be provided that the Chair could read at the beginning of every public hearing, stating that the public had 3 minutes to speak individually, and 5 minutes if someone were representing a homeowner’s association. This process was already followed at ZBA meetings.

Commissioners Mantey and Orr especially agreed with Vice Chair Schwartz’ comments regarding meeting absences.

MOTION by Orr, support by Stimson, to approve the September 21, 2017 minutes as amended.

Motion carried unanimously.

PUBLIC COMMENT

Clifford A. Knaggs, Knaggs Brake, P.C., 7525 Westshire Drive, Ste 100, Lansing Michigan 48917, said that he was here representing the Hanini gas station market at 22150 Orchard Lake Road, Farmington Hills. The owner of the market was here also. They wanted to thank the Commission for the action taken this evening regarding the sale of beer and wine at gas stations.

Mr. Knaggs said he understood his letter to the City Attorney had prompted this action. He had pointed out the conflict between the recent changes to the Liquor Control Code and the City's Zoning Ordinance; it was their position that there was a direct conflict with the Liquor Control Code, which now identified a gasoline station convenience store as a recognized business for the purposes of SDM (Specially Designed Merchant) licensing.

Mr. Knaggs said he would be back at the November 16 Public Hearing, and urged the Commission to recommend the change to City Council. He explained that the owner of Hanini Fuel Market had received an SDM license from the state, and was waiting to see what action the City would take regarding his ability to sell beer and wine at his market.

Mr. Knaggs said he was also general counsel for the Michigan Petroleum Association and had been working on this issue for 25 years.

City Attorney Schultz pointed out that the City did not concede that the current ordinance was in direct conflict with the new State law.

The gas station owner brought a petition signed by 93 adults supporting his use of his SDM license.

Vice Chair Schwartz said this would be discussed further at the November public hearing.

COMMISSIONERS' COMMENTS

Commissioner Brickner spoke to his concerns that the State was attempting to diminish local control, and take away the power of those who knew what was best for their own community in favor of blanket state standards. Each community was different; Farmington Hills was different than rural communities, for instance. Densely populated areas like the City should have control over who were allowed to use an SDM or SDD license, for instance. He disagreed with the process that put the State in charge.

ADJOURNMENT

Seeing that there was no further comment, Vice Chair adjourned the meeting at 9:03 p.m.

Respectfully Submitted,
Steven Stimson
Planning Commission Secretary

/cem