

**MINUTES  
CITY OF FARMINGTON HILLS  
PLANNING COMMISSION REGULAR MEETING  
31555 W ELEVEN MILE ROAD  
FARMINGTON HILLS, MICHIGAN  
JUNE 17, 2021, 7:30 P.M.**

**CALL MEETING TO ORDER**

The Planning Commission Regular Meeting was held electronically as authorized under the Open Meetings Act, MCL 15.261, *ET SEQ.*, as amended, and called to order by Vice Chair Countegan at 7:30 p.m. Commission members were asked to state their name and location, as to where they were attending the electronic meeting.

**ROLL CALL**

**Commissioners Present:**

Brickner, City of Farmington Hills, Oakland County, Michigan  
Countegan, City of Farmington Hills, Oakland County, Michigan  
Orr, City of Farmington Hills, Oakland County, Michigan  
Mantey, City of Farmington Hills, Oakland County, Michigan  
Schwartz, City of Farmington Hills, Oakland County, Michigan  
Trafelet, City of Farmington Hills, Oakland County, Michigan  
Turner, City of Farmington Hills, Oakland County, Michigan  
Varga, City of Farmington Hills, Oakland County, Michigan

**Commissioners Absent:** Stimson

**Others Present:**

City Planner Stec, City Attorney Schultz, Planning Consultant Arroyo  
Staff Engineers Natasha Sonck, Mirandi Alexander, ShonQuase Dawkins, Kristina Crimmins

**APPROVAL OF AGENDA**

**MOTION by Brickner, support by Turner, to approve the agenda as published.**

Roll call vote:

Yeas:	Brickner, Countegan, Mantey, Orr, Schwartz, Trafelet, Turner, Varga
Nays:	None
Absent:	Stimson
Abstentions:	None

**MOTION carried 8-0.**

**PUBLIC HEARING**

**A. REZONING REQUEST 1-2-2021**

LOCATION:	23700 Orchard Lake Rd.
PARCEL I.D.:	23-26-151-025
PROPOSAL:	Rezone a parcel currently zoned OS-2, Planned Office Service District, to RC-3 Multiple Family Residential District

ACTION REQUESTED: Recommendation to City Council  
APPLICANT: Jeffrey Fishman  
OWNER: Universal Properties Westhill

Utilizing a PowerPoint presentation, Applicant Jeffrey Fishman explained that the applicants wanted to enhance an area of Farmington Hills which unfortunately over the last 15 years has struggled. He made the following points:

- They had owned the building at 23700 Orchard Lake Road since the 1970's.
- The building was a significant financial burden, with yearly losses for the last 15 years. This is not sustainable.
- They were open to options for revitalization.
- They were committed to the property and neighborhood.

The site is located on Orchard Lake Road at the southeast corner of Westhill, zoned OS-2. Surrounding uses include: to the north, office; to the east, residential; to the south, banquet facility; to the west, residential.

The property is approximately 13,000 square feet of office space, and is predominantly vacant. The entire area on Orchard Lake Road south of 10 Mile Road has been struggling for some time, with multiple vacancies.

Other properties in Farmington Hills have been rezoned for new uses in order to revitalize.

The 2-story building already has an elevator. They are proposing a conversion into residential units, with additional units to be constructed on the property. The development will conform to the number and type of units prescribed by zoning requirements.

The applicants were proposing a multi-family development, with a building added to the east and another added to the west; they were willing to limit that to comply with ordinance requirements. Again, they wanted to develop what is possible under the zoning ordinance.

They were proposing a multi-family office conversion similar to those successfully completed in surrounding communities. The proposed residential development appeared to be a logical use request, being adjacent to single family residential on two sides. The proposed project would act as a transition between the two neighboring residential areas, with the goal of creating a long-term, financially viable, financially sustainable revitalization project, while respecting the number and type of units as prescribed by zoning district requirements.

Mr. Fishman concluded his presentation.

Referencing his June 8, 2021 written comments, Planning Consultant Arroyo gave the background and review for this request to rezone the property at 23700 Orchard Lake Road from OS-2 to RC-3 in order to redevelop the existing building to a multi-family use and add additional buildings, for a total of 32 units.

Surrounding zoning districts included OS-2 to the north and south, OS-1 further to the south, RA-3 to the east, and R-1 (City of Farmington) to the west.

Planning Consultant Arroyo made the following points:

- The Master Plan designates this site and its neighbors along Orchard Lake Road as Small Office on the Future Land Use Map, which is consistent with its current zoning. This is not part of any special planning area.
- Regarding the question of whether the development of the site under the proposed zoning district will be able to meet zoning district requirements, the concept plan included in the application package appears to contemplate a number of units that cannot be accommodated with the site's acreage, given that efficiency units are not permitted to constitute more than 15 percent of the units on a given site, per Section 34-2.5.2.F. Furthermore, the concept design does not meet several dimensional and locational standards of the ordinance. However, it may be possible to develop the site in keeping with the standards of the RC-3 district with an appropriate design and unit count.
- An important question to answer when seeking to rezone a property is: *Would granting the request result in the creation of an unplanned spot zone?* Spot zoning is the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area, for the benefit of a single property owner and to the detriment of others. Typically, to determine if a rezoning would constitute spot zoning a municipality would look to answer three questions:
  1. *Is the rezoning request consistent with the Master Plan for the area?* As already explained, this request is not consistent with the Master Plan.
  2. *Is the proposed zoning district a logical extension of an existing zoning district in the area?*  
There is no multiple family zoning in the vicinity.
  3. *Would approving the request grant a special benefit to a property owner or developer?*  
The new zoning classification would permit the redevelopment of the property as a multiple family project in an area otherwise occupied by small office and single family residential uses. No other property in the area would have this benefit.

Planning Consultant Arroyo concluded his review.

In response to a question from Commissioner Schwartz, Planning Consultant Arroyo explained that a Master Plan review and update was scheduled for 2022. It could be started before that, however.

In response to a question from Commissioner Varga, Planning Consultant Arroyo said that the submitted concept plan was not in conformance with the existing or proposed zoning districts.

Commissioner Varga commented that while the Commission will be looking at the corridors that are struggling during Master Plan review, that had not yet been done. She suggested that the proponent take more time with his architect to consider how this proposal could best be submitted to the Commission at a future date.

Vice Chair Countegan opened the public hearing.

Timothy Tutak, 30837 Westhill, said that he had spoken to a number of residents on Westhill Drive, and for the most part people in the neighborhood were opposed to the requested rezoning of this property. He understood that the property represented a negative financial situation for the owner, especially with COVID pandemic issues. However, it did appear that a few new businesses had moved into this property. In any event, at least half of the Westhill residents felt negatively about this proposal.

Chris Arms, 31209 Westhill, said that his main concern, in addition to what Mr. Tutak said, was the banquet hall on the south side of the subject site. He could not imagine trying to encourage tenants to live at this location, due to the noise and traffic at the banquet hall during the summer wedding season.

Seeing that no other public indicated they wanted to speak, Vice Chair Countegan closed the public hearing and asked the applicant if he wanted to address the concerns raised by the public.

Mr. Fishman said that he appreciated the opinions of homeowners on Westhill Street, and he would work with them in every way possible to get to a project that would work. He was also open to other revitalization ideas. They had felt that residential would be a good transition option for the property, given the high priority being placed on residential properties in the Detroit area.

Vice Chair Countegan brought the matter back to the Board.

**MOTION by Orr, support by Trafelet**, that the Planning Commission recommend that City Council deny Rezoning Request 1-2-2021 petitioned by Jeffrey Fishman, to rezone 23700 Orchard Lake Rd., parcel 23-26-151-025, from OS-2, Planned Office District to RC-3, Multiple Family Residential District, for the following reasons:

1. The proposed district does not conform to the Master Plan for Future Land Use and would be in conflict therewith.
2. The proposed zoning represents a form of spot zoning.

Commissioner Mantey said that while he found the submitted concept plan intriguing, the rezoning request would clearly be spot zoning and should not move forward. He agreed with other Commissioners that the Master Plan review and update should begin as soon as possible.

Commissioner Brickner agreed that the Commission could not approve this spot zoning request. Approving an application that would result in a spot zone could cause the City to lose the ability to deny spot zoning in the future.

Commissioner Varga said the Commission was constrained by the fact that this request would result in spot zoning. She suggested the applicant potentially explore opportunities with the banquet hall next door or join with other businesses on Orchard Lake Road who were having similar difficulties.

Commissioner Turner said he opposed this request because the proposed density was too high. Vice Chair Countegan explained that while the RC-3 zoning district did have maximum density levels, tonight the discussion was whether the suggested land use is appropriate.

Commissioner Schwartz made comments explaining that if tonight's proposal was denied, it did not mean that the City and Commission would not continue to work with Mr. Fishman. The challenges regarding the property were not falling on deaf ears.

Vice Chair Countegan called the vote.

Roll call vote:

Yeas:	Brickner, Countegan, Mantey, Orr, Schwartz, Trafelet, Turner*, Varga
Nays:	None
Absent:	Stimson
Abstentions:	None

**MOTION carried 8-0.**

\*While Mr. Turner voted *Nay* during the roll call vote, during Commissioners' Comments, Commissioner Turner indicated that he had intended to vote against this request, and would like his vote changed to *Yea*, and the record should be clarified to indicate this.

Vice Chair Countegan encouraged Mr. Fishman to work with the Commission during future Master Plan review, when the Commission will be looking at options for land use for the properties along this corridor.

## **REGULAR MEETING**

### **A. LOT SPLIT 4, 2021 (Final)**

LOCATION:	33777 Nine Mile Rd.
PARCEL I.D.:	23-33-226-018
PROPOSAL:	Split parent parcel into four lots in a RA-4, One Family Residential District
ACTION REQUESTED:	Lot Split approval
APPLICANT:	Terry Sever
OWNER:	ISOQA Properties, LLC

Referencing his June 7, 2021 written comments, Planning Consultant Arroyo gave the background and review for this request for a lot split for the 1.78 acres at 33777 Nine Mile Road, zoned RA-4. The split would result in four parcels, with parcels A, B, and C having 8,680 square feet and fronting on Bostwick Place, and Parcel D having 51,911 square feet and fronting on 9 Mile Road.

The parcel is located just south of 9 Mile Road, and just south of the M-5 freeway. The City of Farmington's DPW facility is located immediately across 9 Mile Road. The City of Farmington's land uses are more commercial in nature north of 9 Mile Road; south of 9 Mile in the City of Farmington Hills the land use is mostly residential.

At present, the site has frontage on both Nine Mile and Bostwick, and is accessed via one driveway from Nine Mile. The proposed split would maintain the existing Nine Mile access point and lead to the creation of three additional driveways onto Bostwick.

The rear setback of the RA-4 district is not met for the existing home on this site. However, the applicant has submitted a statement warranting that the home will be removed, and therefore this is not an impediment to the split.

Regarding the *Subdivision of Land Ordinance 27-110(2)(e), Compatibility with Existing Parcels*:

- a. The parcels will meet the standards of the ordinance.
- b. The proposed new parcels will have frontage relationships generally consistent with other commercial development in the vicinity. The three Bostwick-facing parcels are similar in size to the other parcels at this end of Bostwick Place.
- c.
  1. These parcels appear broadly consistent with the development pattern in the area. All four parcels meet the required 4-to-1 depth-to-width ratio.
  2. It does not appear that the proposed division will result in an incompatible relationship with surrounding parcels.
  3. The site is not impacted by any natural features and is generally flat.
  4. The requested split is substantially aligned with the prevailing development pattern in the area.

Planning Consultant Arroyo concluded his review, and Vice Chair Countegan invited the applicant to give his presentation.

Terry Sever, White Lake MI, was present on behalf of this request for a lot split and said he agreed with the review comments.

Mr. Sever asked that the Commission reconsider the requirement to dedicate the additional 27 feet for a proposed right-of-way, and instead require an easement only. It was highly unlikely the City will construct a road improvement in this area, and by dedicating the additional 27 feet as opposed to a road easement, the City in effect is adversely affecting the property by devaluing it, rendering certain types of development, such as a site condo development, more difficult.

Planning Consultant Arroyo explained that this issue of requiring a dedicated right-of-way on City roads was scheduled to be discussed during Master Plan review.

Commissioner Orr asked if proposed lots B and C were moved to the right (east), would the setback for the house be met? Mr. Sever thought there was a restriction on Outlot A. In any event, the owner wanted to demolish the existing home for redevelopment opportunities.

**MOTION by Schwartz, support by Trafelet**, that Final Lot Split 4, 2021, submitted by Terry Sever, be approved because it appears to meet applicable provisions of Chapter 34 “Zoning” and of Chapter 27, “Subdivision of Land”, of the City Code, and will result in land parcels which are generally compatible with surrounding lots in the area; and that the City Assessor be so notified, subject to the following conditions:

1. Demolish existing single family home on Parcel D.
2. Obtain engineering approval, including for the dedication of the remaining 9 Mile Road right-of-way.

Roll call vote:

Yeas:	Brickner, Countegan, Mantey, Orr, Schwartz, Trafelet, Turner, Varga
Nays:	None
Absent:	Stimson
Abstentions:	None

**MOTION carried 8-0.**

**B. PUD Qualification 2, 2021**

LOCATION:	South side of Northwestern Hwy. between Greening Street and Highview Avenue
PARCEL I.D.:	23-02-106-001, 002, 003, 005, 006, 007, 012, 013, 015, 016; 23-02-104-001, 004, 005; 23-02-102-002, 003, 004, 005, 013
PROPOSAL:	One 4-story, 250-unit apartment building and one 3-story 66-unit walk-up multiple family building in the B-3 General Business, RA-4 One Family Residential, OS-1 Office Service, and P-1 Vehicular Parking zoning districts
ACTION REQUESTED:	Preliminary PUD Qualification
APPLICANT:	Farmington Hills Lofts, LLC, Matt Shiffman
OWNERS:	Ruth C. Langan, Trust and Ten Kids LLC

John Ackerman, Atwell, Southfield, MI was present on behalf of this request for preliminary PUD Qualification. Matt Shiffman and Tom Herbst, ADG Development, and Brad Lutz, Humphreys & Partners, were also present.

Utilizing a PowerPoint presentation, Mr. Ackerman explained that the subject site was the old Langan bowling alley site combined with some property to the south, and was located in a gateway into the City from the primary intersection of Northwestern Highway and Orchard Lake Road. The southern portion of the site included natural features connecting to the golf course to the south, with commercial frontage along Northwestern Highway and Orchard Lake Road.

Mr. Lutz described the proposed plan, showing a 4-story residential building at the north end of the site, with an urban, walkable scale to the building, and with streetscape improvements and close proximity to nearby commercial and retail areas. A 3-story single-family building would be located to the south. The 4-story building would have 250 units; the 3-story building would have 66 units.

Most of the amenities will be located at the northwest corner of the site, with lighted evening activity centers, along with 3 courtyards, a pool, fitness center, and dog park.

Mr. Lutz showed representative graphics of the different components of the site plan, including the 4- and 3-story buildings, the greenscape, and common space interiors.

Their intention was to bring an intensity of residents to liven up this property, while providing a strong connection to adjacent complementary uses.

Mr. Ackerman made the following points:

- This was a quality urban infill project, for a property that has been vacant for some time.
- The high class building will act as a gateway for the City.
- Removal of curb cut to Northwestern.
- Greening Street improvements, including:
  - Right-of-way dedication
  - Road improvements
  - Quality streetscape
- Pedestrian scale improvements – enhancing the walkability of area.
- Quality design drives the price point for leases on this property.
- Target demographics – young professionals.

Regarding PUD qualification, Mr. Ackerman stated the following:

- The quality of the buildings, site improvements and amenity options cater to a business professional demographic.
- Density is required for a successful development.
- Traffic improvements.
- Development acts as a transition from intensity of uses.
- Greening Street improvements and additional street paving will be completed as part of the project. A curb cut will be removed from Northwestern; traffic entering the interior of the site will come in through side streets.

Mr. Ackerman continued that parking will be internal to the site via a shielded 4-story parking structure, with no parking pavement on Northwestern or Greening.

The applicants concluded their presentation.

Referencing his June 8, 2021 written comments, Planning Consultant Arroyo gave the background and review for this request for preliminary PUD qualification, and explained the PUD process as outlined in the Zoning Ordinance.

The site is currently zoned a mix of B-3 General Business/RA-4 One Family (8,500 sq ft)/OS-1 Office Service/P-1 Parking. The site consists of 6.226 acres of private property, plus an additional 1.12 acres of right-of-way, for a total of 7.238 acres. The northern end of the site is occupied by two commercial buildings and a house; the rest of the site is vacant. The Fordson Road and Rexwood Street rights-of-way on the site are not developed as roads; the Mulfordton Street right-of-way is a gravel road. The southeastern corner of the site is crossed by a drain.

The site is proposed to be accessed from Greening Street and Highview Avenue; driveways directly to Northwestern Highway would be closed.

This property was part of the proposed historical PUD (PUD 4, 2000) covering a large area south of the Northwestern Highway/Orchard Lake Road area, but the subject site was not included in the final boundary of the approved PUD. Therefore, that PUD does not apply to the property.

#### PUD qualification

Under Section 34-3.20.2, the Planning Commission may make a determination that the site qualifies for a PUD based on the following criteria and procedures. In order for a zoning lot to qualify for the Planned Unit Development option, the zoning lot shall either be located within an overlay district or other area designated in this chapter as qualifying for the PUD option, or it must be demonstrated that all of the following criteria will be met as to the zoning lot:

1. The PUD option may be effectuated in any zoning district.
2. The use of this option shall not be for the sole purpose of avoiding the applicable zoning requirements. Any permission given for any activity or building or use not normally permitted shall result in an improvement to the public health, safety and welfare in the area affected.

*The proposed use—apartments—is not permitted in the B-3, P-1, OS-1, or RA-4 districts, though much of the site is planned for multiple-family residential on the Future Land Use map.*

3. The PUD shall not be utilized in situations where the same land use objectives can be accomplished by the application of conventional zoning provisions or standards. Problems or constraints presented by applicable zoning provisions shall be identified in the PUD application. Asserted financial problems shall be substantiated with appraisals of the property as currently regulated and as proposed to be regulated.

*The applicant is proposing significantly more density than is permitted in any of the three RC multiple-family districts (more than twice the permitted density of the RC-3 district).*

*The applicant should be prepared to discuss the rationale behind the proposed density with the Planning Commission.*

4. The Planned Unit Development option may be effectuated only when the proposed land use will



not materially add service and facility loads beyond those contemplated in the Future Land Use Plan unless the proponent can demonstrate to the sole satisfaction of the city that such added loads will be accommodated or mitigated by the proponent as part of the Planned Unit Development.

*The number of apartment units proposed on the site clearly exceeds the number of units that could be built under other multi-family zoning; the site's current mixed zoning designation supports commercial uses with a wide array of traffic demands as well, though at a fairly small scale. Given the large number of units, the applicant should provide a traffic study to compare the likely traffic volume from this development to potential development on the site as zoned. The complex would utilize side street access points; it should be noted that these connections will provide egress to Orchard Lake Road as well as Northwestern Highway. The applicant's narrative notes that Greening Street will be improved, with additional right-of-way dedicated. Are improvements to Highview also considered as part of this project?*

The Planned Unit Development must also meet, as a minimum, one of eight objectives listed in the ordinance. The applicant's narrative addresses 3 objectives, as follows:

- iv. To provide alternative uses for parcels which can provide transition buffers to residential areas.

*The applicant notes that this use provides a transition from the Northwestern Highway corridor to uses to the south.*

- v. To guarantee the provision of a public improvement which could not otherwise be required that would further the public health, safety, or welfare, protect existing or future uses from the impact of a proposed use, or alleviate an existing or potential problem relating to public facilities.

*The applicant's narrative cites improvements to Greening Street, including the dedication of additional right-of-way as a public improvement. As noted above, Highview Avenue is not addressed in discussion of the qualification criteria.*

- vii. To foster the aesthetic appearance of the city through quality building design and site development, the provision of trees and landscaping beyond minimum requirements; the preservation of unique and/or historic sites or structures; and the provision of open space or other desirable features of a site beyond minimum requirements.

*The applicant cites high-quality architecture as meeting this criterion; examples of the type of materials and design are not provided.*

#### Conceptual Site Plan and Use:

Summary of Proposed Use. The Planning Commission is not assessing the site plan in detail this evening. However, the conceptual plans and illustrations provided by the applicant provide an indication of the type of site plan the Commission can expect if preliminary qualification is granted. The applicant is proposing to construct two apartment buildings with 250 units in a northern building with a parking deck and 66 units in a small southern building. Access to the site would be from Greening Street and Highview Avenue; driveways directly to Northwestern Highway would be closed. The plan would require vacation of the Fordson, Rexwood, and Mulfordton rights-of-way.

Density. The total site is 7.238 acres, or approximately 315,000 square feet. Density is determined by the number of rooms, as outlined in the ordinance and in the review memorandum. The applicant proposes 312 units (155 one-bedrooms, 135 two-bedrooms, 26 three-bedrooms) with a total of 819 rooms, based on ordinance standard. Under conventional zoning, 300 rooms could be constructed in an RC-3 District property of this size. RC-3 is the City's most dense district. 225 rooms could be constructed in an RC-2 district and 165 rooms could be constructed in an RC-1 district.

Master Plan. The master plan's Future Land Use map designates the portion of the site zoned B-3 as Non-Center-Type Business, and the remainder as Multiple-Family Residential. The B-3 portion of the property is consistent with these designations; the rest of the property is not. The portion of the property not zoned B-3 is designated High Density, consistent with the RC-1, RC-2, and RC-3 districts, on the residential density map.

Special Planning Area. The site is part of the Northwestern Highway & Orchard Lake Road (No. 1) mixed use planning area. This designation includes the following specific goals and policies:

1. Take into account the approved PUD Plan for this area. *This has been provided by the applicant.*
2. Encourage redevelopment of the entire Farmington Heights Subdivision as a mixed-use development that could be similar to a central business district. Include the major road business frontages in the redevelopment as much as possible.
3. Provide significant transition/buffer adjacent to existing condominiums to the south and group care facility if they remain.
4. Encourage non-motorized access alternatives with connections to the east
5. Promote mixed-use development, including increased height limit, for the entire area under a unified plan, provided that:
  - Changes would be permitted only if most properties are involved and that no isolated one-family residential uses remain. Include the two existing multiple-family developments if possible.
  - Intensity of uses allowed by increasing heights is in proportion to the amount of land included in the development.
  - Bike paths and/or sidewalks are installed to provide non-motorized access throughout the area.
  - Pedestrian friendly environments are created including landscaping, walks, trees, shrubs and street furniture.

The relationship of this proposal to adjacent sites is important. Several areas to the west and south are conceptually shown by the applicant, although their development future is unknown. If the City allows a fairly high level multiple-family density in the area, it needs to support nearby local businesses, many of which are suffering along this corridor. The idea of introducing more residential could be attractive in terms of supporting the businesses.

The Commission did not have to determine that they are pleased with the density tonight, but rather they need to determine if the PUD is an appropriate mechanism for developing this property, including as a way to provide more rooftops to support local businesses. Final density can be decided at a later date, should the project move forward. Bike and pedestrian amenities will be critical at this location.

Planning Consultant Arroyo reviewed the requirements of the underlying district, as listed in his review memorandum. Again, this was a request for preliminary qualification for a PUD, with more approval steps yet to follow.

Planning Consultant Arroyo completed his review.

In response to questions from Commissioner Schwartz, City Attorney Schultz explained that the PUD option was, as stated, an optional form of development. The Commission was not obligated to make any particular finding of compliance. The Ordinance allowed the applicant to submit to City Council without the Planning Commission's positive recommendation.

The PUD option offered the Commission the ability to make a discretionary determination. However, if under the Statute the project met the requirements for preliminary determination, the Commission should make that finding. Discretion will come with review of the actual PUD application.

In response to questions from Commissioner Brickner, City Planner Stec went over the boundaries of the property, including the Greening Road right-of-way, now owned by the City.

Commissioner Brickner noted that the Commission had seen many plans for this site that fizzled over time. Did this plan have "legs"?

Mr. Shiffman gave some of the history of the property, and of this proposal. The current developers were fully under contract, and had invested significant funds into this project. They were committed to it, and hoped to provide the reality of putting a shovel in the ground.

Vice Chair Countegan said that he supported this project going through the PUD process. It was important for the Commission to have a big picture of this development as it integrated into its surrounding community. Tonight's action would initiate a process, not approve a plan. The PUD process was a deliberative one.

The Commission discussed this project in relationship to direction received by City Council during a recent study session, in that the proposed plan provided for a younger demographic, was upscale and modern in scope, was nontraditional in that it did not fit under regular zoning requirements but did fit in a special planning area.

Commissioner Schwartz asked the applicants to answer 4 questions:

- 1) Why were the units rental rather than condo units?
- 2) Why did young professionals want an apartment next to Northwestern Highway?
- 3) What happens to the economics of the development if the northern building is 3 stories and not 4?
- 4) Is there a way to significantly reduce the number of rooms? This proposal is almost 3X the density as the City's densest conventional zoning district.

The applicants explained that trending demographics and demand in this metropolitan area called for rental units. Until young professionals settled down with families, they were averse to the debt that came with home ownership. Often this demographic did not own cars but used uber or bicycles to get around. The developer's forecast was that upscale rental units in this specific area would do very well, as the location was complementary to the amount of business up and down the Orchard Lake Corridor as well as provided easy access to downtown Detroit. The project should be a "home run" for the targeted demographic.

Regarding the traffic on Northwestern Highway, this development provided its amenities internal to the site or via side streets. Only a handful of amenities will front on the highway.

It was not economically possible to reduce the northern building to 3 stories. A certain price point had to be achieved in order to accommodate the quality construction for this multi-million dollar project.

At a future meeting the applicants would show visually why this project is so costly to build in order to meet the needs of the targeted demographic. Density was driven by the cost factor.

Commissioner Mantey commented that this project and discussion brought the Commission back to the need to update the Master Plan.

Commissioner Mantey referred to standard v., which said in part: . . . *to guarantee the provision of a public improvement which could not otherwise be required that would further the public health, safety, or welfare* . . . Commissioner Mantey asked the applicants to think about the proposed 400-car structure and how that would be impacted when electric cars could not be charged there. Perhaps the wiring could be provided, even if charging stations were not actually constructed.

Commissioner Mantey also suggested that a bike trail along the sidewalk would provide a benefit for the greater community.

Vice Chair Countegan indicated he was ready to entertain a motion.

**MOTION by Brickner, support by Turner**, to make a preliminary finding that PUD Qualification 2, 2021, dated May 12, 2021, submitted by Matt Shiffman of Farmington Hills Lofts, LLC qualifies for the Planned Unit Development Option under Section 34-3.20.2.A through D. It is further determined that the proposal meets at least one of the objectives as outlined in Section 34-3.20.2.E.i. thru viii., and that it be made clear to the petitioner that final granting of the P.U.D. plan and contract requires approval by City Council, after recommendation by the Planning Commission.

- The proposed plan preliminarily meets the following qualification standards of Section 34.3.20.2.E.i. thru viii:
  - iv. To provide alternative uses for parcels which can provide transition buffers to residential areas.
  - v. To guarantee the provision of a public improvement which could not otherwise be required that would further the public health, safety, or welfare, protect existing or future uses from the impact of a proposed use, or alleviate an existing or potential problem relating to public facilities.
  - vi. To foster the aesthetic appearance of the city through quality building design and site development, the provision of trees and landscaping beyond minimum requirements; the preservation of unique and/or historic sites or structures; and the provision of open space or other desirable features of a site beyond minimum requirements.

Yeas:	Brickner, Countegan, Mantey, Orr, Turner, Varga
Nays:	Schwartz, Trafelet
Absent:	Stimson
Abstentions:	None

**MOTION carried 6-2.**

**C. SITE PLAN 59-4-2021**

LOCATION: 23400 Haggerty Road  
PARCEL I.D.: 23-30-101-021  
PROPOSAL: Addition to existing building in LI-1, Light Industrial District  
ACTION REQUESTED: Site Plan approval  
APPLICANT: Glenn Pavey  
OWNER: 23400 Partners, LLC

Referencing his June 7, 2021 written comments, Planning Consultant Arroyo gave the background and review for this request for a single story 36,968-square-foot addition to an existing 128,532-square-foot building. A portion of the existing building will be demolished for replacement by the addition, which is 150% larger than the portion to be demolished.

The only outstanding issue applied to the minimum parking requirement (34-5.2.11.D.iii). For industrial uses, usable floor area can be calculated as 90% of gross floor area. Landbanking indicated on the plan appears to be acceptable. The Planning Commission should make a determination that the applicant has or has not submitted substantial evidence showing that the parking needs of the specific occupant will be less than would be required by the ordinance and that landbanking is or is not appropriate. An agreement approved by the City Attorney is required for landbanking. The Planning Commission should further consider whether it would be appropriate to require the installation of end islands at this time.

Glen Pavey, 23400 Haggerty Road, explained that this building has been occupied for many years by tenants who were moving out later this year, and a new tenant, MacLean-Fogg, a Tier 1 automotive supplier, would like to use the space for light manufacturing of their product (lug nuts).

The project will remove an obsolete, vacant building on site and add the addition, at the same height and same floor level of the existing building.

Vice Chair Countegan brought the matter back to the Commission.

**MOTION by Brickner, support by Schwartz**, that Site Plan 59-4-2021, dated May 17, 2021, submitted by Glenn Pavey, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the landbanking of 31 parking spaces, as shown.

Commissioner Orr asked how the building's temperature will be maintained. Mr. Pavey said there were two interior heaters. This was not a cooled building.

Roll call vote:

Yeas: Brickner, Countegan, Mantey, Orr, Schwartz, Trafelet, Turner, Varga  
Nays: None  
Absent: Stimson  
Abstentions: None

**MOTION carried 8-0.**

**D. SITE PLAN 60-5-2021**

LOCATION: 29300 Grayfield Drive and vacant easterly and westerly adjoining parcels  
PARCEL I.D.: 23-25-301-019, 020 & 021

PROPOSAL: Multiple-family development in RC-2,  
Multiple-Family Residential District  
ACTION REQUESTED: Site Plan approval  
APPLICANT: Djon Stanaj  
OWNER: Djon Stanaj

Referencing his June 7, 2021 written comments, Planning Consultant Arroyo gave the background and review for this request for site plan approval for an application to construct a small apartment complex consisting of three buildings with 32 total units. All development was proposed to occur outside the 100-year flood hazard area on this site, except for two small areas of parking and maneuvering lane.

The 3.67 acre parcel is zoned RC-2 multiple-family residential and is currently undeveloped. The property is located on the north side of Grayfield Drive, just east of Middlebelt. The Rouge River comes through on the eastern part of the site and provides a natural buffer there.

Outstanding issues included:

Barrier Free Parking. For 64 spaces, three handicap parking spaces, including 1 van accessible space, are required. The plan shows three marked spaces; there is a fourth spot marked as “van accessible” but not marked handicap; one of the handicap space designations should be moved to the van accessible space.

Screening (34-5.14.6). Where an RC district abuts and RA district, as this site does on the east side, a landscape buffer is required. In the case of this lot, an extensive 100-year floodplain that is already heavily vegetated is present and proposed to remain undisturbed. The Planning Commission may choose to accept this as fulfilling the required screening.

Lighting (Section 34-5.16). A lighting plan has been provided. However, the plan provides inadequate information to check compliance with certain standards and should be revised. It is not clear whether the acorn fixture depicted on the plan meets the cutoff requirement of the ordinance. One of the fixtures (by the eastern driveway) also appears to be mislocated on the lighting plan.

Pedestrian Connection (Sec. 34-5.19). No sidewalk is present in the right-of-way at present, and none is proposed. A sidewalk on this property would not connect to the sidewalk on Middlebelt Road, as there is no Grayfield sidewalk on the property to the west. The plans do show a five-foot easement for a future sidewalk; we defer to engineering regarding potential construction of a sidewalk. Internal sidewalks have many areas where the width is reduced to less than five feet.

Landscape Development (34-5.14). The applicant is providing a buffer to single family uses south of the site across Grayfield Road, and proposes to use the existing heavy vegetation in the riparian zone on the east side of the property as screening to the single family uses to the east. The Planning Commission should consider whether this buffer is sufficient; if it finds the buffer to be sufficient, a waiver to the requirements should be granted as part of a motion to approve.

Planning Consultant Arroyo concluded his review.

Djon Stanaj, 29300 Grayfield Drive, said he would be happy to answer any questions about this project.

Vice Chair Countegan noted that the site plan and the landscape plan were actionable as a bundle.

Commissioner Trafelet pointed out that the Fire Marshall's May 28 letter said he was unable to approve the plan as submitted.

Vice Chair Countegan suggested that a motion include Fire Marshall approval as a condition.

**MOTION by Orr, support by Trafelet**, that Site Plan 60-5-2021, dated May 18, 2021, submitted by Djon Stanaj, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the following conditions:

1. Revised plans addressing the items identified in the 6/7/21 Giffels Webster report be submitted for administrative review, including:
  - a. Lighting details are revised/added to show compliance with minimum standards
  - b. Tree labels in plant list are corrected
2. Plans are revised to correct issues identified in the 6/28/21 Fire Marshal review report

And with the determination that:

The existing vegetation along the eastern property line meets the buffering requirement of Section 34-5.14.

Roll call vote:

Yeas:	Brickner, Countegan, Mantey, Orr, Schwartz, Trafelet, Turner, Varga
Nays:	None
Absent:	Stimson
Abstentions:	None

**MOTION carried 8-0.**

**APPROVAL OF MINUTES** May 20, 2021 and May 27, 2021

**MOTION by Orr, support by Trafelet**, to approve the minutes of the May 20, 2021 and May 27, 2021 meeting as published.

Yeas:	Brickner, Countegan, Mantey, Orr, Schwartz, Trafelet, Turner, Varga
Nays:	None
Absent:	Stimson
Abstentions:	None

**MOTION carried 8-0.**

**PUBLIC COMMENT**

None

**COMMISSIONERS' COMMENTS**

Commissioners discussed items of interest:

- Asked for Staff to look at the landscaping at the new building at Drake and 12 Mile Road, specifically along the sidewalk where there were chokeberries and trash trees.
- Asked for the status of the development on the east side of Orchard Lake Road south of the expressway. City Attorney Schultz said the property was in litigation.
- Grand opening and ribbon cutting for the HAWK – no invitations received; it appeared only general invitations to the public went out.

Commissioner Turner asked the record to reflect that he wanted to vote Yea on the motion to deny on the first agenda item this evening: Rezoning Request 1-2-2021, 23700 Orchard Lake Road.

The Commission discussed the presentation and discussion at last Monday's City Council joint study session, and the need to move ahead with the Master Plan review and update.

Commissioner Schwartz listed three areas of interest for response to the City Council study session, and Master Plan review:

- 1) Incentivizing re-use of major office buildings that may go dark, such as those on 12 Mile Road. The Covid 19 pandemic has potentially changed the future of office buildings, as well as retail uses.
- 2) Start the Master Plan review and update process sooner than later. Perhaps one or two study sessions could be scheduled monthly, in order to review current ordinances. The Commission especially needs to review the PUD ordinance.
- 3) Provide information to Council regarding what the market has been telling the Commission, including information on demographics.

Several Commissioners believed that Council wanted the Commission to direct development in a different direction than the projects most recently approved. For instance, Council felt there were too many senior living projects. Could a market study for the City be funded that addressed future development/demographic trends?

On the other hand, the Commission could only react to projects that came in for review. The City was not a developer.

City Attorney Schultz suggested that discretionary projects, wherein the Commission had the right to apply discretionary standards, should be re-evaluated. The legislative body (Council) and the appointed body (Planning Commission) needed to be on the same page as to how discretionary standards were applied. A common and commonly understood vision and understanding of ordinance intent should guide the Commission. The Commission was not obligated to approve plans that came in under discretionary approval standards.

Commissioner Turner strongly suggested redeveloping some of the office spaces along 12 Mile Road by pulling the structures closer to 12 Mile Road, and putting the parking in the rear. Currently the view was of large areas of asphalt.

Vice Chair Countegan spoke strongly to the point that the Commission does a great job dealing with projects that come to the Commission, and had proven itself open to greater height, greater density, applying a good understanding of land economics, and in general pushing the envelope to welcome nontraditional development to the City.



After discussion, the consensus of the Commission was to meet in study session prior to the July 15 meeting, starting at 6:00 pm.

**ADJOURNMENT:**

**MOTION by Brickner, support by Orr,** to adjourn the meeting at 9:58 pm.

Roll call vote:

Yeas:	Brickner, Countegan, Mantey, Orr, Schwartz, Trafelet, Turner, Varga
Nays:	None
Absent:	Stimson
Abstentions:	None

**MOTION carried 8-0.**

Respectfully Submitted,  
John Trafelet  
Planning Commission Secretary

/cem