

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION REGULAR MEETING
31555 W ELEVEN MILE ROAD
FARMINGTON HILLS, MICHIGAN
FEBRUARY 18, 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
Orr, City of Farmington Hills, Oakland County, Michigan
Schwartz, City of Farmington Hills, Oakland County, Michigan
Stimson, City of Farmington Hills, Oakland County, Michigan
Traflet, 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 Manager Mekjian, City Attorney Schultz,
 Planning Consultants Tangari and Komaragiri, Staff Engineers
 Saksewski, Dawkins, and Alexander; Staff Planner and HDC Liaison
 Lawrence

APPROVAL OF AGENDA

Chair Stimson advised that the applicant for Agenda Item 5.F. had requested the application be postponed.

MOTION by Schwartz, support by Traflet, to amend and approve the agenda as follows:

- Remove Item 5.F., as requested by the applicant.

Roll call vote:

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

MOTION carried 8-0.

PUBLIC HEARING

A. CLUSTER OPTION SITE PLAN 60-10-2020

LOCATION:	38500 Nine Mile Rd.
PARCEL I.D.:	23-30-300-019
PROPOSAL:	28 unit detached one-family cluster option subdivision in RA-2, One-Family Residential District
ACTION REQUESTED:	Recommendation of approval of Site and Open Space Plans to City Council
APPLICANT:	Pulte Homes of Michigan, LLC
OWNER:	Piemontese Social Club

Michael Noles, Umlor Group, 49287 West Road, Wixom, was present on behalf of Pulte Homes of Michigan.

Utilizing a PowerPoint presentation shown on the Zoom screen, Mr. Noles explained that the proposed Chasewood Villas development was an age-targeted detached condominium community of single story ranch homes. The applicants were seeking a recommendation of approval to City Council of Site and Open Space Plans for the 28-unit detached one-family cluster option subdivision at 38500 Nine Mile Road. A 2nd floor loft option will be available. Lawn and snow maintenance, as well as fire suppression, will be included in each home.

Since the December meeting, Pulte Homes had made changes to the plan, and they were coming this evening with recommendations for approval from the Engineering Department and the Fire Marshal. A passing lane had been added on 9 Mile Road. The stormwater basin is now a two-stage basin, with a pre-treatment area and storage area.

In addition to the individual fire suppression systems, fire hydrants would be provided. No parking signs had been added in the cul-de-sac, and changes had been made to the turn radius.

Pulte had participated in neighbor communications, and had received neighbor comments and questions regarding signage, basements, long term maintenance, landscape screening, drainage, property values, transition from multi-family/industrial to single family, traffic safety, and density. Responses had been made to each person who reached out.

Planning Commission feedback from the last meeting included:

- There is a need for this type of housing in the community.
- Developer should communicate with neighbors.
- The proposal qualified for cluster development as transitional area.
- The density was not finalized.

Benefits of age targeted neighborhoods include:

- Limited use of streets, water, wastewater
- Provide taxes for schools, with fewer students
- Local consumer spending
- Reduced rush hour traffic
- Civic minded residents

- Volunteerism
- Attention to detail can raise community standards and home values

Regarding density:

- The property is impacted by adjacent uses.
- The proposed 28-unit infill site is surrounded by thousands of units.
- Age targeted homes have significantly less impact on City budgets, services, and traffic.
- Maximum density permitted under the cluster option: 31 units. Per section 34-3.17.4.E., where the cluster development abuts a single family residential property, it shall be buffered by one of the following two options:
 - Screening
 - Same side yard setback as underlying zoning (20 foot required under straight RA-2 zoning).
- Both buffering options are being offered on the east property line. On the west, the homes would have 15-foot side yard setbacks.

Changes since the last meeting:

- The cul-de-sac is now shown in a traditional round shape.
- As requested by the Planning Department, the stub street had been moved to the south to benefit the neighbors directly to the east, so that if that property is ever developed there will be the depth of a lot there, and the property owner will be able to better site plan their property.
- Now a 2-stage storage detention area/pond.
- Added the passing lane on 9 Mile Road.
- Number of units has been decreased to 28.

Regarding questions about the projected sales price of the Chasewood Villa homes as raised at the last Planning Commission meeting:

- As reflected in the selling amounts shown on the PowerPoint screen, Pulte's Walnut Ridge development homes, across the street from this one, appreciated over their sales period, and have steadily appreciated since that time.
- The Meadow Hills Estates neighborhood directly abuts Pulte's Walnut Ridge Development. Those approximately 30-year-old homes appreciated since the completion of Walnut Ridge development.
- Smaller homes can and do sell for more than some larger homes. At other Pulte developments with comparable sites and designs, homes sold in the \$400's for finished products. Recently Heritage Village homes sold in the range of \$237,000-\$460,000, with an average price of \$329,000.
- A smaller house sells for more because maintenance costs less, the homes are energy efficient, the styles are current, the homes are equipped with modern conveniences, and the marketplace is asking for these homes. Tonight's development was targeted toward seniors and retirees, who did not have this housing option in Farmington Hills.
- Other factors affecting existing home values include the historic sales price in the neighborhood, features of the community, the market, the home's age, its condition, and the community's schools.
- Given the above, the key factor for Chasewood Villa homes is the ranch vs. the colonial design style. Ranch homes sell at a premium because they are more expensive to build, and they simply command a higher price as well.

Mr. Noles concluded his presentation.

In response to questions from Commissioner Orr, Mr. Noles gave the following information:

- Mail delivery will be individual, on one side of the street, with clustered mail boxes. During construction the mail boxes will be at the front of the development.
- The sign shown on the plans will be approved at a later date, and is not part of tonight's review and recommendation process.

Referencing his February 8, 2021 memorandum, Planning Consultant Tangari gave the review of this application for Site and Open Space recommendation to City Council for a 28-unit detached one-family cluster option subdivision, as submitted.

Planning Consultant Tangari made the following points:

In general

- The site was approximately 10 acres, with industrial uses to north due to a consent judgment, single family homes to the east and south, and a day care and multi-family complex to the west.
- On November 19, 2020 the Planning Commission qualified the site for cluster development under both sections of the cluster ordinance: the basic qualification along with the determination that this site is located in a transition area and therefore qualified for density of up to 3.1 units per acre. The proposal is at 2.8 units per acre, down from 3 units per acre the last time the Commission saw the plan.
- The proposal was for units to be owned from the walls in; the property is not divided into separate lots and the grounds outside the units would be maintained in common by an association. 3.95 acres of the development – or 39.5% - is open space. The planting buffers are now included in the open space.
- Per Section 34-3.17.4.B., “Spacing between groups of attached buildings or between groups of four (4) unattached buildings shall be equal to at least twenty (20) feet in an RA- 2 district, measured between the nearest points of adjacent buildings.” The plan meets this standard with increased side setbacks between units 21-22 and units 25-26; units 5-14 are all separated by 20 feet on the revised plan.
- Units 1-4 are still separated by 15 feet, which appears to accommodate the landscaping buffer close to 9 Mile Road. The Planning Commission should discuss whether the applicants can get 20 feet separation for those units as well, and still get the required landscaping buffer by 9 Mile Road and the eastern property line.
- The stub street has been moved to the south to provide for more reasonable lot depth to the east (149 feet) if the street is extended in the future. The end of the stub has also been moved 20 feet from the property line to allow for a landscape buffer there.
- The cul-de-sac has been redesigned to a more typical circular arrangement. The cul-de-sac is more than 600 feet from the stub street. This is being addressed by the fire suppression in each unit.
- The transition to single family zoning to the east now includes transition screening in the dedicated open space of the site, and increased setbacks for most of the units but not all on the east side of the site.

Tree removal and landscaping

- While the proposal meets the tree replacement requirements and landscaping requirements of the ordinance, the proposal is to remove all trees at the beginning of the development. Was it possible to save any of the existing trees?
- A protective tree fence will need to be provided to protect some trees that are proximal to the property line but not on the site.

Summary of requested deviations from RA-2 standards includes:

1. The required minimum lot size in the RA-2 district is 15,000 square feet, with an average of 16,500 square feet in any given subdivision. The plan proposes individually owned units without property lines. Outside of the 3.95 acres designated as open space on the plans, there is an average land area of 9,412 square feet per unit on this property (15,557 sq feet/unit when the full 10-acre property is considered).
2. Minimum side setbacks in the RA-2 district are 8 feet/20 feet combined total. The plan proposes a minimum of 15 feet of separation between units, and 20 feet between units 5-14.
3. The minimum front setback in the RA-2 district is 35 feet. The plan proposes a minimum front setback of 25 feet to each unit.

Planning Consultant Tangari completed his review.

City Planner Stec pointed out that the tree survey was difficult to read, and in some areas the trees were very dense. The tree survey includes all the trees on the site plus all the trees within 25 feet of the site on neighboring land, but there is no indication on the survey as to what trees are being removed. It is difficult to see which tree is which.

The applicants should add a category as to whether trees are being removed or saved. Also, the tree survey should be broken into two, with the plans enlarged so that the identification of each tree was apparent, and the tree fencing was shown.

Commissioner Brickner said the rear and side yard setbacks would be the same for a platted subdivision, for lots 5-14. Chair Stimson agreed, while also noting the lot sizes were significantly smaller – half the size – of what would be required in a platted subdivision.

Commissioner Turner said that under the cluster option, if the applicants were to construct 26 units they would average 2.6 units/acre density. At the last Planning Commission meeting several Commissioners gave 2.5-2.6 units per acre as their preferred density level.

Commissioner Schwartz asked if lots 1-4 could be spread out to achieve the 20-foot side yard setback separation, without reducing open space by 9 Mile Road.

Mr. Noles explained that to spread out lots 1-4 would take 15-20 feet out of the berm, without changing the overall density, and in his opinion without improving the plan. The separation from 9 Mile Road would decrease. Also, he believed that some of the homes to the east had smaller separations between homes than what this development was offering.

The Commission discussed several options that might increase the separation between lots 1-4, including modifying the drainage and the forebay in that area, removing one of the lots, and moving the stub street further north. Also, perhaps the forebay and lots 1-4 could be placed on the west side of the road.

City Planner Stec emphasized that the Commission needed to make a determination as to whether the site, including lots 1-4, had the buffering required for a transitional plan. For lots 5-14, Pulte was offering both a transitional landscape buffer and the 20-foot separation between homes. If the same could not be offered for lots 1-4, perhaps one unit should be eliminated.

Mr. Noles said they had studied at least 10 concept plans, including splitting the detention basin to be on both sides of the road. This was not good from an engineering perspective, as it caused grading issues, caused stormwater to go under the pavement, and caused them to deal with steeper slopes on the eastern property line. This concept did not seem to really accomplish anything – it did not change the density or any aspect of the plan other than increase the cost of stormwater management – and was rejected.

City Planner Stec said that while lot 1 might be closer to 9 Mile Road if lots 1-4 were spread out more, existing residents would see a 20-foot separation between homes, rather than have them so close together. Again, the Commission would need to make a determination that if the 15-foot separation were allowed, the line of trees by themselves would provide an acceptable transition buffer.

Mr. Noles said that that the November review comments said that they had two options: either provide the 20 foot separation or the transition landscape buffering. For Lots 5-14 they had done both. For lots 1-4, 3 of the lots had only the 15 foot separation. However, they believed they still met the requirement for transition buffering. They had matched the rear yard setbacks to the underlying zoning ordinance requirements.

Commissioner Stimson asked if the cul-de-sac could be flipped, so that there would be fewer homes facing the existing subdivision. City Planner Stec noted that change could also decrease density on the east side of the site. Mr. Noles said he could not completely respond to that suggestion without checking with their engineers. He noted that if the stub street was removed, they could also increase the separation.

Commissioner Brickner said that flipping the cul-de-sac might put more vehicle lights in neighbor's windows.

Commissioner Orr pointed out that one of the eastern neighbors appeared to abut 6 of the proposed lots.

City Planner Stec explained that the stub street was there in anticipation of future development to the east.

Chair Stimson indicated he was ready to open the public hearing portion of the meeting, and asked City Planner Stec to summarize letters received on this issue.

Advising that all letters in their entirety had been part of the Commissioners' packets and were part of the public record for this application, City Planner Stec summarized the letters received, noting that the letters were thoughtful and well researched.

- Robert and June Benninger, 38300 9 Mile Road, had sent two letters objecting to this proposal because of its proposed density, and their concern that the proposed development was incompatible with the surrounding neighborhood, would be “detrimental to existing development in the area,” inconsistent with the “spirit of this chapter,” and the “spirit of transitional development.” They believed the development would reduce home values in the area, due to small lot sizes and the greater density. They also felt Pulte had inflated the price points, and had not made a good faith effort to reduce the number of lots, but only reduced the density when required by the Engineering Division. Traffic was also a concern, including deliveries and other traffic into this small, dense development. They felt that, under the Zoning Enabling Act, approval by the Planning Commission would reflect bias in favor of the applicant. The Benninger's asked that the proposal be rejected.
- Jim Campbell, 38336 Lana Court, asked that the density be reduced from 28 units to 24 units.
- Peter Nuccitelli, 22698 Shadowglen Drive, wrote in strong opposition to this proposal.

- James Giovanni, 37711 Windwood, Farmington Square, also wrote objecting to the proposal, citing increased traffic, the addition of the stub street to nowhere, and the requested density having a negative impact on housing values.
- Phillip Cole, 37731 Windwood Drive, Farmington Square, sent a letter strongly opposing the proposed development due to the small homes and smaller than normal lot sizes.
- Marie McElroy, 38250 9 Mile Road, opposed via letter the proposed development. She felt that Pulte made no attempt to address concerns regarding density. Also currently mailboxes for addresses on the north side of 9 Mile Road are on the south side of 9 Mile Road; residents have to cross the road to get their mail. More traffic will make this situation even more unsafe.
- Todd Trombley, 38240 Lana Drive, President of Heritage Village Owners Association, wrote a letter asking for 2.2-2.3 units per acre, with fewer homes on the eastern property line, and lower density throughout the site.

Chair Stimson opened the public hearing for the public present at the meeting.

Marie McElroy, 38250 9 Mile Road, asked how long the development would be under construction.

Frank Adams, lot #8 of Heritage Village (38300 Lana Ct), asked if a large tree at the rear of his lot could be removed. The tree was an eyesore and shed many leaves. He was also concerned about their shrubs and bushes planted along the fence that will be removed.

James Giovanni, 37711 Windwood, emphasized that he was not opposed to residential property being developed on this site, but was opposed to the design and the concentration of homes. He referenced a paragraph in his previously submitted letter: *"I would be in full support of a development plan that would result in lot sizes and house sizes that mirror the standard of all 6 surrounding residential neighborhoods. This approach would maintain and expand the environment in these neighborhoods that has exclusively existed since the late 1970's/early 1980's. This approach would serve to sustain, not diminish, current residential property values and neighborhood desirability. Upholding this standard would exemplify a Planning Commission with primary concern for the city's current residents."*

Todd Trombley, 38240 Lana Drive, president of Heritage Village Owners Association said that the Association members' concerns were focused on density. They believed the proposed density, based on the parcel actually being 9.75 acres, is 2.9 du/acre. They were looking for 22 or 23 units for the development, but would compromise at 24 units. They were most concerned regarding existing property values, especially for the 6 properties in their subdivision along the eastern property line, as well as the one large property bordering 9 Mile Road that was not part of their subdivision. Decreased density would help preserve property values, would help the development to conform to homes in the area, and give the new homes a realistic chance to achieve the ambitious pricing put forward.

Mr. Trombley said that the Association felt that since the last meeting, Pulte had made no concession regarding density outside of properly sizing the detention area and putting in the forebay. The 2 units lost on the western side did nothing for the eastern side. The side yard setback at 20 feet did not change the density or the number of homes that back to Heritage Village. One lot of 4.5 acres would share a rear lot line with 3 full and 2 partial neighbors abutting their rear yard. There were too many houses. The magnitude of devaluation is tied to the density. They don't have a problem with the proposed home styles; there were just too many homes along the eastern property line. Mr. Trombley asked that the applicant come up with a design that works with existing lots.

Mr. Trombley continued that the existing RA-2 zoning district would allow 20 homes on this property. Right now the proposal is for 28 homes. The Association would support 24 homes. They asked that 4 homes be removed from the eastern property line. This less dense development would appeal more to existing Farmington Hills residents. The Homeowners Association supported the development, but not at the density proposed this evening.

June Benninger said they owned the 3 acre parcel on the eastern side of the development that faced 9 Mile Road. She asked about the tree sizes that were being planted on the site as a transition landscape buffer. They would like to have enough trees that the development would be completely shielded, especially as they would have several new neighbors along their rear property line.

Jim Campbell, Lot #11 in Heritage Village, 38336 Lana Court, was concerned about water runoff, and asked for more information regarding the sediment forebay. He also asked that the density be reduced to 22-24 homes on the site.

Chair Stimson noted that Farmington Hills required any storm water on a site to be handled on that site, without draining onto a neighbor's property.

Seeing that no other public indicated they wanted to speak, Chair Stimson closed the public hearing and invited Mr. Noles to respond.

Mr. Noles responded to the public comments as follows:

- They anticipated that from groundbreaking to finish of construction and closing on the last sales would take about two years.
- The big tree behind Mr. Adams home will be removed. Pulte will work with Mr. Adams regarding the bushes and shrubs planted in their rear yard.
- There were not a huge number of trees on site. The site needed to be mass-graded before construction in order to provide for rear yard storm water management.
- Regarding comments that people were not opposed to development, but were opposed to this cluster development, there was a reason Pulte came to the City for cluster qualification. This site is a transition property, and the Planning Commission qualified the site for cluster, with the determination that this is a transition property. This development will provide an appropriate transition from high density to the west (281 units) to single family development to the east. Pulte was not reproducing the development to the west or to the east, but providing a transition, which the cluster ordinance specifically addresses.
- Contrary to neighbor and Homeowner Association comments, Pulte had made a concession regarding density. Installing the stormwater basin reduced the project by one unit, and increasing the separation on the east reduced the project by another unit.
- It was important to understand that large lots did not appeal to everyone. Age-targeted developments include small lots in order to keep maintenance down and keep the costs down for the owners' association. The cluster option was written for a development such as this one.
- Trees, including their sizes, types, and where they are located are listed on sheet L-1. The landscape buffers will be all conifers, generally 8' tall.
- The sediment forebay is a cleaning process, where sediment settles in the first storage cell, before the water moves on. Currently a lot of drainage comes off the site to neighboring properties. When the development is complete, that situation will be resolved.

Mr. Noles completed his response to the public comments, and Chair Stimson opened the meeting to Commission questions and comments.

Commissioner Countegan addressed the purpose of the Cluster Ordinance:

- The City's cluster ordinance was written for properties like this one, located in areas that were difficult to develop. The long and narrow parcel was located off a mile road, and was in a transition area next to higher density to the west and industrial uses to the north. The ordinance was established to provide the Planning Commission the ability to review density levels, based on the surrounding properties. He felt there had been compromise on the part of the developer, even if the density may not be what the eastern neighbors want.
- The ordinance provides the City with a tool to help ensure that reasonable residential development can occur on this parcel, and hold off any challenge for non-residential development on difficult parcels such as this one. From the City's point of view the question has to be answered: is this a transition area? The Planning Commission had found that the site was a transition area, and doing this gave the developer an edge to density in order to encourage residential development here.
- There was no requirement that the development provide a mirror image of developments that are right next to it. The larger issue is that the cluster option provides a tool that the City can use to ensure that it supports and protects residential development and encourages the development of difficult sites, understanding land economics that developers face, and providing flexibility so that development standards are not so onerous for developers that only non-residential developers will look at difficult sites. The ordinance protects the residential character of the City.
- Commissioner Countegan felt there had been compromise on the part of the developer. Lots 5-14 had greater side yard setbacks, additional buffering was offered, the stub street to the east was in response to Planning Department requirements. The developer had communicated well with the residents, and a number of different plans had been considered.
- Regarding the suggestion that the cul-de-sac circle be flipped, Commissioner Countegan agreed that residents might find headlights fanning their homes a greater nuisance than the current configuration.
- Commissioner Countegan concluded his comments by saying he was ready to offer a motion.

Commissioner Schwartz supported Commissioner Countegan's comments and made the following points:

- This small 10 acre site is a difficult site, which backs up to industrial uses and is in close proximity to I-275. A daycare is located to the west.
- If Pulte was able to build single family homes under the standard RA-2 zoning, they would probably do that because the process would be much easier and quicker, and if Pulte had come in with a plan that met those standards they would be in construction by now. The fact that they had requested the cluster option meant Pulte had made a judgment that a traditional development is not feasible for this small parcel, especially with infrastructure costs including road, utilities, etc.
- This type of development meets the needs of the aging community in the City.

Commissioner Brickner requested that any motion include the condition that lots 1-4 have the 20-foot side yard separation.

Chair Stimson said he would not support this application, because he could not support the density. In this regard his position had not changed since the proposal was first heard by the Commission.

City Planner Stec asked that the motion maker consider the following conditions:

- The trees at the end of the stub street between lots 4 & 5 are to be removed at future date at the cost to the future developer. The record should indicate the trees at that location were never intended to be permanent.
- Tree protection be provided for off-site trees bordering the parcel.
- The sign is removed from the plan and will be reviewed under a separate sign permit
- The plans should indicate whether the road will be public or private.
- The motion could indicate that the Planning Commission determines the mass grading as explained this evening is acceptable.
- The tree and superimposed tree surveys should be revised to break the site into a minimum of two sheets so that the locations of the trees are more clearly identifiable

Commissioner Countegan said that he didn't feel the motion needed to indicate whether the road will be public or private as either was allowed, and private roads had to be constructed to public road standards. Also, he did not feel the motion needed to address the mass grading. Approving the plan as submitted assumed approving the grading as explained. Last, he was fine with the plans for Lots 1-4 as presented, with the additional landscape buffer as submitted.

MOTION by Countegan, support by Orr, to recommend approval to City Council of Cluster Option Site Plan No. 60-10-2020, for 28 units dated January 19, 2021, submitted by Pulte Homes of Michigan, with the following conditions:

1. The escrow amount for the open space improvements be set at an amount set by staff, which represents 150% of the cost estimate for the open space improvements submitted by the proponent.
2. 4' wooden tree fencing is provided for off-site trees bordering the subject parcel.
3. The sign is removed from the plan and will be reviewed under a separate sign permit.
4. The tree survey list be revised to indicate which trees are to be removed and which are to be saved.
5. The tree and superimposed tree surveys be revised to break the site into a minimum of two sheets so that the locations of the trees are more clearly identifiable.
6. The trees at the end of the stub street between lots 4 & 5 are to be removed at future date at the cost to the future developer.

And with the following findings:

1. The transitional requirement of Section 34-3.17.4.E. for the eastern property line abutting the one-family district is met for units 5 through 15, with the combination of meeting the minimum side and rear yard setback requirements of the RA-2 zoning district and the planting of evergreen trees along the eastern property line. The transitional requirement for units 1 through 4 are met with the planting of evergreen trees along the eastern property line.

The Commission discussed whether the plans should be required to indicate whether the road was private or public. Commissioner Schwartz was concerned that a private road would be expensive to maintain; road maintenance cost shared by 28 residents could be prohibitive.

Mr. Noles said that with the 60-foot right-of-way, the road would be exactly the same whether private or public. The developer had confirmed that he didn't care one way or the other. If it was a private road, the Homeowners' Association through the Condominium documents would have a funding mechanism to maintain the road. However, it was not an issue for the road to be designated a public road.

Commissioner Countegan reiterated that the City accepted either a public or private road, and he would leave that decision to the developer.

Chair Stimson called the vote.

Roll call vote:

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

MOTION carried 6-2.

REGULAR MEETING

A. PRESENTATION OF 2020 HISTORIC DISTRICT COMMISSION ANNUAL REPORT

PRESENTED BY: HDC Chairperson
ACTION REQUESTED: Acceptance of the Report

Staff Planner Angeline Lawrence, staff liaison for the Historic District Commission (HDC), introduced Ken Klemmer, Chair of the HDC. Chair Klemmer presented the 2020 Historic District Commission Annual Report.

Historic District Commission Goals/Objectives included:

- Assist Parks & Recreation Department with scope of work for Spicer House repairs
- Continue cemetery preservation with cleaning and resetting of monuments
- Continue oral history project online interviews and use of digital tools
- Comprehensive video, photo of historic properties.
- Update Blue Book to expand language and explain architectural styles of districts

2020 Initiatives included:

- Maintain integrity of the West Cemetery and Utley Historic Districts with new fencing
- Trained volunteers to clean 75 historic headstones in West Cemetery
- Conducted a workshop on obtaining Certificate of Appropriateness
- Completed reconnaissance survey
- Collaborated with groups such as Historical Commission and Preservation Farmington

The Historic District Commission:

- Is authorized under City Ordinance
- Is guided by Secretary of Interior Standards
- Reviews and issues Certificates of Appropriateness, and Notices to Proceed
- Nominates properties to join HDC
- Promotes preservation in the Community

Notice to Proceed

- One Notice to Proceed was issued in 2020 – the redevelopment of HD#507 Former Sarah Fisher Home into a skilled nursing center and multiple family apartment complex. Preservation of

administration building excluding kitchen, cottage #6, brick fence at corner of Inkster and 12 Mile, and the Historic Marker

Four Certificates of Appropriateness were issued in 2020:

- Utley Cemetery
- Former Sarah Fisher Home (roof and fence repairs)
- Henry Bach House, rooftop deck rebuilt which was existing on the house when it was new, matched styling of original

Public Education

- No in person trainings in 2020 due to Covid-19
- In fall 2020 the HDC held training with volunteers and a local Boys' Scout Troup, and cleaned 75 historic headstones

Project Update – Sarah Fisher Home

- EHM Solutions put property up for sale in fall of 2019
- Certificate of Appropriateness for roofs issued in February of 2020
- Purchase agreement signed by Optalis Healthcare
- Roof repair completed in November 2020
- HDC approved Notice to Proceed September 2020 for Skilled Nursing Center and Multiple family apartment
- PUD qualification approved by Planning Commission in 2020

Spicer House

- Damage by fallen tree in 2020
- HDC committee conducted tour in summer and just a few weeks ago, in order to develop a scope of work to correct damage as well as perform maintenance items
- Consultant provided a proposal and scope of work for repairs
- HDC will work with Parks and Recreation Department to complete the work according to Secretary of Interior Standards for Rehabilitation

MOTION by Brickner, support by Turner, that the Planning Commission accepts the 2020 Historic District Commission Annual Report, with the following correction:

- Under Project Update, HD #507, Sarah Fisher Home, correct 1st line, ~~November of 2021~~, to read November of 2020.

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 1, 2021

LOCATION: 32680 Northwestern Highway

PARCEL I.D.: 23-02-126-130
PROPOSAL: Five story, 200-unit multiple family apartment development in B-2 Community Business District, and B-3 General Business District
ACTION REQUESTED: Preliminary PUD Qualification
APPLICANT: Robert Asmar, NWH Holdings, LLC
OWNER: NWH Holdings, LLC

Referencing his February 5, 2021 memorandum, Planning Consultant Tangari gave the background and review for this request for preliminary PUD qualification for a five story, 200-unit multiple family apartment development at 32680 Northwestern Highway.

The 5.53 acre site is currently zoned a mix of B-2 and B-3, and is mostly vacant, having been formerly occupied by all or parts of several commercial buildings. The site has no wetlands or other notable natural features.

To the north and northwest a PUD was approved for a climate controlled storage facility and a senior living housing complex; those buildings are under construction. That PUD would be modified to include this project, if it is approved.

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. This PUD application approval would amend the previously approved Northpoint PUD, incorporating all three buildings (senior living, climate-controlled storage and apartments) into the same PUD.

Regarding PUD qualifying criteria:

- A. The PUD option may be effectuated in any zoning district.
- B. 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-2 or B-3 districts, though the portion of the site zoned B-2 is planned for multiple-family residential on the Future Land Use map.

- C. 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.

The applicant is proposing significantly more density than is permitted in any of the three RC multiple-family districts (nearly twice the permitted density of the RC-3 district). The applicant's narrative provides rationale behind the proposed density, essentially averring that a denser development serves as a step-down to the RC-2 district to the east from the commercial uses and regional thoroughfare to the south and east.

- D. 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 single-family units that could be built under other multi-family zoning; the site's current commercial designation (primarily B-2 but partly B-3) supports uses with a wide array of traffic demands. Nevertheless, this is a large number of units. The applicant should provide a traffic study to compare the likely traffic volume from this development to potential commercial development on the site. The complex would utilize the same access point to Northwestern Highway as the rest of the Northpoint PUD; there is not a vehicular connection from the apartments to 14 Mile or the senior housing parking lot.

E. The Planned Unit Development must meet, as a minimum, one of eight objectives of the city: The applicant states they meet the following 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.

Open space is primarily found on the site in the courtyard common, though the narrative calls attention to an intent to create a dense buffer to the east and utilize green roofs and landscaping on the building's various tiers to mitigate its overall impact.

- ii. To permanently establish land use patterns which are compatible or which will protect existing or planned uses.

The Future Land Use map does identify the northern portion of this property as multiple-family residential. As the Planning Commission considers the proposed use's compatibility with surrounding uses, the proposed scale of the use should feature prominently in the discussion.

- 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 the access management benefit of the single driveway to Northwestern Highway, versus the separate driveways that previously served the individual commercial sites here.

- vi. To promote the goals and objectives of the Master Plan for Land Use.

As noted above, the future land use map does call for multiple-family residential use on the B-2 portion of the property, leaving a commercial liner along Northwestern Highway. The proposed project introduces this use, though at a higher density than permitted elsewhere in the city.

- 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 notes that the building is designed to create a gateway appearance for the city, fosters further walkability in the area, and is designed not to look monolithic (some conceptual illustrations were provided, though the Planning Commission is not making any decision on these or any other aspect of the site plan at this time). Building materials are also cited toward meeting this objective.

- viii. To bring about redevelopment of sites where an orderly change of use is determined to be desirable.

The applicant's narrative calls attention to the large number of commercial buildings in the area that are not occupied, or listed for lease or sale, noting that an influx of residents to the area would increase the pool of potential patrons for remaining businesses.

- F. 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.

An increase in density is sought by the applicant. Given that the proposed use is not permitted in the underlying district, it appears that the request is not made solely to avoid a variance. However, several deviations from ordinance standards would be requested to facilitate the conceptual plan. The applicant also proposes to extend a neighboring PUD.

- G. Request for qualification: The applicants had submitted what is required at this stage of the process.

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.

Regarding the conceptual site plan and use:

1. Summary of Proposed Use. The Planning Commission is not assessing the site plan in detail. However, the conceptual plans and illustrations provided by the applicant provide an indication of the type of site plan the Planning Commission can expect if preliminary qualification is granted. The applicant is proposing to expand the Northpoint PUD to cover the parcel in question and construct a 200-unit apartment building around a large courtyard common. Access to the site would be from Northwestern Highway, via the same driveway that serves Northpoint Storage.
2. Density. The parcel is 241,095 square feet. Density is determined by the number of rooms. To determine the number of rooms, the following standard (Section 34-3.5.2.F.) is applied:
Efficiency unit: 1 room; One-bedroom unit: 2 rooms; Two-bedroom unit: 3 rooms.
The applicant proposes 200 units (160 one-bedrooms, 26 two-bedrooms, 14 three-bedrooms) with a total of 454 rooms, based on the standard above. The following densities are permitted under conventional zoning:

RC-1, 1,900 lot area/sf, 126 rooms

RC-2, 1,400 lot area/sf, 172 rooms

RC-3, 1050 lot area/sf, 230 rooms

The proposed density is nearly twice that of the densest multiple-family district in the city.

3. Master Plan. The Master Plan's Future Land Use map designates the portion of the site zoned B-2 as multiple-family residential, and the portion zoned B-3 as Commercial/Office. The B-3 portion of the property is consistent with this designation; the B-2 portion is not. The property is not addressed on the residential density map, though it is adjacent to a high density area, which is described as consistent with the RC districts. The site is not part of any special planning area.
4. Dimensional Standards. Generally, it appears that the applicant would be seeking relief from the maximum height (61 ft vs 50 ft) and east side setback standards (29.22 ft vs 75 ft) of the underlying districts.
5. Parking. The concept plan shows parking counts for the multi-family units that meet ordinance standards; more than half of proposed parking is proposed to be within the building.
6. Requirements of the B-2 and B-3 districts were provided in the review letter.

Planning Consultant Tangari concluded his review comments.

Commissioner Brickner asked if the Planning Commission could approve the application if it had too many rooms. The property had been an eyesore for decades, and did need to be developed. Commercial uses were unlikely to work for this site, and apartments made sense as a destination use.

Planning Consultant Tangari said the PUD would allow the City to grant relief from ordinance standards, including density standards. However, the Commission and City Council would need to weigh whether the City was getting enough benefit for the relief requested.

Commissioner Schwartz thought only objectives ii. and vi. applied to this PUD request. He agreed the site had been an eyesore, and COVID had made that worse; the site was attractive for residential use. However, he felt 5 stories was too high, and there were other questions regarding the site plan, including the parking right against Northwestern Highway.

Jimmy Asmar, NWH holdings, 32680 NW Highway, was present on behalf of this request for PUD qualification. Engineer Jim Butler, PEA, 2430 Rochester Court, Suite 100, Troy, and Architect Steve Phillips, The Think Shop Architects, 1420 Washington Boulevard, Detroit, were also present.

Mr. Asmar said that they had owned this parcel for many years and had been before the Commission on several occasions. They felt that given the current economic climate, the best use of the property was multi-family development, similar to what was occurring in West Bloomfield and Royal Oak, and would be a good fit with the adjacent senior living and self-storage development.

Utilizing a PowerPoint presentation on the Zoom screen, Mr. Phillips made the following points:

- Stonefield Apartment Community would share a drive into the rest of the PUD that allowed traffic to exit and access Northwestern Highway. Much of the residents' parking will be concealed from public view and will include multiple integrated charging stations with flexibility for future demands., The layout will provide a mixture of 1, 2, and 3 bedroom living spaces from 850 to 1500 square feet, similar to Town Court in West Bloomfield.
- The development provided co-working areas, pool and patio features, fitness facilities, bike storage, community event rooms, sustainable landscape elements, etc.
- Elements would break down the overall scale and provide a more residential experience.
- Materials would be brick, composite concrete products, and other finishes similar in nature to what is occurring close by.

- The complex would provide 200 units, about 36 units per acre. Developments in West Bloomfield were at 40 and 47 units per acre, and the senior care facility in the same PUD as this one has 41.2 units per acre.
- The PUD would add walking paths, and tie multiple developments into the walkable experience.

Commissioner Orr asked about the water detention. Mr. Butler said the stormwater would ultimately discharge into Northwestern Highway, with a large pipe system paralleling the frontage on Northwestern Highway.

Commissioner Orr said he was also concerned that the proposed development was too high and too dense.

Commissioner Countegan said he was intrigued by the proposal, and would like to know more about the impact on infrastructure, as well as traffic impacts. The issue of density would be clearer once information about those impacts was received. The PUD would allow for a redevelopment of the area that would otherwise not be possible.

Mr. Butler said a traffic study had been done for the original PUD, including a comparison to retail uses. Apartments would provide a significant drop in trip generation from retail use.

Commissioner Orr asked why this PUD was being combined with the existing PUD in this area. Mr. Butler said with the existing PUD in place, and the infrastructure and agreement that is already there, it was a logical extension to expand that original PUD to encompass this effort also.

Commissioner Trafelet asked if the construction would be masonry or wood frame. Mr. Phillips said the structure would be a platform construction type, with precast concrete up to the 1st floor deck, with wood structure above, clad in masonry.

The Commission discussed other 5-story buildings in Farmington Hills. It appeared the only other 5 story buildings were at Beaumont Hospital, and one of the new hotels off 12 Mile Road.

Commissioner Brickner wondered whether one egress/ingress could accommodate a 200 unit apartment building.

City Planner Stec said the original PUD project had been designed and built around a common entrance; this had been driven by the Engineering Division's desire to have one point of access and the elimination of curb cuts on Northwestern Highway.

Commissioner Trafelet asked if MDOT would review this proposal. City Engineer Saksewski said that MDOT would review any changes proposed to the access. Mr. Butler added that the change in use would trigger MDOT review, and a new traffic study would probably be required. Commissioner Countegan thought the Fire Department might want multiple points of access.

Chair Stimson said he was also concerned about the height.

MOTION by Countegan, support by Mantey, that the Planning Commission makes a preliminary finding that PUD 1, 2021, dated January 19, 2021, submitted by Robert Asmar, NWH Holdings, 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, specifically viii, which states *To bring about redevelopment of sites where an orderly change of use is determined to be desirable*, 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, Turner
Nays: Schwartz, Stimson, Trafelet
Absent: None
Abstentions: None

MOTION carried 5-3.

Chair Stimson called a break at 10:26 pm, and called the meeting back to order at 10:33 pm.

C. Amendment of PUD 1, 2014

LOCATION: 33103 Hamilton Court
PARCEL I.D.: 23-15-101-038
PROPOSAL: Amend PUD to allow conversion of hotel to senior assisted living center in OS-4, Office Research District
ACTION REQUESTED: Set proposed amended PUD Plan for public hearing
APPLICANT: Sean Koza
OWNERS: Hamilton Court Development, LLC

Justin Sprague, Community Image Planning, and Kenny Koza, President, Group 10, Southfield MI, were present on behalf of this application to set a proposed amended PUD Plan for public hearing.

Mr. Sprague explained that they were asking for an amendment to the existing PUD, in order to change the land use of the Holiday Inn from a hotel to a senior living facility. This had changed from the original request for an assisted living facility. They were still requesting 76 units as noted in the application.

COVID 19 had been extremely difficult for hotels. The Michigan Lodging Association reported last month that roughly 850 hotels in Michigan were looking at closure or foreclosure due to COVID. The hotel at the subject site had been closed since April 2020, and the applicants were proposing an alternative use that would still work as opposed to having a vacant building on the site.

Mr. Koza further said the proposal to convert the hotel to 76 independent living units was an appropriate use, and they were partnering with Beztak Properties for this redevelopment and change in use. The restaurant area would be changed into providing three meals a day for the facility, and the banquet area would be turned into amenities for the current residences.

MOTION by Schwartz, support by Mantey, that the proposed amendment to PUD Plan 1, 2014 to convert the Holiday Inn Hotel to a senior living facility be set for public hearing by the Planning Commission at the March 18, 2021 meeting.

In response to a question from Commissioner Brickner, City Planner Stec said because of the changed request from assisted living to senior living, the applicants would need to submit a revised narrative before the public hearing.

Roll call vote:

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

MOTION carried 8-0.

(Note: this motion was reconsidered and amended under Commissioners' comments below.)

D. SITE PLAN 51-1-2021

LOCATION: 24360 Independence Dr.
PARCEL I.D.: 23-20-300-019
PROPOSAL: Existing club house entrance drive re-configuration, addition to clubhouse, and addition of open-air pavilion at existing apartments in RC-3, Multiple Family Residential District
ACTION REQUESTED: Site and Landscape Plan approval
APPLICANT: Independence Green Apartments
OWNER: Independence Green Apartments

Referring to her February 4, 2021 memorandum, Planning Consultant Komaragiri gave the background and review for this request for site and landscape plan approval for an existing club house entrance drive re-configuration, and addition of open-air pavilion at Independence Green Apartments. The applicant had withdrawn the addition to the clubhouse part of this request, and existing setbacks and building heights will be maintained.

The property hosts the clubhouse which serves as a leasing center for the apartments and the administrative office for the golf course. The building is part of the golf course property. The applicant is proposing to revise the existing drop off area and redesign the parking lot. The proposed changes include a net reduction of 14 parking spaces. The plan also proposes a turf mound area in place of a portion of the existing deck behind the clubhouse, and a free-standing pavilion.

Outstanding issues include:

1. Cannot ascertain compliance with the ordinance due to lack of a lighting plan.
2. Cannot ascertain compliance with the ordinance due to lack of a landscaping plan and tree survey.
3. Parking calculations must be provided in order to determine compliance.

In response to a question from Chair Stimson, City Planner Stec said the landscape issues were minor and could be approved administratively.

Matthew Fontaine was present on behalf of this application, and was available to answer questions.

MOTION by Orr, support by Trafelet, that Site Plan 51-1-2021, dated January 15, 2021, submitted by Independence Green Apartments, be approved because it appears to meet all applicable requirements of the Zoning Chapter. subject to the following items being submitted for administrative approval:

1. The addition to the rear of the clubhouse building is removed from the plans.

2. Landscape plan be submitted showing both replacement trees and any necessary additional parking lot canopy trees.
3. Parking calculations are provided.
4. A lighting plan is provided.

In response to a question from Commissioner Trafelet, Mr. Fontaine said they had reviewed the letters from the Fire Marshal and Engineering Division manager, and understood the comments about a sidewalk and fire hydrant.

City Planner Stec asked if any new lighting was proposed. Mr. Fontaine said no new high voltage lighting was proposed, but other lighting might be added.

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 52-1-2021

LOCATION:	27745 Orchard Lake Rd.
PARCEL I.D.:	23-15-201-015
PROPOSAL:	Addition to existing Gas Station in ES, Expressway Service District
ACTION REQUESTED:	Site and Landscape Plan approval
APPLICANT:	Faiz Simon
OWNER:	Three Orchards Real Estate, LLC

Referring to her February 4, 2021 memorandum, Planning Consultant Komaragiri gave the background and review for this request for site and landscape plan approval for the gas station at 27745 Orchard Lake Road.

The 0.52 acre parcel is zoned ES Expressway Service District. The current use of the site is a gas station, and development of the site includes numerous existing nonconformities.

The applicant is proposing to add a net 1,056 square feet to the existing building. The project includes the removal of 341 square feet and addition of 1,397 square feet of floor area. The proposed addition also includes an increase in height by 2 feet (existing 14'-6", proposed 16'-6"). The expansion is proposed to include an additional restroom, expanded shelving area and a stock room. No changes are proposed to the existing parking, pump islands, or site circulation.

Outstanding issues included:

- The plan identifies the west yard as the rear yard. The side and rear yard setbacks of the district are not met.
- The building is not oriented parallel to the property lines. Hence, the setback non-compliance is not consistent along the side and the rear property lines.

- The existing front setbacks from Twelve Mile Road and Orchard Lake Road are non-conforming. No changes are made to front setbacks.
- The side setback is currently non-conforming (11.95 ft; about 68 square feet of the space is in the setback). The applicant is requesting a 5-foot setback (approximately 236 square feet in the side yard). This would require approval from the Zoning Board of Appeals.
- The rear setback is currently conforming. The applicant is requesting a 5-foot setback (approximately 209 square feet in the side yard). This would require approval from the Zoning Board of Appeals.
- Setbacks to the gas station canopy are also existing nonconforming, and not proposed to be changed.
- No changes are proposed to the existing loading space. The loading area should be indicated on the plan.
- Rooftop equipment is presently visible and there appears to be no plan for screening. This must be addressed.
- The site has six fueling positions, which should be indicated on the plan. The proposed space #1 is conflicting with the entryway access.
- A note should be added to the site plan to confirm compliance with no parking or storage of vehicles, and no car washes.
- 13 total parking spaces are required, and 13 are provided. However, the spaces marked with a 1 (northeast corner of the site) and a 4 (southeast corner of the site) are both in conflict with site circulation. Given that 50% of fueling positions may be counted toward parking requirements, these two spaces should be eliminated and two fueling positions marked as parking in their place.
- A full tree inventory has not been provided, though existing and proposed trees are shown on a small landscape plan, including four regulated trees that are proposed to be removed. A fifth regulated tree is also listed for removal but not marked as such on the plan.
- Only three trees over the requirement for parking lot trees are provided; two additional trees should be provided. Alternatively, the applicant could request to pay \$350 per tree into the city tree fund.
- Identify the replacement trees in the tree list

Planning Consultant Komaragiri concluded her review.

Discussion followed. The Commission did not support the Engineering Division's request for the elimination of the northern access off Orchard Lake Road. Loss of that access would make interior circulation on the site worse, and make entering the site from Orchard Lake Road more difficult. Having only the southern access on Orchard Lake Road would severely harm this business.

Chair Stimson said that if a change had to be made, he would suggest having the northern access be entrance-only, and the southern access exit-only. However, he was not recommending any changes to the access points on the site.

Architect Ghassan Abdelnour, GAV associates, Farmington, MI, was present on behalf of this application, as was owner Faiz Simon.

Mr. Abdelnour said they had received the requested approvals about 5 years ago, but had not moved forward with them because the owner had purchased the restaurant to the west with plans to combine the sites. That plan had been discarded and the restaurant had been sold, so they were once again asking for approval to make the changes as submitted. He made the following points:

- They could remove parking spaces #1 and #4, especially since the parking pumps also provided parking to the site.

- They would resolve landscape issues.
- The front elevation would be unchanged. Materials for the addition would match existing materials.

Chair Stimson suggested that since the hotel to the south of this gas station was involved in a PUD application process, perhaps the PUD applicant could be encouraged as part of the PUD public benefit to work with Mr. Simon to open up the Orchard Lake Road Access with a common entrance, which would also allow Mr. Simon to redevelop the vacant restaurant to the south. Mr. Simon said he would be happy to work on this project; he had made an offer in the past to redevelop that restaurant and would be eager to move forward with that if it could be worked out.

City Planner Stec said he would follow up on this suggestion with the PUD applicant, and also encouraged the Commission to bring this idea up when the PUD came in for a public hearing.

MOTION by Countegan, support by Trafelet, that Site Plan 52-1-2021, dated January 19, 2021, submitted by Faiz Simon, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to:

- Revised plans showing compliance with the items identified in the February 5, 2021 Giffels Webster review report are submitted for administrative review
- Variances for the proposed rear and side yard setbacks are approved by the Zoning Board of Appeals.

And with the following determinations:

- The existing 12 Mile and Orchard Lake entrances may remain as currently configured.
- Existing zoning deficiencies may remain as existing conditions.

Roll call vote:

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

MOTION carried 8-0.

F. SITE PLAN 53-1-2021

LOCATION: 31066 Twelve Mile Road
PARCEL I.D.: 23-11-351-049
PROPOSAL: Self-service gasoline stations & drive through restaurant in B-3, General Business District
ACTION REQUESTED: Site and Landscape Plan approval
APPLICANT: The Barbat Organization
OWNER: Farmington Real Estate, LLC

This item had been postponed at the applicant's request.

G. ZONING TEXT AMENDMENT 1, 2021

CHAPTER OF CODE: 34, Zoning Chapter
REQUEST: Amend various sections of the Zoning Ordinance regulating the cultivation of medical marijuana

ACTION: Set proposed amendments for public hearing

MOTION by Schwartz, support by Trafelet, that Zoning Text Amendment 1, 2021, regulating medical marijuana caregiving, be set for public hearing by the Planning Commission at the March 25, 2021 meeting, and that this be the only item on the agenda.

Roll call vote:

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

MOTION carried 8-0.

(Note: this motion was reconsidered and amended under Commissioners' comments below.)

H. ELECTION OF OFFICERS

MOTION by Brickner, support by Orr, to nominate and elect the existing slate of officers:

- Chairperson: Steve Stimson (2nd Term)
- Vice-Chairperson: Dale Countegan (2nd Term)
- Secretary: John Trafelet (2nd Term)

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 January 14, 2021, January 21, 2021 & January 28, 2021

MOTION by Orr, support by Trafelet, that the minutes for the January 14, 2021, January 21, 2021, and January 28, 2021 meetings be approved as submitted.

Roll call vote:

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

MOTION carried 8-0.

PUBLIC COMMENT None.

COMMISSIONERS' COMMENTS

It came out in discussion that PUD 1, 2014, Regular Meeting Item C, might benefit from having the flexibility to be on the March 25, 2021 meeting agenda, in the event they could not get their revised narrative in before the deadline for the March 18, 2021 meeting. Therefore the following motion was offered:

MOTION by Schwartz, support by Trafelet, to reconsider and amend the prior motions for Zoning Text Amendments 1, 2021, regulating medical marijuana caregiving, and for PUD Plan 1, 2014, to convert the Holiday Inn Hotel to a senior living facility, to allow PUD Plan 1, 2014 to be heard either on March 18, 2021 or March 25, 2021, as chosen by the applicant, with no other items scheduled for the March 25, 2021 meeting other than PUD Plan 1, 2014 and Zoning Text Amendments 1, 2021.

Roll call vote:

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

MOTION carried 8-0.

ADJOURNMENT:

MOTION by Brickner, support by Orr, to adjourn the meeting at 11:36 pm.

Roll call vote:

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

MOTION carried 8-0.