

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION REGULAR MEETING
31555 W ELEVEN MILE ROAD
FARMINGTON HILLS, MICHIGAN
JANUARY 21, 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 Chair Stimson 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
- Mantey, City of Farmington Hills, Oakland County, Michigan (arrived 7:32 pm)
- Orr, City of Farmington Hills, Oakland County, Michigan
- Schwartz, City of Farmington Hills, Oakland County, Michigan
- Stimson, City of Farmington Hills, Oakland County, Michigan
- Trafelet, City of Farmington Hills, Oakland County, Michigan
- Turner, City of Farmington Hills, Oakland County, Michigan

Commissioners Absent: None
 One vacancy

Others Present: City Planner Stec, City Attorney Schultz, Planning Consultants Arroyo and Tangari, Staff Engineers Mark Saksewski and Natasha Sonck

APPROVAL OF AGENDA

MOTION by Brickner, support by Countegan, to approve the agenda as submitted.

Roll call vote:

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

MOTION carried 7-0.

REGULAR MEETING

A. PUD Qualification 2, 2020

- LOCATION: 31525 Twelve Mile Rd.
- PARCEL I.D.: 23-15-201-270
- PROPOSAL: Convert existing hotel into a senior living complex in the ES, Expressway Service District

ACTION REQUESTED: Preliminary PUD Qualification
APPLICANT: Manor Senior Living, LLC
OWNER: 31525 W 12 Mile Rd. MI, LLC

Referring to his January 11, 2021 memorandum, Planning Consultant Tangari gave the review for this request for Preliminary PUD Qualification, an application to convert an existing hotel into a senior living complex at 31525 12 Mile Road.

- The 4.96 acre site is zoned ES Expressway Service, and is currently developed with a three-story hotel with access to 12 Mile Road via a single driveway.
- To the north is B-4 zoning, to the east is ES zoning, to the south is the I-696 interchange, and to the west is RC-2 zoning, with a multi-family development.

Planning Consultant Tangari reviewed the criteria for PUD qualification, as found in Section 34-3.20:

- The PUD option shall not be for the sole purpose of avoiding the applicable zoning requirements.

The applicant is proposing to convert a use that is permitted in the ES district with one that is not, while leaving the existing building mostly intact. Much of the pavement on the site is proposed to be removed as parking on the site is reduced. The applicant notes that the hotel use is not financially sustainable, the proposed use will result in less traffic than the existing use, and there will be an increase in green space on the site.

- 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 to convert an existing building that appears to be conforming with the underlying district standards from a permitted use in that district (a hotel) to a use not typically permitted in that district (senior housing). This use or a similar use is permitted in the SP-5 district ("centers for elderly care and services"), as regulated in Section 4.20.3, and in the SP-1, RC-1, RC-2, and RC-3 districts, as regulated in Section 4.17 ("Convalescent homes or orphanages").

The applicant notes that the proposed project exceeds the maximum permitted density of the RC-3 district, which is the densest of the other districts that permit similar uses (1,050 square feet of land per room versus 995 square feet provided), that the site does not provide the required open space for the SP-5 district (217,000 square feet required versus 166,029 square feet provided), that the building height exceeds that permitted in the other districts, and that the proposed use will seek relief from the parking requirements for the use in order to provide fewer spaces. Variances would be required to permit the project as proposed under conventional zoning.

- 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.

This standard appears to be met.

- The Planned Unit Development must meet, as a minimum, one of the eight objectives listed in this section. The applicant believes they have met the following objectives:
 - ii. To permanently establish land use patterns which are compatible or which will protect existing or planned uses.
 - iv. To provide alternative uses for parcels which can provide transition buffers to residential areas.
 - 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.
 - viii. To bring about redevelopment of sites where an orderly change of use is determined to be desirable.

The applicant's narrative directly addresses the objectives as listed. It appears that the plan could address objectives ii., iv., vii., and possibly iii. and viii.

Objectives ii and iv: The site's location between a multi-family development and heavy commercial development suggests that objectives ii and iv may be addressed by the transition of this site from a commercial use to a senior care use. The applicant cites the buffering effect of the proposed use on the multi-family use to the west, and the lack of detriment to neighboring commercial uses.

Objective vii: Objective vii appears to be addressed by the large areas of the site shown converting from paved parking to open space. The applicant notes that landscaping is being proposed beyond requirements. However, the open space requirements of the SP-5 District, a district that permits the proposed land use, are not met.

Objective viii: The reuse of the building leaves intact the most visible aspects of development on the site, while the reduction of pavement and increase in landscaping changes its aesthetic character.

The creation of new open space may assist in addressing objective iii., but it falls short of what would be required in a comparable district that permits the proposed use.

- The PUD shall not be allowed solely as a means of increasing density or as a substitute for a variance request; such objectives should be pursued through the normal zoning process by requesting a zoning change or variance.

The applicant will be seeking relief from several ordinance standards, as summarized above. However, the request for PUD qualification appears to be related as much to the use as to the standards from which the plan deviates.

- Regarding documentation requirements, the applicant has submitted a narrative and conceptual plan, including a breakdown of the number and types of units sought. The narrative provides responses to the PUD objectives of the zoning ordinance.

Conceptual site plan and use

- The conceptual site plan shows 128 units in a senior living complex.

- 205 of the site's 290 existing parking spaces will be removed and replaced with landscaped open space, which will include walking paths and sitting areas for residents.
- The building's exterior is not addressed in the conceptual plan.
- Master Plan designates the site as expressway service.
- It appears that the applicant will be seeking relief from the parking standards for the use; there are several other standards from which variances would be required under conventional zoning, as already noted.
- The concept plan estimates 85 parking spaces, less than the 140 spaces that would typically be required for the use.

Based on the information described, and as noted above, the proposal exceeds the maximum density and does not provide the open space that would be required in the SP-5 district, a district that permits the proposed use.

If the Planning Commission finds that preliminary PUD qualification requirements are met, it should also consider providing the applicant some guidance on allowable density and required open space. If the applicant increases the size of some units, it would lower the density and reduce the open space that would be required based on SP-5 standards. Does this location warrant increased density and reduced open space?

Planning Consultant Tangari concluded his review, and he and City Planner Stec responded to questions from the Commission as follows:

- The PUD could be used by a subsequent property owner.
- Regarding the criterion that the project couldn't move forward under conventional zoning, if the property were rezoned to RC-3 or SP, all the uses as listed in the zoning ordinance under those zoning classifications would be permitted. Rezoning to RC-3 might be possible, because of the RC-2 directly to the west, and the location of this parcel next to the highway interchange.
- However, the project could not get the 128 units requested under the RC-1, RC-2, and SP districts, as the site would have to contain 1000 square feet of open space for each bed in the home under conventional zoning requirements based on that standard.
- The hotel has 227 units.
- The existing private shared parking between the restaurant on 12 Mile and the hotel is not necessary for the restaurant to meet minimum parking requirements, and the parking agreement was therefore not a subject of City oversight.

Commissioner Turner was concerned that this project would require several variances, and the project as presented did not persuasively meet the requirements of a PUD. He was also concerned that there might be asbestos in this building. He pointed out that the Commission was looking at three proposals for senior living this evening, and other approved senior living projects were being constructed nearby.

Commissioner Brickner pointed out that the building was existing, and the proposed use did not represent an intensification of use.

Chair Stimson invited the applicants to make their presentation.

Doug Boehm, Executive Director of Comfort Care Senior Living/Manor Senior Living gave some background of the Comfort Care organization, which was Michigan based, founded in 2013, and

currently managed eight assisted living/memory care communities. They were now moving into the metro Detroit region. The proposed facility would offer studio, one and two bedroom private or semi-private units. He pointed out that the demographics of a 5-mile radius from this site showed a need for 1,041 senior living beds. A third party market study showed an increase from 2019 to 2024 of 6,000 people over age 65.

Mr. Boehm made the following additional points:

- The site provided a good transition from commercial to the east and residential to the west.
- The parking was being reduced because typically residents in senior living facilities did not drive. Parking was primarily for visitors and staff.
- The building's footprint would not change, but improvements would be made to the exterior of the building, including removing the EIFS panels, and using materials such as stone, brick and vinyl. They would work with the City to provide appropriate exterior materials.
- The interior first floor space would also be significantly reconfigured and redeveloped, as shown on the drawings.
- The size of the living units would be 100-200 square feet larger than the normal industry standard, with studios being 300-500 square feet, 1 bedroom units 700-800 square feet, and 2 bedroom units over 1,000 square feet. Pricing would be extremely competitive.
- The entrance would be at the center of the building.
- Significant parking lot cement would be removed, in order to provide green space for the residents including canopy trees and landscape amenities.
- The existing Radisson hotel has one of the lowest room rates in the area; it is not a moneymaker in the hotel industry. This conversion would offer a quality upgrade of the property.
- Mr. Boehm showed interior shots of Brighton Manor, and a 2-minute video of their Sterling Heights facility.

Mr. Boehm concluded his presentation.

Chair Stimson asked if Manor Senior Living had previously converted any hotels to assisted care. Mr. Boehm said they had not, although they had converted a Catholic school.

Commissioner Countegan said the proposal seemed to offer a reasonable re-use of the property, given the trending demographics in Farmington Hills. The project would reduce intensity and provide greater greenspace. The PUD was a reasonable option, as this proposal could not be accomplished under traditional zoning. In terms of the building itself, all building codes and ADA regulations would need to be met.

MOTION by Countegan, support by Trafelet, that the Planning Commission make a preliminary finding that PUD 2, 2020, dated January 6, 2021, submitted by Manor Senior Living, 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., namely ii., iv., vii. and viii., as presented by the proponent, 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.

Commissioner Brickner agreed that the proposed senior facility use could be a better and less intensive than the current motel use. Currently it was difficult to access the site, and having fewer cars would also

reduce that issue. The building would be re-used instead of demolished, and the façade would be upgraded. He supported the motion.

City Planner Stec pointed out that this proposal offered an opportunity for a public benefit to improve access at this corner generally, and he encouraged the applicants to work with the new restaurant on 12 Mile Road as well as the vacant Roberto's restaurant site to the south, in order to potentially share curb cuts and enhance traffic patterns.

Commissioner Brickner said that when the new hotels were approved a few years ago, the Commission knew that competitive pressure would be put on the older hotels in the community. The current proposal was one way to deal with the problem of older hotels in the City.

Roll call vote:

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

Motion carried 8-0.

B. PUD Qualification 3, 2020

LOCATION:	28000 Nine Mile Rd.
PARCEL I.D.:	23-25-401-001
PROPOSAL:	Mixed-use campus for children's housing, school, adult recovery housing, staff housing, independent senior housing, and an assisted living center in an RA-1, One-family Residential District
ACTION REQUESTED:	Preliminary PUD Qualification
APPLICANT:	James T. Pappas, Fusco, Shaffer & Pappas, Inc.
OWNER:	Lutheran Child and Family Services of Michigan

Referring to his January 11, 2021 memorandum, Planning Consultant Tangari gave the review for this request for Preliminary PUD Qualification for a mixed-use campus for children's housing, school, adult recovery housing, staff housing, independent senior housing, and an assisted living center in an RA-1, One-family Residential District at 28000 Nine Mile Road.

Planning Consultant Tangari made the following points:

- The 79.61 acre site is currently developed with the Wellspring Lutheran Services campus, which consists of one- and two-story buildings and athletic facilities, with trails. The campus provides care to children in the foster system with special needs. Much of the campus is wooded, and the Rouge River runs through the southern portion.
- The site is mostly surrounded by RA-1 zoning, with some RA-4 to the south and a combination of RA-1/RA-3 to the west.
- The site is currently accessible from 9 mile road via 3 driveways.

Planning Consultant Tangari reviewed the criteria for PUD qualification, as found in Section 34-3.20:

- The PUD option shall not be for the sole purpose of avoiding the applicable zoning requirements.

The applicant is proposing to expand the campus with multiple new buildings, and expand the residential services it offers on campus to other age groups, including seniors. The existing care facility is a nonconforming use in the RA-1 district. Given that this is a use not typically permitted in the RA-1 district, its expansion is generally prohibited under conventional zoning.

- 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.

It appears that, in addition to the expansion of a nonconforming use, the plan proposes three buildings exceeding the height limit of the RA-1 district. Under conventional zoning, the site supports a maximum of 144 units, though in practice that number may be lower when taking into account the site's natural features and the need for stormwater management systems, roads, and the like. The plan proposes 233 dwelling units/beds; many of these are distinct units, though 40 are assisted living beds, and 32 are beds for children. The proposed use would generally be permitted in the RC-1, RC-2, or RC-3 districts, as governed by Section 34-4.17, and the site contains the required land area per bed in any of these districts. However, it does appear that three buildings in the proposed development exceed the RC district height limit of 30 feet (all three RC districts have this height limit). The applicant has not identified other standards from which relief will be sought.

- 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.

This standard appears to be met. Though the total number of units/beds exceeds the number of single family homes that could be developed on the site, the use is generally a low traffic generator. The applicant should consider providing a trip generation study to compare a plausible single-family development's traffic volume with that of the proposed facility.

- The Planned Unit Development must meet, as a minimum, one of the eight objectives listed in this section. The applicant believes they have met 7 of the 8 objectives: i through vii.
 - To permanently preserve open space or natural features because of their exceptional characteristics or because they can provide a permanent transition or buffer between land uses.
 - To permanently establish land use patterns which are compatible or which will protect existing or planned uses.
 - To accept dedication or set aside open space areas in perpetuity.
 - To provide alternative uses for parcels which can provide transition buffers to residential areas.
 - 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.
 - To promote the goals and objectives of the Master Plan for Land Use.

- 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.

Objectives i, ii, and vii are all addressed primarily via the preservation of large wooded areas around the periphery of the site, with other wooded areas preserved within the site, including in the Rouge floodplain. Wetlands at the northern end of the site are also preserved as part of a 14.5-acre natural habitat sanctuary and preserve. The applicant specifically notes the use of conservation easements to achieve this. The applicant also contends that this preservation furthers objective ii.

The applicant makes the case that objective iv. is met through the placement of the site's educational facilities and the preservation of wooded areas, though we note that, as it is surrounded on all sides by single family uses, the site does not particularly provide a transition from one intensity of use to another in the typical sense.

Regarding objective v, the applicant notes that stormwater management will be improved on the site, the nature preserve at the north end of the site will be accessible to the public, and that the site will be designed to limit energy use.

Regarding objective vi, the applicant calls attention to several master plan goals. The proposal notes that a goal of the master plan is to preserve and protect natural features, and that the plan will do this. The applicant also makes the case that the proposal is substantially aligned with the master plan's goals for Special Residential Planning Area No. 7. The conceptual plan, as presented, does achieve several of the listed goals and policies for this planning area. The applicant also notes that certain portions of the development are grouped in a cluster-like manner, matching the parcel's single-family cluster designation on the Future Land Use Map.

The applicant also believed they met objective 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 PUD shall not be allowed solely as a means of increasing density or as a substitute for a variance request; such objectives should be pursued through the normal zoning process by requesting a zoning change or variance.

In this case, it does appear that relief will be sought from at least one standard of the underlying district, and that density will exceed underlying zoning. However, the plan is also continuing and expanding an existing non-conforming use, so the purpose of the planned unit development is not solely to vary a zoning ordinance standard.

- Regarding documentation requirements, The applicant has submitted a narrative describing the use, addressing the objectives of 34-3.20.2, and a conceptual plan, including a breakdown of the number and types of units sought. A description of how the plan will preserve the site's natural features is also provided.

Conceptual site plan and use

- The conceptual site plan shows a 233-unit/bed residential complex including supportive housing for special needs youth in the foster system, assisted living, staff housing, age-out housing, recovery housing, and independent living units for seniors. The plan also includes a recovery school and recreation facilities for residents. While this plan is not directly under review at this time, it provides some insight into the applicant's intentions for the property. The plan indicates large wooded areas to be preserved, as well as preserved wetlands, and an intention to reduce the three existing driveways to one, aligned with the street across Nine Mile Road.
- The master plan designates the site single family cluster. The residential density map identifies this parcel as low-medium density, which is consistent with current zoning. The Master Plan also identifies this parcel as Special Residential Planning Area No. 7 (Boys & Girls Republic) and sets goals and policies for the parcel, which the applicants feel are addressed in the proposed plan, as outlined in their narrative and in the Planning Consultant's review letter.

Regarding providing recreation space for the southeast portion of the City, the applicant notes in the narrative that the 14.5-acres nature preserve at the north end of the site will be accessible to the public, though the method for doing this is not clear from the conceptual plan.

Regarding the cluster-like buildings at the southern end of the site, buffering should be provided from the single family uses across the street.

- It appears that the applicant will be seeking relief from the maximum height standards of the district; the concept plan appears to meet required setbacks.

Planning Consultant Tangari completed his review

Commissioner Brickner asked if the young people who were currently living on site were housed in the area that was being planned for condos at the front of the site. How many young people were there now? Planning Consultant Tangari said those questions should be addressed by the applicants.

Commissioner Brickner thought the time schedule and organization of phased development of this development would be important. The use on the property would change from a location for young people to different populations with different needs. Planning Consultant Tangari explained that a detailed PUD would include detailed phasing.

Commissioner Brickner asked if the street to the east of this development contained several group homes. City Planner Stec said the City often did not know where group homes were located, per State law. Homes with 6 people or fewer were treated as normal single family homes. He was not aware of group homes in this area.

Commissioner Countegan asked if there had been any other prior PUD's or a consent judgment for this property. City Planner Stec said he did not know of any prior PUD's, and there was not a consent judgment attached to this property.

Commissioner Brickner asked if this property and use was older than surrounding residential development. City Planner Stec said perhaps the applicants could answer that question.

Chair Stimson invited the applicants to make their presentation.

Architect Jim Pappas, Fusco, Shaffer & Pappas, Inc. was present on behalf of this application for Preliminary PUD Qualification. Dave Gehm, President and CEO of Lutheran Wellspring Services was also present, as was Sean De Four, Wellspring Chief Operating Officer.

Mr. Pappas described the 80 acre site, bisected by the Rouge River at the southern portion. Senior cottages were proposed for the southern portion of the site, where children's housing was currently located. One of the first phases will be the construction of the 3-story 81-unit recovery housing. Additional uses would include the one story 30 bed housing for the children and 40 bed assisted living facility, both one story. A 36-unit, 3-story age-out staff housing would also be to the rear (north) of the site. An existing school and gymnasium building would remain. Large setbacks would separate the buildings from the property lines and neighboring residences. Additionally, the plan preserves a significant amount of green space.

Mr. Gehm said that Lutheran Wellspring Services is 130 years old, and serves people across the age and need spectrum in more than 50 counties in Michigan, with a key focus on underserved and underprivileged populations. The vision for this campus was to bring together multiple groups of people, with the populations being served benefiting from living in an intergenerational community that cuts across service needs and life experience, providing an environment of healing, wholeness and wellness.

Mr. Gehm said his understanding was that the Boys Republic or similar use had existed on this site from the turn of the last century – from the late 1800's to early 1900's. They currently had over 20 youth, and that population fluctuated between 22 and 32 residents who were served by behavioral and substance abuse programming.

Mr. De Four said that currently there was a small high school, offering youth in recovery an opportunity to finish their high school diplomas on campus.

The new recovery housing would provide 81 units of affordable housing for adults who completed treatment in recovery programs and who are in recovery.

Mr. Gehm said the rear of the campus would be a nature preserve with the potential for public access, possibly from Glencreek Court. Another possibility for public access would be to provide controlled access to school and community groups, who would come on site and use the area for wildlife and/or science instruction, etc.

Commissioner Orr noted that the applicants were proposing to dedicate some of the area as a public useable wetland or nature area, but parking and access would have to be provided off site. Mr. Gehm said they would work with the City regarding the best way to provide public access.

Commissioner Brickner thought some residents might be concerned with having a 3-story recovery housing structure as their most immediate neighbor; normally RA-1 districts did not include 3-story residential buildings. Mr. Pappas pointed out that the building would have a 350-foot setback from the property line, and would be heavily buffered. Commissioner Orr said that at 350 feet, and viewed at a 10 degree angle, the building would not be very visible.

MOTION by Orr, support by Trafelet, that the Planning Commission make a preliminary finding that PUD 3, 2020, dated December 16, 2020, submitted by James T. Pappas, Fusco, Shaffer & Pappas,

Inc. 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., specifically objectives i., ii., iii., v., and vii., as presented by the petitioner, 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.

Commissioner Schwartz asked the applicants to address more fully the access to the public area of the site when they returned to the Commission. Having access from the Glencreek cul-de-sac was not a viable solution. The applicants need to show the location of a trailhead and available parking on site for that trailhead.

Commissioner Mantey noted that all that was being done this evening was to grant preliminary PUD qualification based on creating and maintaining open space into perpetuity.

Commissioner Countegan said that based on the past 100 year history of this site, he liked the proposal generally, and was looking forward to the applicants moving through the PUD process as they refined their plans for the site.

Commissioner Brickner said that while he did not like everything presented this evening, the applicants had demonstrated that the plan met the criteria for the PUD preliminary qualification, and he would support the motion.

Roll call vote:

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

Motion carried 8-0.

C. PUD Qualification 4, 2020

LOCATION:	27400 Twelve Mile Rd.
PARCEL I.D.:	23-12-476-008
PROPOSAL:	Mixed-use skilled nursing center and multi-family apartments in RA-1B, One-family Residential District
ACTION REQUESTED:	Preliminary PUD Qualification
APPLICANT:	James T. Pappas, Fusco, Schaffer & Pappas, Inc
OWNER:	Evangelical Homes of Michigan

Referring to his January 11, 2021 memorandum, Planning Consultant Arroyo gave the review for this request for Preliminary PUD Qualification for a mixed-use skilled nursing center and multi-family apartments in RA-1B, One-family Residential District, at 27400 Twelve Mile Road.

Planning Consultant Arroyo made the following points:

- The 31.5 acre site in the RA-1B District is currently developed with an abandoned orphanage consisting of 15 buildings. Pebble Creek runs along the western edge of the property, and through the southern portion.

- The site is mostly surrounded by RA-1 and RA-1B zoning in Farmington Hills, with attached single family and office service to the east in Southfield, and is accessible from Inkster road via 5 driveways.
- The PUD proposed two lot splits.
 - 1) The 3-story apartment component would be market-rate apartments and would be split off for their own lot.
 - 2) A lot on 12 mile Road would also be split off, for a single family home.
 - 3) The remainder of the property would be a skilled nursing facility.

Planning Consultant Arroyo reviewed the criteria for PUD qualification, as found in Section 34-3.20:

- The use of this option shall not be for the sole purpose of avoiding the applicable zoning requirements.

In addition to relief from ordinance standards, the applicant is proposing a mix of skilled nursing and multi-family uses, neither of which are permitted in the RA-1B district.

- 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 use of the site has long since ceased, but orphanages are not a permitted use in the RA-1B district, and are instead permitted in the RC-1, RC-2, RC-3, and SP-1 districts, as governed by Section 34-4.17, and so would be a nonconforming use in the district. The plan proposes a mix of uses that are permitted in the three RC districts listed above; the arrangement of the site shown on the conceptual plans requires several deviations from the standards of those districts.

- 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's northern half clearly exceeds the number of single-family units that could be built on the full site under current zoning. The applicant should provide a traffic study to compare a plausible single-family development's traffic volume with that of the proposed facility.

- The Planned Unit Development must meet, as a minimum, one of the eight objectives listed in this section. The applicant believes they have met 7 of the 8 objectives:
 - i. To permanently preserve open space or natural features because of their exceptional characteristics or because they can provide a permanent transition or buffer between land uses.
 - ii. To permanently establish land use patterns which are compatible or which will protect existing or planned uses.
 - iii. To accept dedication or set aside open space areas in perpetuity.
 - iv. To provide alternative uses for parcels which can provide transition buffers to residential

- areas.
- vi. To promote the goals and objectives of the Master Plan for Land Use.
 - 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.
 - viii. To bring about redevelopment of sites where an orderly change of use is determined to be desirable.

Though only one objective must be met by the plan, the applicant's narrative directly addresses all eight objectives, except for objective v.

Objectives i, ii, iii, and vii are all addressed primarily via the preservation of trees along Inkster Road, large wooded areas on the western edge of the site, and the topography and other natural conditions of Pebble Creek in the southern portion of the site. To further address item ii, the applicant notes that the use provides a transition from the medical and office uses across Inkster to the single family uses to the west. To further address objective vii, the applicant notes that the administration building will be preserved and visible from Inkster Road, while the adjoining skilled nursing facility will be designed to complement it, with high-quality materials. The applicant similarly promises high-quality materials and design on the multi-family buildings.

The applicant makes the case that objective iv. is met by placing the largest new building further from single family uses than the preserved building, and providing additional screening to the west, in addition to the woodlands and watercourse that are already present.

Regarding objective vi, the applicant asserts that goals of the 2009 Master Plan will be met by the plan, noting that the site will serve as a transitional property between more intensive uses east of Inkster and less intensive uses to the west, while preserving a historic building and improving access management. The goals of the Master Plan for Special Residential Planning Area No. 3, which covers this site, are addressed in detail later in this review.

Regarding objective viii, the applicant cites similar factors to the response to objective vi.

- The PUD shall not be allowed solely as a means of increasing density or as a substitute for a variance request; such objectives should be pursued through the normal zoning process by requesting a zoning change or variance.

Given that both the proposed uses are not permitted in the underlying district, and that the plan would require variances in the districts that do permit those uses, it appears that the PUD is not sought solely to avoid a variance. A PUD is recommended for the site in the 2009 Master Plan.

- Regarding documentation requirements, the applicant has submitted a narrative describing the use, addressing the objectives of 34-3.20.2, and a conceptual plan, including a breakdown of the number and types of units sought. A description of how the plan will preserve the site's natural features is also provided, though this plan will need to be developed in more detail if the site is granted PUD qualification.

Conceptual site plan and use

- The applicant is proposing to raze all but the central administration building and one other existing building and in their place construct a 100-bed skilled nursing center and four multi-family apartment buildings containing a total of 60 one-bedroom units and 84 two- bedroom units (372 total rooms). The retained administrative building would support adjunct functions for the skilled nursing facility. The concept plan reduces the number of driveways to Inkster from five to three.
- The parcel is a designated historic site. The applicant proposes to demolish 14 of the buildings, preserving the administration building. The Historic District Commission has issued a notice to proceed, subject to the following:
 - Materials from demolished buildings will be stockpiled for future re-use.
 - The proponent will not proceed with any demolition until all other associated approvals are received.
 - Any building approved for demolition but left standing will remain subject to Historic District Commission review.
- The master plan designates the site single family residential. The residential density map identifies this parcel as low density, which is consistent with current zoning. The Master Plan also identifies this parcel as Special Residential Planning Area No. 3 (Boys and Girls Republic) and sets the following goals and policies for the parcel:
 - Maintain the historic character of the site
The central administration is proposed to be preserved; there is no indication of whether the proposed new buildings would be designed to complement or contrast with the preserved building.
 - Arrive at a plan for development that will be compatible with abutting residential uses, including a suitable transition area of single-family to existing residential use
The conceptual plan and PUD qualification narrative consider two uses: skilled nursing and multi- family.
 - Pay special attention to traffic control because of intersection, topography of the roads and the proximity of the bridge on Twelve Mile Road
The concept plan reduces the number of driveways and attempts to either align them new drives with driveways across Inkster or move them away from other driveways to avoid turning conflicts.
 - Consider the PUD Option as a means to accommodate the complexities of the site
The applicant is seeking PUD qualification.
 - Work with the developer on suitable plans that will achieve the goals
The PUD process is designed to give the Planning Commission input into the design of the site.
 - Feature the historic buildings on the site
One historic building is preserved in the plan.
 - Protect the environment and drainage pattern of Pebble Creek, which is part of the Green River Corridor
Development is kept away from Pebble Creek, and the narrative refers to a plan to dedicate seven acres around the creek for conservation.
 - Carefully control the location of access for traffic management purposes
Per the comment above, the applicant appears to have considered access management issues in the conceptual design.
 - Emphasize vehicular access from Inkster Road because of grade changes and high traffic volume on Twelve Mile Road
All access is shown from Inkster on the conceptual plan. A traffic study would be helpful.
 - Require widening of Inkster Road if there is any non-residential development

- The applicant proposes a skilled nursing facility and multi-family development.*
- Establish residential lots or other suitable transition abutting the existing lots to the west
The applicant appears to suggest that landscaping and other screening will serve as the transition to single family housing to the west.
 - Generally, it appears that the applicant would be seeking relief from the maximum height and front setback standards of the underlying district.
 - The concept plan shows parking counts for the multi-family units that meet ordinance standards; parking counts shown for the skilled nursing facility greatly exceed the requirement. The applicant should consider reducing the number of spaces for the latter facility in order to preserve more open space on the site, or possibly an additional historic building.

Planning Consultant Arroyo said that a traffic study would address several issues, including concerns the Engineering Division has regarding sewer capacity in this area. The applicant should meet with Engineering to find out what the issues are and what is necessary to resolve them.

Planning Consultant Arroyo completed his review.

Chair Stimson asked if the apartment portion of this proposal would meet any of the normal standards for RC zoning. Commissioner Brickner was concerned that the proposed residential parcel to the west was on a flood plain. Planning Consultant Arroyo said those questions had not yet been evaluated; this was a conceptual plan only; if this moved forward a detailed site evaluation would be completed.

Commissioner Orr asked that information be brought to the next meeting from the 2016 approval regarding the location and distances of the cottages.

Commissioner Mantey was concerned that the residential parcel on 13 Mile Road was in a wetland; if so, he did not think it should be used for residential development, especially as one of the goals of the Master Plan was to protect the environment and the drainage.

Chair Stimson invited the applicants to make their presentation.

Architect Jim Pappas, Fusco, Shaffer & Pappas, Inc. was present on behalf of this application for Preliminary PUD Qualification. Raj Patel, CEO and Principal of Optalis Health Care, 25500 Meadowbrook Road, Suite 230 Novi, was also present.

Mr. Pappas said they had been involved with the previous approval in 2016, and now they were working through this particular concept as an alternative. The proposed design preserved the historic main building as well as one of the cottages, and tied those into the new 100-bed 2-story nursing center. The 3-story apartment buildings would offer 144 units. One third of the 31 acres would be set aside because of floodplains, wetlands, and areas with large trees, especially on the western portion of the site. They had started investigations regarding the sanitary sewer requirements, as called out by Planning Consultant Arroyo.

Mr. Patel said that phase 1 of this proposal would be the skilled nursing facility. They were confident this facility fits a need in the City, as there was not a newer nursing facility within a 10 mile radius of this location that had over a 3 star rating; this is what attracted them to the site, in spite of its challenges. Their plan utilized some of the previous owner's vision for the site, but not all. Environmentally, they were

trying to work around and clean up some of the contaminants on the site, while preserving the historic structures as noted. The concept shown tonight was the result of careful consideration of site features.

During the following discussion the Commission commented that the plan should be revised to lessen the visual impact of the 3 story apartment buildings proposed near the western property line. Options discussed included reducing the building heights to 2 stories, moving the buildings further to the west, and reorienting the building so the short side faces the western property line.

In response to a question from Commissioner Brickner, Mr. Patel said they had been in contact with the Brownfield Development Authority for the site.

Mr. Patel said they would communicate with the neighbors once they had better elevations to show them. This property has been vacant for 15 years, and the existing structures, which might look presentable on the outside, were badly deteriorated on the inside, with mold, asbestos, dead animals, etc. This property presented challenges to an economically feasible development, but they felt they had come up with a reasonable way to develop the property and move it forward. He asked for the Commission's support.

Chair Stimson said his issues centered around the apartment buildings, including their height and proximity to the western neighbors. He encouraged the applicants to explore options that would lessen the impact on the existing residential neighborhood.

MOTION by Orr, support by Trafelet, that the Planning Commission make a preliminary finding that PUD 4, 2020, dated December 17, 2020, submitted by James T. Pappas, Fusco, Shaffer & Pappas, Inc. 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., specifically objectives i., ii., iii., iv., vi., vii., and viii., as presented by the petitioner, 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.

Roll call vote:

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

Motion carried 8-0.

D. SITE PLAN 61-12-2020

LOCATION:	East side of Haggerty Rd., north of 9 Mile Rd.
PARCEL I.D.:	23-30-300-036
PROPOSAL:	Medical Office in OS-4, Office Research District
ACTION REQUESTED:	Planning Commission approval
APPLICANT:	W. 9 Mile & Haggerty, LLC, Shakir Alkhafani
OWNER:	W. 9 Mile & Haggerty, LLC, Shakir Alkhafani

Referring to his memorandum dated January 12, 2021, Planning Consultant Tangari gave the review for this request for site plan approval for a single story 4,030 square foot building to use as a medical office located on the east side of Haggerty Road, just north of Nine Mile Road, on a 1.02 acre parcel zoned OS4,

Office Research District. The plan proposed a single access from Haggerty Road. This property was an outlot of the larger development behind it.

Outstanding issues included:

- The plan appeared to meet the front yard open space requirement, however a precise calculation should be added to the plan.
- 25 foot setback was provided for the front yard; this is adequate. However, details for site data refer to a 47 foot parking setback; this should be corrected.
- Regarding rooftop equipment, rooftop elevations should be revised to show that rooftop equipment is screened on all sides.
- The rear yard loading space needs to show a truck turning diagram to determine if there is sufficient turnaround space, especially as the dumpster is also located in that area.
- Regarding parking, 24 spaces are required, but 50 spaces are proposed. The applicant should explain the need for proposing double the required parking. A considerable number of existing trees can be saved if the amount of paving is reduced.
- The Engineering Department will deal with acceleration/deceleration/passing lanes for this project.
- A few trees appear to be closer than 4 feet to the west and south; this should be adjusted.
- The planting island proposed at the northeast corner of the building is approximately 110 square feet. This should be revised to a minimum area of 180 square feet.
- Narrow evergreen trees are shown at 4 feet tall. The height must be revised to 5 feet.
- Revise the parking lot tree species in order to provide a canopy as required.
- Though properties to the west of Haggerty Road in Novi are zoned residential, the Commission could allow a greenbelt as an alternative to a wall or berm because the property is adjacent to the thoroughfare.
- Regarding operation hours for lighting, there were several notes that must be added to the plan as listed in the review; it is unclear from the plans as to whether the standards are met.
- Regarding illumination standards, the height of the poles must be shown on the plans. Building lighting should be added to the elevations, and a detail of the “wall sconce” listed on the elevations should be provided. Illumination levels along the property line must be provided.
- Regarding tree removal and replacement,
 - Trees 844, 845 and 846 trees are proposed to be saved. They are in the critical path for sidewalk grading and will require temporary protection during the construction of the sidewalk. A tree protection plan is required to be shown on the plan.
 - Trees 809, 836, and 847 should show strikethroughs on the list. 809 is in poor condition and does not require replacement. Sheet LP-1 Landscape Calculations should say 39 (not 38) regulated trees removed and replaced
 - The plan proposes 33 replacements including parking lot trees. An additional seven 3-inch caliper trees should be added; failing this, the Planning Commission may choose to accept payment of \$350 per tree into the city tree fund. By eliminating a few excess parking spaces, additional planting areas can be found.

City Planner Stec said that the loading zone was also where the dumpster was located, and there was concern regarding truck circulation in that area. The applicants should provide truck turning information, or perhaps rework the plan so emergency vehicles could have access entirely around the building.

Chair Stimson invited the applicants to give their presentation.

Andy Wozniak, Zeimet Wozniak & Associates, New Hudson, was present on behalf of this request for site plan approval. Robert Nagle, Optimeyes, and Mark Drane, Rogvoy Architects, were also present.

The applicants made the following points:

- They could landbank the 8 spaces along the north property line closest to Haggerty Road, and eliminate a space at the southeast corner of the site to enlarge that island for landscaping purposes.
- They requested a greenbelt along Haggerty Road instead of a wall or berm.
- The extra parking was needed as this was both a medical and retail facility. There would be 12 staff at one time in the building, 8-10 patients, and perhaps 10-15 retail customers. While they could give up some parking, they would like to have at least 40 spaces.
- Regarding the loading area, a dumpster truck might come once a week. The loading area would never get used. The applicants felt there was ample space for emergency vehicle access around the site; this had been confirmed by the Fire Marshal.
- The building was not large enough to require a sprinkler system; it would not be sprinklered.

It came out in discussion that parking spaces were only landbanked when required spaces were not constructed. Non-required extra spaces could not be landbanked. Based on that information, Mr. Nagle said they could reduce parking to 40 spaces.

City Planner Stec noted that reducing the number of parking spaces might trigger changes in the landscape plan, the number of required canopy trees, and tree replacement requirement.

MOTION by Orr, support by Trafelet, that Site Plan 61-12-2020, dated December 17, 2020, submitted by W. 9 Mile & Haggerty, LLC, Shakir Alkhafani, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the following conditions:

- The monument sign will require a sign permit and is removed from the plan.
- Items identified in the 1/12/21 Giffels Websters review report be resolved and approved administratively.
- The overall number of parking spaces is reduced to 40 spaces, as offered by the proponent. Any changes in landscape plan, number of required canopy trees, and required tree replacement resulting from this reduction in spaces be subject to administrative approval.
- The tree protection notes are revised to state that the fencing will be 4' wood snow fence.
- Payment into the tree fund for the replacement trees that cannot be planted on site.

And with the following finding:

- The greenbelt within the landscape area between the parking lot and Haggerty Road meets the buffering requirement of Section 34-5.14.5.

Commissioner Countegan said he would support this motion, acknowledging that if there was a conflict between staff and the applicants regarding changes that might result from the reduction in parking spaces, the plan will come back to the Commission.

Roll call vote:

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

Abstentions: None

Motion carried 8-0.

E. SITE PLAN 63-12-2020

LOCATION:	23149 Commerce DR.
PARCEL I.D.:	23-30-401-043
PROPOSAL:	Parking expansion for existing site in LI-1 Light Industrial District
ACTION REQUESTED:	Planning Commission approval
APPLICANT:	James Leffler, Orchid Orthopedic
OWNER:	AIC Income Fund Oakland, LLC

Referring to his memorandum dated January 11, 2021, Planning Consultant Arroyo gave the review for this request for site plan approval to add an additional 81 parking spaces in the existing green spaces in an approximately 0.85-acre space to the south of the building located at 23149 Commerce Drive. Apart from the small number of spaces on the west side of the building, modifications to the rest of the site are not proposed. The site is approximately 6.33 acres, developed with a 49,196-square-foot building with associated parking and other site improvements. The parcel is part of Farmington Freeway Industrial Park.

The parcel is zoned RA-2, but is subject to a consent judgment that allows for light industrial uses as regulated by the consent judgment. Residential is located to the east and south, with industrial to the north and west. The residential area is already screened by a berm and landscaping, as required by the consent judgment.

Outstanding issues included:

- Lot coverage only includes the area occupied by buildings and accessory structures. The site data on the plan should be updated as no change is proposed to existing lot coverage.
- Any use established in the LI-1 districts shall be operated so as to comply with the performance standards set forth in Chapter 17, Article VII. A note to this effect should be added to the site plan.
- A note that there will be no outdoor storage should be added to the plan.
- 75 parking spaces are required, and 184 are provided. The applicant should demonstrate the need for more than double the required parking.
- The lighting plan appears to be in general compliance with pole height, and appears that the illumination levels will be acceptable. The lighting plan can be fine-tuned if necessary, with administrative review.
- However, via correspondence with owners to the south, it appears there have been problems with lighting on this site, and it sounds like the applicant has worked with the property owners to make adjustments to the lighting. Final administrative approval of the site plan should ensure that the actual source of the lighting cannot be visible from the residential property. The applicant may have to add house-side shields, shielding the light source so it won't be visible. Also doing this with existing lights should resolve issues that may have existed in the past.
- All exterior lighting needs to be reduced to no greater than 70% from midnight or one hour after closing, whichever is later, and to 6 am or hour of opening, whichever is earlier.
- Also via written correspondence from the neighbors to the south, it is suggested that the proposed trees along the southern boundary be changed from deciduous to evergreen trees, for year-round

screening. Also, perhaps the trees could be planted further south, on the other side of the detention basin, to provide a more effective buffer.

In response to a question from Commissioner Countegan, Planning Consultant Arroyo said the plan is not inconsistent or in conflict with the consent judgment.

Planning Consultant Arroyo said the detention area along the southern boundary was somewhat overgrown, and the Engineering Division would like to have it cleared out and re-established. The vegetation in the detention area provided some screening for the residents. If the detention area is cleaned out, perhaps the applicants could provide other plantings within the edges of the basin to the extent that it is allowed by Engineering to stabilize the edges and provide for screening, again to the extent feasible.

Chair Stimson invited the applicants to make their presentation.

Keith Wasilenski, Orchid Orthopedic Solutions, was present on behalf of this application for site plan approval. Engineer Kevin Royston, Wade Trim, Taylor, MI, was also present.

Mr. Wasilenski explained that they had 154 employees spread between a first and second shift, and their business was growing. Currently employees were parking along the sides of some of the parking spots, and they were asking their neighbors for additional parking. The product they manufactured – a titanium bone-type grade implant material - was labor intensive, and their work force did not conform to the normal smaller employee base typical in a warehouse district.

It came out in discussion that the detention pond was not on the applicant's property, and was maintained by the Industrial Park Association. The location of the proposed trees showed the boundary of the subject property. If the detention area were cleared out, probably using land moving equipment, Mr. Wasilenski said they could work with the City and the Industrial Park Association in order to cost effectively get the best results from the project.

Mr. Wasilenski said he didn't think they would have a problem with planting evergreens instead of deciduous trees; this would need to be confirmed with the architects to make sure evergreens would have no detrimental impact on the ground to curbing, asphalt, or parking,

Mr. Wasilenski said he would talk with their electrical engineers to make sure no lighting spread to the residences to the south. They would install house-side shields. Additionally, they were going to try and use as much directional lighting as possible, directing the light toward the interior of the site, and away from the residences. They would use directional lighting instead of walpaks. Lights would be directional, focused and directed downward.

Mr. Royston said the light pole heights were 30 feet, with high efficiency LED lights directed downward, and would not result in typical light pollution.

City Planner Stec advised that while the site was allowed a maximum of 30 feet tall light poles; the poles could be lowered and thereby reduce the chances of the residents seeing the light source. When poles were too high, even if the light source was parallel to the ground and cut-off, the light source was still visible. LED lights could be very intense, which was why house side shielding was necessary.

Chair Stimson pointed out that the ordinance prohibits visibility of the light source from the property line.

MOTION by Brickner, support by Trafelet, that Site Plan 63-12-2020, dated December 18, 2020, submitted by James Leffler, Orchid Orthopedic, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the condition that revised site and landscape plans addressing the following items are submitted for administrative review:

- The seven deciduous trees proposed along the southern edge of the new parking area are replaced with 10' evergreen trees, in order to establish a more year-round visual barrier from the abutting residential properties.
- All new lights are equipped with shields to prevent visibility of the light source from abutting residential property
- Any outstanding items identified in the 1/11/21 Giffels Webster review report be resolved.

Roll call vote:

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

MOTION carried 8-0.

APPROVAL OF MINUTES None

PUBLIC COMMENT

Regarding the PUD application for 27400 Twelve Mile Road, the Old Sarah Fisher property, Ken Klemmer, Historic District Commission Chair, said the HDC had been looking for good uses for the property for some time. The HDC was enthusiastic regarding the proposal made this evening, which preserved the historic administration building, one of the cottages, and the historic entry gates.

COMMISSIONERS' COMMENTS

Commissioner Countegan noted that tonight's agenda had addressed several properties that the Commission had watched over the years. It had been an interesting meeting and a good agenda.

ADJOURNMENT:

MOTION by Schwartz, support by Trafelet, to adjourn the meeting at 10:35 pm.

Roll call vote:

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

MOTION carried 8-0.

Respectfully Submitted,
John Trafelet
Planning Commission Secretary
/cem