

**MINUTES  
CITY OF FARMINGTON HILLS  
PLANNING COMMISSION PUBLIC HEARING/REGULAR MEETING  
FARMINGTON HILLS CITY HALL – COUNCIL CHAMBERS  
February 25, 2016, 7:30 P.M.**

Chair Topper called the Planning Commission meeting to order at 7:33 p.m. on February 25, 2016.

Commissioners Present: Blizman, Mantey, McRae, Stimson, Topper, Schwartz

Commissioners Absent: Fleischhacker, Orr, Rae-O'Donnell

Others Present: Staff Planner Stec, Staff Engineer Darnall, City Attorney Schultz,  
Planning Consultant Arroyo

**APPROVAL OF AGENDA**

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

**Motion carried unanimously 6-0.**

**PUBLIC HEARING:**

**A. AMENDMENT TO PUD PLAN 1, 2011 AND SITE PLAN 76-12-2015**

LOCATION:	28975, 29199, & 29221 Orchard Lake Rd.
PARCEL I.D.:	22-23-10-227-039, 041, 042
PROPOSAL:	Amend PUD Plan 1, 2011 to include 28975 Orchard Lake for the construction of a new self-storage and retail building in B-3 General Business District, LI-1 Light Industrial, and P-1 Vehicular Parking Districts
ACTION REQUESTED:	Recommendation to City Council on PUD Amendment Site and Landscape Plan approval
APPLICANT:	Nolan Real Estate Investments, LLC
OWNER:	U.S. Tool and Cutter Co.

Bill Bowman, Great Northern Consulting Group, Nolan Real Estate Investments, 1785 W. Stadium, Suite 202, Ann Arbor, MI, was present on behalf of this application. Steve Nolan, 4541 Bellair Drive South, Fort Worth, TX was also present. Mr. Bowman explained that they had appeared before the Planning Commission earlier (1/21/16) in order to set this PUD Plan for a public hearing. Since that date they had sent out information packages to the surrounding neighborhood. They hand delivered packages and invitations for an informational meeting at Ginopolis Restaurant for the neighbors or anyone who had any questions regarding this application. Mr. Bowman had met with some of the neighbors directly behind this proposal. However, for the most part no one else had reached out to them regarding this PUD amendment request. It seemed that everyone was reasonably comfortable with what they had done in the past. However, they were talking and working with the neighbors directly behind them to the west.

Mr. Bowman said their plans were to demolish the existing U.S. Tool and Cutter building. The neighbors had described that building as one that “ghettoized” Orchard Lake Road. Regarding the rear of the existing property, there was a broken down fence, a gravel driveway, the overhead doors on the existing building, dumpsters in the back, etc. With tonight’s proposal, all those unpleasant things would go away. The applicant would be constructing a new 3-story building with a basement. The new building would have about 65,000 square feet of gross self-storage with a drive-through; about 70% of that was net usable space. They would have about 6,000

square feet of retail/office/professional/medical use, and they had had some conversations with parties interested in this space.

Mr. Bowman further explained that they were requesting an amendment to the existing PUD rather than a new freestanding project. They were able to do this because of their good working relationship with ABC Warehouse. There were definite efficiencies that resulted from working together and tying the sites together. For instance, they were able to situate their drive-through north to south rather than east to west, and thus keep the activity away from the neighborhood. They were using the same exit/entrance that ABC used. They were also eliminating their curb cut, and were providing a marginal access drive. This was in accordance with the Master Plan, which encouraged tying properties together and helping keep traffic off of Orchard Lake Road.

They felt they had come up with a plan that did a lot of good things. Right now there was a dumpster sitting in the middle of what would become permanent green space in the back. The new dumpster would be built into the building, so it would be out of the way of the neighborhood. One of the things they had discussed with the neighbors was that they would be relocating the ABC Warehouse dumpster, as this currently was located right where their exit would be. The neighbors had asked that the dumpster be moved closer to the Orchard Lake side of the drive-through so it was further away from the residents for the loading and unloading of the dumpster. They also talked with the neighbors about building a 7-foot concrete wall rather than the 6-foot wall required. Mr. Nolan had discussed this with the Planning Department and city staff was fine with this. Eight feet tall was felt to be too high. They also were planning on putting a row of arbor vitae along the rear wall.

Mr. Nolan said these conversations had just occurred in the last week. Perhaps these changes could be added as a condition of a recommendation for approval. They were trying to offer the neighbors acceptable materials that were acceptable to the City as well. They also talked about planting a few more specimen trees – evergreens that would eventually grow to 25-30 feet that would help to block the building from the residential neighbors.

Mr. Nolan said that one of the things that was brought up in the previous meeting was the calculation of open space along Orchard Lake Road. The Ordinance required 50% of the 50-foot setback for open space. But the ordinance also did state that especially for infill locations this standard could be altered or waived. They were asking for this consideration; they were going to be a little bit less than 50%. It was impossible to create the connections and parking between the properties and still provide that 50%. They had about 50% of the 50% in front of the existing project and also in front of the parking lot in front of ABC Warehouse. That section had won a beautification award. They felt the most important thing was the quality of the green space provided.

Mr. Nolan concluded his presentation.

Utilizing overhead slides and referring to his January 11, 2016 review letter, along with a February 10, 2016 supplemental letter, Planning Consultant Arroyo gave the review for the PUD application.

Planning Consultant Arroyo reviewed general information regarding this project, as outlined on pages 1-2 of his review letter. He noted that there was split zoning on the property: LI-1, Light Industrial District and P-1 Vehicular Parking District. This was the only LI-1 District in this area. He reviewed surrounding zoning districts of RA-2 to the west, B-3 to the north and south, and B-4 across Orchard Lake Road.

Planning Consultant Arroyo showed the planned L-shaped configuration of the property, the parking in front of the ABC Warehouse, and noted the change since the last meeting, which was the southernmost driveway on Orchard Lake Road was being eliminated. In order to satisfy Fire Department requirements, the applicants were going to be paving all the way to the south property line. There would be a curb there to match the northern curb of the property to the south; the Fire Department was comfortable that they could access the site by going over

the curb if they needed to. This was a good solution that enabled the applicant to eliminate a curb cut while still providing for emergency vehicle access. This solution was a change since the Planning Commission last saw this plan.

Planning Consultant Arroyo said this application had received preliminary PUD qualification. The final determination criteria as listed on page 2 of the January 11, 2016 letter were met. Now that the removal of the curb cut was in play it helped to make their case for improving the public health, safety and welfare and providing a benefit over and above what they would normally see with conventional development. There was further discussion on the top of page 3 that *The Planned Unit Development option may be effectuated only when the proposed planned use will not materially add service and facility loads beyond those contemplated in the Future Land Use Plan.* The applicants were actually working toward implementing Plan recommendations by working toward internal property connections as well as minimizing the curb cuts. This was a positive.

Additionally, the applicants indicated that they had resolved some off-site drainage problems for the residential properties to the west that came up in the previous PUD application for this overall site for the storage facility to the north. This was another benefit that extended beyond the boundaries of the project.

In terms of the Planned Unit Development they had to meet one of 8 objectives. These were listed on pages 3-5 of the review letter. The following objectives were met:

- iii. *To accept dedication or set aside open space areas in perpetuity.* The applicant was setting aside the L-shaped portion in the corner.
- v. *To guarantee the provision of a public improvement which could not otherwise be required that would further the public health, safety, or welfare, ...* Removal of the curb cut could potentially meet this requirement.
- vi. *To promote the goals and objectives of the Master Plan for Land Use.* The applicants were doing a number of things, including bringing forward the land use recommendations. The long-term plan was not for industrial use on this property, but rather for commercial use, so the land use objectives were being provided. The applicants were bringing forth the consideration of the PUD. The Master Plan had suggested that a PUD would be appropriate potentially to resolve some of the issues in this area, including some of the unusual zoning that included Light Industrial. Providing for pedestrian connections and shared drives and modifying curb cut locations were also things that were consistent with implementing the Master plan.
- vii. *To foster the aesthetic appearance of the City through quality building design and site development.* Planning Consultant Arroyo said that he believed that what would be seen with this proposed development was an aesthetic improvement over what was on the site today and was consistent with the development that was along the corridor, including the provision of a masonry wall to buffer the residential.

Planning Consultant Arroyo said that given his comments above he did not feel there were any issues with meeting the PUD criteria. In terms of the site plan the applicants were asking for deviations in that they were asking for uses not permitted in the zoning district. Light industrial would not permit retail. The P-1 District would not permit anything other than parking. The uses were part of the PUD approval – to allow those uses that would not otherwise be provided. The existing site was obsolete. The obsolete development was being removed from the site.

In terms of dimensional requirements, there were a couple of things that would also require approval of deviations. One was the rear yard setback. For a light industrial district there was a 50-foot rear yard setback from residential and only 25.9 feet were proposed. The applicants were trying to match something that was similar to the north. However, if this were B-3 the 50 feet from residential would not apply.

Also the minimum side yard would need a deviation, though this would actually go away if there was a lot combination. If this was being developed as one PUD and if this lot was being combined with the ABC Warehouse lot to the north then that would no longer be a side lot deviation. If those lots were not going to be combined then there would be a deviation. Instead of a 10-foot side yard setback, 3 feet would be proposed.

The applicant had briefly mentioned the front yard open space. The requirement was to have 50% of front yard open space. What was needed were the calculations: the calculations would be part of the information that would accompany one of the deviations as part of this PUD. That number was important in order to describe what exactly was proposed in terms of percent of front yard open space provided.

Parking requirements were met. This was one of the advantages of amending the previous PUD in that additional parking was being provided on the ABC Warehouse site. Requirements for loading and unloading were being met given the shared parking arrangement.

Planning Consultant Arroyo deferred to the Engineering Division review regarding drainage.

Regarding fences and walls, the applicant had indicated that they were volunteering to build a 7-foot wall rather than the required 6-foot wall. Planning Consultant Arroyo did not object to this. In terms of the landscaping adjacent to the wall, there might still need to be some necessary tweaking. The applicants were talking about adding some arbor vitae; currently there were evergreen trees proposed there. The Ordinance envisioned deciduous trees on the non-residential side when a wall was proposed next to residential, but there were some challenges at this location because of overhead power lines. Therefore if the Planning Commission was comfortable with the applicant working with staff in order to add some more arbor vitae, and if there was any way to add some lower deciduous trees that would not interfere with the power lines, this might provide a really good buffer to the residential as well as meet the spirit of the ordinance. These were minor modifications.

In terms of exterior lighting, there were also some minor modifications that were necessary but there should be no problem meeting the lighting requirements. Changes could be handled administratively.

Regarding the landscape plan, other than what had already been mentioned, the plan was straightforward in terms of the specific requirements of the landscape plan. The Tree Removal Permit provided appropriate tree replacements and was in compliance with the Ordinance.

Planning Consultant Arroyo concluded his review.

Planning Commissioner Schwartz asked how the height of the proposed building and the proximity to the rear property line compare with what was permitted in the LI-1 District and with the B-3 District.

Planning Consultant Arroyo said if the proposal was for traditional construction in the LI-1 District, the building would have to be set back 50 feet from the residential but the maximum height could go to 50 feet, or 10 feet higher than what was proposed. In a B-3 District the maximum height would be 40 feet and the setback would be 20 feet in the rear. The applicants were proposing a 25.3-foot rear setback that would exceed the B-3 rear yard setback requirement. It did not meet the light industrial requirements.

Planning Commissioner Schwartz confirmed that this was the only light industrial property on Orchard Lake Road. Planning Consultant Arroyo added that the Master Plan did not anticipate that this site would continue to be a light industrial use.

Chair Topper asked about the applicant choosing to put in a 7-foot high wall in the rear. Was this allowable? Planning Consultant Arroyo said the 7-foot wall exceeded the minimum height requirement. The issue was whether there was a too-tall wall; there were some concerns, particularly if the wall was 8 feet or taller. Planning Consultant Arroyo and staff did not object to 7 feet if the residents were looking for that, though they did feel 8 feet, for instance, would be too much. However, this was a question for the Planning Commission to decide.

Regarding the green space, Commissioner Mantey clarified that they were now talking about having the wall 7 feet tall west of the green space and there was a building to the north and to the east, with an existing retail/office building to the south. He confirmed that there would be no wall on the south property line. He was concerned about the amount of sunlight what would get to the green space.

Chair Topper opened the public hearing.

Ralph Shortt, 29000 Lorikay, said that his property was the one most directly affected by this new building as it was directly behind it. What he saw proposed were deciduous trees in the green space and it looked favorable as far as he could tell. He had talked with Staff Planner Stec. Also Mr. Bowman was kind enough to contact him by a letter and they talked a couple of different times on some of the minor changes that could be made that would change the unsightly property that was there today. Mr. Shortt had been there for 33 years and unfortunately US Tool and Cutter had made no upgrades in all that time. There had been no repairs made to the wooden fence on the rear property line and there had been only minimal amounts of clearing of any of the weeds and overgrowth in the rear yard. Mr. Shortt had tried to insulate his property from the commercial blight by letting the overgrowth continue to grow so that in the summertime it would provide some kind of a green space buffer. Mr. Shortt was grateful that Mr. Bowman had contacted him. One of the suggestions Mr. Shortt had made was to raise the wall to a 7-foot height, and also to add arbor vitae along the wall. He had also requested a couple of tall spruce trees – at least two – be added to the green space. He had sent an email to Staff Planner Stec outlining his requests and concerns. These also included moving the trash receptacle on the north side a little closer to Orchard Lake Road, and making some agreement that the trash pickup would not happen in the middle of the night. Mr. Shortt had had to resort to calling the police because the trash was being emptied in the middle of the night: 3 a.m., 5 a.m., 10 p.m., etc. Mr. Shortt said Mr. Bowman had been very receptive to these suggestions, and he was supportive of this project if those minor changes could be incorporated.

Gary Edelstein, 28961 Lorikay, passed around photographs of the rear of the site. Mr. Edelstein said he lived at the corner of Lorikay and Coronet. His main concern was that there was nothing to block the view of the proposed building from his house or coming down Coronet Street going east; there were no trees there right now. He wanted to have trees planted there – something that would start out at 20 feet and grow taller and fill in that area. The present storage building to the north did have a significant amount of trees that were tall enough to block the view. But for tonight's proposed building, there were no trees at all. There was one tall tree to the left and one tall tree to the right but nothing where the building actually would be. A tall blank building without screening would destroy the character of the neighborhood.

In response to a question from Chair Topper, Staff Planner Stec showed the location of Mr. Edelstein's house on the aerial map. One of the pictures Mr. Edelstein passed out was a view of the subject site from the corner of Lorikay and Coronet. Mr. Edelstein said that he would come out on his front porch and be looking at this huge building. People driving down Coronet for 2-3 blocks would also be looking at this large building. He appreciated that the building was going to be 40 feet tall instead of 50 feet tall. Again, he thought the solution would be trees that would start out, if possible, at 20 feet and growing taller.

Chair Topper noted that the Commission had received correspondence from the owner of the property to the south, Kerope Arman, Country Glen LLC. Mr. Arman's concern was that this large building would be

overshadowing them, there were already excessive amounts of retail along Orchard Lake Road, and this proposal would be a burden to the economic climate.

Seeing that there was no further comment, Chair Topper closed the public hearing. She invited Mr. Bowman to address the concerns stated.

Mr. Bowman said they had talked about the trees and they had no problem looking for good-sized specimen trees to plant. However, sometimes inventory was limited, and they might plant 15-foot trees as opposed to 20 feet. The most important thing with trees was to find relatively fast growing evergreens that would thrive. Sometimes newly planted large trees did not make it; sometimes it was better to start with a medium range tree that would do well. They were willing to work with the neighbors to come up with a plan that would work.

Mr. Bowman pointed out that by developing with an amended PUD they were adding a lot of steps for themselves. The simplest way for them would be to develop the property under the light industrial zoning district and just build a drive through storage facility. The building would have to sit back an additional 25 feet from the rear lot line but the building itself could be an additional 10 feet tall. They could do that as a use by right, with a simple plan review and no public hearing. But this proposed PUD amendment was a better plan for the facility and for the neighbors. As far as the neighbors to the south, the only thing he could say was that was not a good example of a good retail building. He suggested that the owners of that building put a little money into it.

Chair Topper asked what time the trash was picked up at the other storage building.

Mr. Nolan said that the hours of pickup were restricted in the original PUD agreement and this would be an amendment to that. Whatever was in that agreement would stand.

Commissioner McRae asked if there would be any changes to the ABC Warehouse building.

Mr. Bowman said that they were just putting in the marginal access drive where right now there was open green space. That drive connection was part of what the Master Plan was trying to encourage and would result in a marginal access drive all the way from CVS drugstore south to the existing retail. At some point the property to the south might be redeveloped and then the access drive could be continued further south.

Commissioner McRae confirmed that the ABC Warehouse building itself was not being changed – the façade, etc.

Regarding signage, Mr. Bowman said that right now in the parking lot that they shared with ABC Warehouse there was a grandfathered freestanding sign. As part of this plan they were going to relocate the sign to be a ground sign that would match the storage facilities' ground signs. All the landscaping would match.

Commissioner McRae asked about the green space area behind the building. He wanted to be assured on the record that the green space would be maintained. Also, the landscape plan did not reflect what was being discussed this evening. He would like to have the landscape plan come back to the Commission for later approval.

Mr. Bowman said that they did have a detailed landscape plan; each of the plantings was called out in the landscape plan that the Commissioners had. The green space behind the building would be dedicated open space. Again they had won a beautification award; they had also won awards for other projects they had in Farmington Hills. All of their properties anywhere in the country were very well maintained.

Commissioner McRae said he was not as worried about the front of the building as much as the back of the building. The landscape plan in front of the Commissioners did not show arbor vitae, taller trees, etc. Approving an accurate plan was part of the approval process.

Mr. Bowman said those things had come up just this last week. Mr. Shortt's bullet points in his email could be made conditions as part of an approving motion.

Commissioner McRae confirmed that the renderings did not show any windows on the back of the building. He was concerned about having enough room in the 25-foot rear setback to plant the large trees being discussed.

Mr. Bowman said they would work with staff to come up with a landscape plan that would satisfy everyone.

Commissioner McRae noted that one of the comments from Mr. Arman of Country Glen LLC referenced parking issues. He asked about traffic flow and parking throughout the site. Mr. Bowman reiterated that there would be shared parking and he described traffic flow. Depending upon whether the office use was professional, medical or retail, they met or exceeded parking requirements.

Commissioner McRae asked if the parcels in the PUD would be maintained as separate pieces or would they actually be combined. Mr. Bowman said that the parcels were under separate ownership but they were tied by a PUD agreement that all owners had signed and all owners would have to sign the amendment to the PUD agreement. They had cross-access and cross parking agreements that were in place, and these would also be amended to incorporate the new parcel.

Commissioner McRae said that as a separated property, the Planning Commission had to consider a deviation for the 3-foot setback since a 10-foot north side yard setback was required.

Mr. Nolan said that was correct. For purposes of taxes they were not combining properties.

Commissioner Blizman asked about lighting, particularly to the rear and side, in terms of light flow into the neighbors' yards.

Mr. Bowman said that in their revised lighting plan they had removed lighting in the back. There was no need from an operational standpoint to have lighting back there. This was another benefit of the amended PUD, because if this property were rezoned to B-3, there might be a smaller building but there would probably be parking all the way around the building and activity in the rear.

Chair Topper brought the matter back to the Commission.

Commissioner Mantey said that if Commissioner Orr were present he would insist on the plantings in the green space being native to Michigan. One of the public had pointed out that they wanted Spruce trees there. But Commissioner Mantey had heard a report earlier in the week about Blue Spruce from Colorado all dying in Michigan because of some kind of blight, because they were not native to the state. Everyone wanted trees that would survive. Trees that grew really fast were also trees that broke easily. He would leave whatever the trees were for the experts at the City to approve. He would not insist on Spruce or any other particular type of tree.

Commissioner Mantey reviewed the items in Mr. Shortt's letter. He did not have a problem with a 7-foot wall behind the building. He was, however, worried about the tradeoff regarding the 7-foot wall and the green space. The more sun the area got the better for the grass. Again, he would defer to the experts in the City on this matter.

Commissioner Mantey said that as a business owner when it came to trash pickup and regulating the hours, he would be surprised if the applicants had any control over that. The trash pickup that his business got was done at a different time and day than what the driver was told to do it by his boss. Commissioner Mantey was sure that the applicants would try and do their best, but he was not sure that this was within the scope of what the Planning Commission could require.

Commissioner McRae said that he was not totally comfortable with deferring to staff as to what should be planted in the rear green space. He wanted to make sure the Planning Commission knew what they were getting back there for all the reasons discussed this evening. In that spirit he was comfortable with the site plan but would like to see the landscape plan come back to the Planning Commission.

**MOTION by McRae, support by Blizman, to recommend to City Council that amendment to P.U.D. Plan No. 1, 2011, dated February 2, 2016 submitted by Nolan Real Estate Investments, LLC be approved because the plan is in accordance with the objectives, goals and policies of the Master Plan for Future Land Use and is consistent with the objectives and applicable provisions of the Planned Unit Development Option as outlined in Section 34-3.20 of Chapter 34, Zoning Ordinance.**

- 1. Subject to modifications of zoning chapter requirements as indicated on the proposed plan.**
- 2. Subject to further modifications of zoning chapter requirements as follows:**
  - All goals, objectives as identified in the January 11, 2016 Clearzoning letter
  - Acceptance of the deviation of approximately 50% of the open space as detailed in the January 11, 2016 Clearzoning letter
  - Acceptance of the deviation that the north side yard setback be 3 feet as presented on the drawings instead of the minimum required 10 feet
  - Acceptance of the deviation that the west rear yard setback be 25.3 feet instead of the required 50 feet
  - Allow for the proposed retail uses in the Light Industrial and P-1 Zoning Districts
- 3. Subject to the following conditions:**
  - The masonry wall along the entire west property line boundary be 7 feet in height instead of the minimum 6 feet
  - The trash receptacle be moved east to the other side of the building drive-thru entrance towards Orchard Lake Road
  - Trash pickup shall be between the hours 8am and 6pm, if the time is not addressed in the existing PUD agreement
  - The permitted uses in the portion of the building identified as retail shall be limited to the uses permitted in the B-3 district.
  - Additional landscaping in the rear of the property to be determined at the time of the landscape plan approval

Commissioner Schwartz said that the Planning Commission had previously limited hours of operation regarding trash pickup. Mr. Nolan said that he could not remember what the hours of operation were in the existing PUD. City Attorney Schultz said the motion could read “as determined in the existing PUD or 7 a.m. to 6 p.m.”

Commissioner Stimson asked if the motion needed to be contingent upon shared parking or easements since the lots were not being combined. Planning Consultant Arroyo said that requirement did not need to be in the PUD; it would be part of the site plan review.

Commissioner McRae wanted to explicitly state that the motion did not limit the types of retail that were allowed in the building beyond what would be in the B-3 District. He did not want to have the limitations that were imposed on the storage building to the north.

Chair Topper clarified that the 7-foot high wall was permitted along the west property line and was to extend to the green space as well. Planning Consultant Arroyo recommended that the 7-foot wall extend along the entire property line. Commissioner McRae concurred.

**MOTION CARRIED 5-1 (Mantey opposed)**

Chair Topper asked for a motion regarding the site plan.

**MOTION by McRae, support by Blizman, that Site Plan No. 76-12-2015, dated February 2, 2016, submitted by Nolan Real Estate Investments, LLC, be approved because it appears to meet all applicable requirements of the Zoning Chapter. This approval shall be subject to a revised plan addressing the conditions of the amended PUD Plan approval being submitted for administrative review.**

**MOTION CARRIED 6-0**

Chair Topper asked for a motion regarding the landscape plan.

**MOTION by McRae, support by Blizman, to postpone the Landscape Plan No. 76-12-2015, dated February 2, 2016, submitted by Nolan Real Estate Investments, LLC, to a date uncertain, to allow time for incorporation of staff input and the Planning Commission's comments as discussed this evening regarding the greenery and trees on the property.**

**MOTION CARRIED 6-0.**

**REGULAR MEETING:**

**A. HISTORIC DISTRICT #7 HISTORIC DISTRICT STUDY COMMITTEE PRELIMINARY REPORT**

LOCATION:	22000 Haggerty Road
PARCEL I.D.:	22-23-31-101-020
PROPOSAL:	Homeowner request to eliminate historic designation
ACTION REQUESTED:	Review and recommendation to City Council
APPLICANT:	Derek White
OWNER:	Vicki White

Staff Planner Stec introduced this agenda item, which was a request to review and recommend to City Council to eliminate the historic designation for 22000 Haggerty Road, Farmington Hills MI.

Staff Planner Stec showed the location of the property on overhead slides, along with the Master Plan designation for this property. The area was Master Planned for OS-4 Office District. The property itself was zoned RA-1, nestled in between OS-4 Districts on the City of Farmington Hills side, with additional office and

multiple family housing on the Novi side to the west. The house was approximately 2,340 square feet and had been constructed around 1835. Staff Planner Stec explained that in terms of uses allowed, under the City's ordinance historic homes could be utilized along commercial corridors for OS-1 uses and RC multiple family uses. So there was some additional relief regarding uses in the Ordinance.

The process for eliminating a Historic District was regulated through the City Code and was basically the same process as for establishing a district. The Historic District appointed a Study Committee whose members had visited the property and prepared a report that was in the Commissioners' packets. At the end of that report was a recommendation. Tonight the homeowners would explain the reason for the request. Representatives of the Historic District Study Committee would deliver their recommendations.

Staff Planner Stec explained the standards that the Study Committee had to use when making a determination as to whether the Historic District should be eliminated or not, which were that one or more of the following criteria must be shown:

1. The historic district has lost those physical characteristics that enabled the establishment of the district.
2. The historic district was not significant in the way previously defined.
3. The historic district was established pursuant to defective procedures.

Staff Planner Stec said the findings of the Historic District Study Committee were that those criteria were not met, but the Study Committee would go into that further.

Tonight what was being requested was a recommendation to the City Council, as this change would be an amendment to the City Code. The Planning Commission's recommendation would be forwarded to City Council after review and recommendation by the State Historic Preservation Offices (SHPO). There would be another public hearing at the City Council level for the ordinance amendment.

Commissioner Schwartz asked if there was current regulation regarding renovating the interior of the building. Staff Planner Stec said the Historic District Commission's purview was only for the exterior of the building. Anything on the interior did not have to go before the HDC for any kind of approvals unless something affected the exterior.

Commissioner Schwartz clarified that as long as the property was designated Historic under the current ordinance it could get repurposed for a professional office building, but if it lost its historic designation it could only be used as a single family house. Staff Planner Stec said that under current zoning that was correct.

Commissioner Schwartz asked if the house burned down or was picked up and moved and the property became vacant, would the property be kept single-family? Wouldn't the City be compelled to rezone it to OS-4? Staff Planner Stec said the Master Plan did show the property as *Large Office* so that a request from the property owner without the historic designation would probably go forward if the Master Plan was going to be followed.

Chair Topper reiterated that the home could be used as a residence or an office use. Staff Planner Stec said the home could be used as a residence, though the desirability of doing this in its current location was questionable.

Chair Topper invited the applicants to speak.

Derek White, 5726 Bloomfield Glens, West Bloomfield, was present on behalf of this application. Dan Blugerman, 32521 Woodvale, Farmington Hills MI, realtor for the property, was also present.

Mr. White explained that he was the personal representative for his mother's estate, which still held the title for 22000 Haggerty Road. Mr. White explained that the reason he and his wife were here this evening was because they could not sell the house. His mother passed away in 2009 and they had been trying for the past 7 years to sell it. There had been people who had come and looked at it. But, the problem that most buyers had with the property was that the house sat within 50 feet of the road and it was right in the middle of the property. This was a problem for the house to be the face of a company, even if someone were able to build back there and get a driveway approved, because having the structure as the face of a property was not agreeable. Also, the Historic designation and the restrictions that came with that in terms of what an owner could do around the house, along with setback requirements, were a turn-off as well. For that reason, he could not get anyone to offer within \$100,000 of the comparables in Farmington Hills for a piece of property like this. Therefore they came to the Historic District Commission last June and asked that the designation be removed. Based on the feedback from that meeting, where HDC members acknowledged the fact that the home probably wasn't going to be used as a residence again but it still did have some architectural value, the only other alternative was to move the house, as was already mentioned. The Whites had run an ad in the Farmington Observer for June through July, selling the house for a dollar, with the only stipulation that the buyer also had to pick it up and take it someplace else. There were 12 people who called. The only question people asked was how much property came with the house. For some reason prospects didn't see that they had to pick the home up and move it. The Farmington Observer also ran an article last December on the dilemma that the Whites could not sell the house and would give it away for one dollar. The Farmington Voice also ran an article. There was absolutely no interest generated by either of those articles. Mr. White understood that the purpose of the Historic District is to try and stabilize and improve property values within the District, but in this case it was a hindrance and was not helping property values at all.

Chair Topper asked if the historic designation were removed, what would that allow Mr. White to do? Mr. White replied that it would allow the property to possibly be rezoned. It would certainly give more flexibility in the sale. All of the interest had been in developing the property. No one had any interest in the house at all. The rezoning would open the property up for more opportunity for potential buyers. It was a piece of land that was sitting there with nothing on it.

Commissioner Schwartz asked why 3 options were not feasible. (1) Why couldn't the house be leased? (2) Why couldn't the home be sold or leased to be converted into professional office space, especially with a relatively good proximity to I-696 and I-275? (3) If the house either by the Whites or by a buyer was picked up and moved to downtown Farmington or downtown Northville or somewhere else, in the right neighborhood that house gained more value on paper. Additionally the Whites would have a piece of property on Haggerty that could be rezoned to office. Commissioner Schwartz was most intrigued by the 3<sup>rd</sup> option.

Commissioner Schwartz asked why any of these 3 options weren't commercially viable. With respect to moving a house, Commissioner Schwartz said he was chair of the Board of Zoning Appeals when the barn by Botsford Hospital was moved from Grand River to 13 Mile Road. He remembered the owner saying that cost was about \$10,000. He was assuming \$10,000 - \$20,000 to move this house.

Mr. White said that he agreed with Commissioner Schwartz completely. Back in the early days when they were trying to sell this property he had spoken with an architect who had done this type of work before where he had built business condominiums on the back of a property and then sold or leased them out to medical professionals and other types of professionals. That certainly could be done. Other than the fact that the existing home was in front with the narrow access on either side of it which might make it difficult to get in and out of the property there was no reason that could not be done. It wasn't clear to him why buyers hadn't seen this. But there had been no interest in this. Again, limited to what the Historic District imposed on that property due to the Historic designation, he did not think anything could be done within 100 feet of the building.

Mr. Blugerman said that leasing the house was interesting as a continued use, but right now the septic system had failed and the house was malodorous. To lease the house the owner would have to connect to the sewer along I-275, which was about \$25,000. To lease it, how would you get that money back? The house had not been updated. There were brick countertops. It did not have any modern amenities.

Mr. Blugerman said the people who came in to look at the house included insurance agents, attorneys, estate planners etc. Their initial reaction was enthusiastic toward the house and the project. But then they would bring in their contracts or architects and they started looking at it to see what it would take to convert the existing structure and maybe add on to it and they started going through the numbers and it was just not feasible. He had talked to at least 10 people during the last year under this scenario.

Mr. Blugerman said that even if the price was less the house did not lend itself to rehabilitation. There were stairs up both sides, making access difficult. The idea was a good one but they could not find any one who wanted the structure for a professional space or who wanted to move the home. The Whites were not in any position to be the developers but they had hoped to find somebody who wanted to do this.

As far as picking up the house, Mr. Blugerman said they had contacted a mover who had told them the minimum to move the house was about \$25,000 and that was just the moving part of it. The movers would have to jack the house up and get it clear. Then when they got to their destination billing was time and materials as they didn't know what was going to happen. Bringing the house back down was a delicate process. The mover had said basically the owner would need an open checkbook. The \$25,000 was just to get started.

Mr. Blugerman said that they tried to give the house to Greenmeade (Livonia) because the owner was the cousin of the original Greenmeade home. Greenmeade did not want it. Greenmeade said that when it went away they would like to pick off certain architectural pieces. That is, they wanted certain parts of the structure. but they didn't want the home.

Commissioner Mantey asked Staff Planner Stec what the City's appraised value of the home was. Staff Planner Stec said that the assessed value was 78,510. The current taxable value was 58,610.

Commissioner Mantey said the Assessor thought the home had \$156,000 market value. Usually the Assessor undercut the value a little bit because they didn't want people to protest. So the market value would probably be around \$175,000. The house had been listed for \$520,000 in 2010, and then for \$485,000. The great recession started in 2007. Almost 2 years later the Whites asked for over a half million dollars for a property of an old house on a freeway when the economy was going into the tank. Then they asked for \$485,000 and then \$399,000 and now they were saying they could not sell it at 289,000. Yet they were being taxed by the City, and the City said the home was worth \$150,000. Commissioner Mantey said if the house was listed close to the assessed value and then it would not sell he would be more receptive to the claim that the property could not be sold. Why were the asking prices so high? Where did those values come from?

Mr. White said that seven years ago it was probably naivety on his part. Now the value was based on looking at the property from a potential OS-4 commercial aspect. The property across the street – 2 acres in Novi – was listed at \$800,000. Mr. White didn't think it was necessarily pie in the sky to look at \$289,000. The comparables came from Dan Blugerman's work, looking around Farmington Hills.

Commissioner Mantey asked if the comparables were for office buildings. Mr. Blugerman said the idea was if the property was zoned Office then it was worth the price they were talking about – about \$300,000 for 1.6 acres

on the freeway. Even though it was only 135' x 560' they believed that amount of land would support enough development to warrant that price in an office zoned district.

Commissioner Mantey asked if they were talking about the land or the structure. Mr. Blugerman said the house had negative value. The land without the house – without the burden of historic zoning – would definitely support that value. That was the property's worth, in his professional opinion.

Commissioner Stimson asked if they had had any interest from anyone who would be interested if it was OS-4 come forward and not make any offers.

Mr. White said 3-4 years ago someone had expressed interest. He had brought the potential buyer to the Planning Staff to go through what could be done on the property. The buyer gave up because he didn't know what to do with the house.

Commissioner Stimson asked if they had pursued trying to find someone who would be interested in the OS-4 zoning designation. Mr. White said he was not sure how he could market it for that since it was currently zoned residential. He didn't know how to market it that way without getting the approval first.

Mr. Blugerman said they had brought that idea to people, asking for an offer subject to rezoning. Buyers asked what it would take in terms of time and costs. Once they learned it was a yearlong process involving all the procedures regarding the Historic District and rezoning, they were not prepared to make that commitment. Also, there was not a lot of new office construction. Mr. Blugerman thought the site good for medical use. But no one in that community had had been interested in going through the yearlong process.

Commissioner Stimson asked if this property could go through a PUD process that would be conditional upon getting the building moved. That would be an option as well.

Commissioner McRae asked about the aluminum siding. Mr. White said that except for the first 2 feet by the ground which was brick the entire home was aluminum sided. This was done before his folks moved into the house in 1961.

Commissioner McRae was surprised that any house with aluminum siding would be in the Historic District. He explained that he had been wrestling with this since he had read this application. Some people said to just move the house. Commissioner Schwartz had mentioned the barn from Botsford. Yet the moving was the least expensive part of the whole process, and it assumed there was a place for the house to go. The City didn't have a park or graveyard for homes. There wasn't an easy or immediate place for it to go. The property was boxed in by development on the north and south. On the other hand, and reading the White's letter, it seemed that the reason Mr. White's mother and perhaps father took it to the Historic District in the first place was to gain protection from being developed. Now that same protection was causing the Whites' children a burden.

Mr. White said that was exactly right. He was in a different time, place, and in a different circumstance than his parents had been.

Commissioner McRae said that he grew up on the other side of the freeway and it was indeed an entirely different place now than it was in the 60's and 70's before the freeway went in. He was trying to wrestle with that. Instead of being under the protection of the Historic District, if the Whites had sold the house at that time, it would now entirely be OS-4.

Mr. White said that both he and his wife had encouraged his mother to sell after his father passed.

Commissioner McRae said that he was also the owner of property he could not currently sell in the City. One could argue that one reason property could not sell was because of pricing – he understood Commissioner Mantey’s point. His only question was about the aluminum siding, which struck him as being really strange in a Historic District.

Chair Topper asked about the failing septic tank and the smell in the house. Was it moldy? Could the applicant address the condition of the home?

Mr. Blugerman said the odor was from the failed septic system. There was no mold. The wood was in good repair and nothing was falling apart. However, there was no dramatic feature. The living room was originally part of the barn and so there was a fireplace that provided a little bit of character. The kitchen was redone sometime in the 60s. It has exposed beam but lacked charm. There was latticework along in the dining room and in the master bedroom. Whoever did that was a craftsman but it is not going to make any magazine. The home did not communicate to people that it was worth preserving.

Chair Topper acknowledged Mr. Blugerman’s comments, but also confirmed that the building was stable and “not falling down.”

Mr. White said he should add that the original part of the house was fine. However, another thing that was a turnoff was that his folks put on a 2-story addition in the late 1970s. They had the 1980s stock builders’ windows in them and it was just as Mr. Blugerman had said, it just didn’t present old world charm. Certainly the aluminum siding didn’t help. There were some architectural features as were pointed out in the document Staff Planner Stec sent out.

Commissioner Mantey asked Mr. White why he didn’t ask the Planning Commission to change the land zoning. This could be done before a potential sale occurred.

Mr. White said he didn’t think this could be done unless there was a plan or purpose. He had worked with Planning Director Gardiner in the past when he had questions or potential buyers and talked about some of those details. He had not had anything to bring forward to make that request. He didn’t know which came first in this case, the chicken or the egg.

Staff Planner Stec said that when considering a rezoning, the City did not consider a plan. A rezoning was considered by the use because there was never a guarantee that an applicant would bring a plan forward that would actually be accomplished. The City did not engage in contract zoning, where a property was rezoned for a specific use. The applicant could do a rezoning request.

Staff Planner Stec said that one point that should be clarified was that Mr. White had said he couldn’t do anything within 100 feet of the home. This was not accurate. The Historic District Commission had approval authority of anything that would go within 100 feet of the home, so the applicant could potentially do something within that 100 feet. This was important to understand when discussing the limiting factors of the Historic District. Also, the rezoning process did not take a year. It might take a couple of months, but not a year.

Chair Topper reiterated that right now the property could be used for Office. Staff Planner Stec said it could be used for OS-1, office purposes.

Commissioner Mantey asked for the difference between OS-1 and OS-4, which was the future use indicated in the Master Plan.

Staff Planner Stec explained that the OS-1 District permitted general office uses such as executive, administrative, professional, accounting, writing, clerical, medical including clinics, banks, credit unions. The OS-4 allowed all those uses plus more intense uses including medical laboratories, hospitals, research, research and development, technical training, hotels and motels, etc. Some of those uses required special approvals. If a rezoning request came through for this property, it would make sense to ask for OS-4.

Commissioner McRae said that he heard and read about the original piece of the house and the addition already mentioned. But the overall house was now apparently 2300 square feet. Without the 2-story addition, how large was the original home? Mr. White said the addition was about 800 square feet, on the back of the house.

Mr. Blugerman asked about Commissioner Mantey's suggestion to ask for a rezoning right now. If the applicants came in and asked for a rezoning, was that a way to leave the Historic District? Staff Planner Stec explained that the rezoning request was a separate action from a request to eliminate the Historic District designation. City Attorney Schultz confirmed that that the Historic Designation would not preclude the rezoning of a property.

Mr. Blugerman clarified that even if the property were rezoned to OS-4, they would still have the same Historic District restrictions.

At this time Chair Topper asked for the Historic District Commission Special Committee presentation regarding this request.

Kenneth Klemmer, Farmington Hills Historic District Commission, 31805 Bond Boulevard, Farmington Hills MI, said that he wanted to start by talking about the characteristics and assets of the house, from the community asset, the historic asset, and from an aesthetic asset. The Special Committee that was formed as a subset of the Historic District Commission, which included David Johnston, Joan Barber and himself undertook the task of reviewing this property for potential decommissioning very seriously. They studied and reviewed records, and visited and walked the property. While not perfect, the David Simmons house was more than just an old building. It was a touchstone to an earlier day, when Haggerty Road was dirt. Rather than the sounds of I-275 that were heard now you could hear the clucking of chickens and the clop of horses. This house was a point of pride to the original owners and those that lived there after. They were part of this house and this house was part of them.

Mr. Klemmer showed an early photograph of the home. He said that the house was already about 60 years old in the picture, which was taken around the turn of the century. The Special Committee had heard from a lot of members of the community who remembered this house before the Whites bought it. It was in rough shape at that time. The home was renovated and restored under the Whites' parents care. It was 130 years old then and was already a very very old house. It still had a lot of life left in it then, and at 180 years old now had a lot of life left in it still. The home was far from gone.

Mr. Klemmer said he wanted to remind everyone what was so special about a Greek Revival home, because there had been some contention that this was a common house or not that special of a house. One of the nicest things about a Greek Revival house is that people smile when they see one because a Greek Revival home has the kind of face that smiles back at a person. The simple looking façade was actually a precise calculation of proportion and scale that was set out by master architects and then copied by builders. The builders made little changes when they built these houses; they were built by owners typically. But those proportions were made and the house under consideration still had those proportions. It still had that quality that it started out with. Mr. Klemmer said that it was mentioned that you see these houses all over the place. His response was: yes and no.

There were 36,000 houses in Farmington Hills. There were about 30 Greek Revivals still standing. The David Simmons home was probably one of the oldest ones in the City. It was one of the City's cultural and heritage assets. The home was not one in a million, certainly, but it was easily one in a thousand. Record keeping being what it was, they didn't know exactly when this house was built but they thought it was somewhere in 1834 or 1843. They believed the numbers had been transposed. The Special Committee really supported the idea of relocating and preserving the home in some way. When it was gone it was gone forever. Therefore Mr. Klemmer urged the City and the homeowner to try to find a way to preserve the home.

Steve Olson, Historic District Commission (HDC) chair, said that he would follow up on Mr. Klemmer's comments. He explained that the HDC saw this home as a dilemma. None of the alternatives were absolutely favorable. There was no apparent coercion – one of the reasons to delist a home – when the Whites initially had the property put into the District. The condition of the home, while not the greatest, was certainly stable. Demolition by neglect was not a reason for delisting the home. The HDC acknowledged that the location was a challenge. However, the location might be a challenge with or without the structure. The net was that the Study Committee that Mr. Klemmer headed up could not in good faith recommend delisting the house and demolition.

Mr. Olson reminded the Planning Commission that the HDC's assignment was preservation. The HDC was there for the house even when the owners were not there. But they were also realists. The David Simmons home and parcel was a challenge. The location was not going to go away. Therefore the HDC was willing to offer an alternative of moving the home. That was not their preference. They would prefer to have it used in location; that was always the way the State and City looked at historic preservation. But given the location and everything else associated with that the HDC was willing to look at a move. The City had done this in the past with the HDC's supervision.

Mr. Olson said the process would involve putting together an agreement with the homeowner that the homeowner would surrender title to the home. The HDC would work on a publicity campaign that would focus on the positive. The publicity that was done when the home was offered for a dollar really spoke mostly to the quirkiness of the property rather than the potential of what it could be when it was restored. That potential was what people were going to buy when they purchased this home. They would buy the opportunity to extend history. So what the HDC would look at potentially doing would be a broader publicity campaign. They had looked at previous packets that had the legal agreement that a potential buyer would complete. The buyer would tell their experience in restoration, what they would they offer financially, where they would move it. The HDC and the agreement would probably give preference to a location in Farmington Hills but they would also not be rigid. They would consider locations that might take the home out of the City. This was not the greatest option but it was something the HDC could offer as a compromise. They were looking at May because the weather was good and provided a positive. But if they could do it earlier then they would do that. The documentation would need to go through some legal reviews. Past process had involved the review of all documents and processes by the HDC in an open meeting. All the packets would be literally opened up in an open meeting of the HDC, reviewed, and hopefully a decision would be quickly made in terms of if the buyer were an appropriate person for this project.

Chair Topper asked the HDC representatives to address the aluminum siding and how that impacted the historic nature of the home. Mr. Klemmer said that the fact that the house had aluminum siding really did not affect its historic integrity in any way. Likely the original wood siding had been covered up, for at least 50-60 years. In Mr. Klemmer's business they had taken aluminum siding off where the wood siding was in great shape underneath. However, sometimes that was not the case. Sometimes there was water infiltrating behind the siding. There was no way to know without lifting some of the aluminum siding. But the HDC didn't really see the aluminum siding as a detriment to its historic character. A lot of the hallmarks of the house were still there: the other wood trim, the distinguishing characteristics that make it a Greek Revival were still existing.

Commissioner Schwartz said that he had been sitting here wondering if he should abstain and purchase the house himself. He had decided against this. The one quote to move the house mentioned this evening seemed like it would be “your bank account and trust me” kind of quote. Did Mr. Klemmer have any ballpark of what it would cost to move the house to a location such as downtown Northville or Farmington?

Mr. Klemmer responded that the cost of moving the home was largely dependent on the route taken, how many utilities had to be moved out of the way, how many wires had to be lifted up, how many traffic lights had to be removed, etc. The house, as was already mentioned, had an addition to the north and an addition to the east. Those additions were of pretty dubious value so if those were removed the original house as it stood 50-60 years ago could be moved. A Greek Revival, especially of this era, was a timber frame building. In theory it could be dismantled in pieces and then reassembled in pieces on site, so there was some flexibility in how it was moved. It could be moved as a whole unit. It could be cut in two pieces, where the one-story wing was disconnected from the two-story part, and the two parts could then be moved separately. Or it could be dismantled and moved on a flatbed truck in pieces. Costs would be dependent on method and route. If the home was moved in two pieces, which was the most obvious way to do it, they were probably talking at least \$25,000 - \$30,000 to move it, depending on the distance.

In response to a further question from Commissioner Schwartz, Mr. Klemmer said those costs were just to cut the home in two and get it up on a truck.

Commissioner McRae said that the success of this venture depended upon other people being willing to spend money. He asked if there was a break point at which time the HDC would say it would be great to save the house, but no one had come forward, and it was time to move on.

Mr. Klemmer said that they would want to exhaust every opportunity before they conceded that point. But yes, the point might be reached where it might not be possible to sell the home, give it away, or move it.

Commissioner Mantey said the way he understood tonight’s discussion, the Commission was being asked to make a legal determination, based on the 3 criteria in the Ordinance. Had these criteria been met or not? The HDC was saying they had not been met. The Planning Commission had to make a recommendation, based on what the HDC had brought to the table. The only other alternative was to say the HDC had not done their job correctly. This had nothing to do with personal opinion about the house or the applicants. Also, it was not up to the Planning Commission to come up with a plan regarding this home.

Commissioner Blizman asked what was the oldest part of the house. Mr. Klemmer pointed out the original part of the house on an overhead slide. The addition in the back was built later.

Commissioner Blizman said that that picture showed the original siding with the original pilasters. He reviewed his history of volunteer work with the City, which began with his membership on the Historic District Commission. He pointed out that the Simmons family was noteworthy in Livonia but not in Farmington Hills. He remembered that in the 1980s members of the HDC were actively seeking older homes to be part of the Historic District. They were especially looking for Greek Revival homes. But this home did not seem to him to truly meet the criteria for a historic home. It had aluminum siding, and had the siding in 1981, when it joined the District. The windows had been changed. The wood pilasters were not original. Yes it was a Greek Revival with pleasing proportions, but this did not necessarily make the home worth saving. It seemed to him that if the house could not be moved it should be removed from the Historic District. There were better examples in better condition of more authentic Greek Revival homes in the City.

City Attorney Schultz said he wanted to comment on Commissioner Mantey's question on the legal charge to the Commission. Ultimately the real decisions regarding this home were the HDC's and City Council's. There was a line in the Ordinance that said the HDC submitted its recommendation to the City Council along with the recommendations of the Planning body, if any. Therefore the Planning Commission was being asked as part of the overall review what their thoughts were on this request. In that spirit, the Planning Commission had some ability to offer comments on this request.

Staff Planner Stec said there would also be comment from the State Historic Preservation bodies that would go before City Council.

Chair Topper said she appreciated what Commissioner Blizman said about the aluminum siding but that could be taken off. She asked Mr. Blugerman to comment as to whether the home had been marketed for office use. She liked the idea of marketing the home for someone to move it.

Commissioner McRae said another thing he was wrestling with was the concept of what to do with the home if it could not be moved. The fact that this house was an inheritance presented a distinct challenge. It felt to him like there was a point where the home became more of a burden than a value. If the marketing approach the HDC was recommending was tried and was not successful, he would be prepared to remove the home from the Historic District.

Mr. Blugerman said that recently the Planning Commission approved the Rainbow Daycare Center on 12 Mile Road near Halsted, which had an older home on the property. At the time that property was listed as an opportunity to develop a single family home on a main street for office/commercial development. He used the same mailing list and a similar type of flyer format and marketing for the home being discussed tonight. At the time he had two parallel buildings and attempted to cross market those opportunities – one on Haggerty and one on 12 Mile. There was similar pricing and similar opportunity and for the house on Haggerty they were not successful. He felt they had seriously, professionally, and thoroughly marketed this property as an office land use. The flyer that currently went out said "office opportunity on I-275 in Farmington Hills." They had worked with the City to get the proper visibility of signage on I-275 in order to market to the 80,000 people on I-275. They had exhausted every opportunity to market it for office.

Chair Topper asked if the Commission were predisposed to go with the Historic District Commission's plan, how would they approach that?

Staff Planner Stec said that actually the plan of moving the home was an option that could occur outside of this whole process. Tonight the single question that was on the table and needed a recommendation was not about moving it but rather should the District be eliminated or not.

Chair Topper asked if the historic marker sign would be moved with the house if the house were to be moved.

Mr. Olson said if the structure remained in Farmington Hills, past practice said they could move the signage to the new location. If it left Farmington Hills it was outside of their responsibility.

Staff Planner Stec said that the sign was actually a State sign and not one of the HDC's signs. The home also had a State Historic Designation.

Commissioner Stimson indicated he was ready to make a motion.

**MOTION by Stimson, support by Schwartz, to recommend denial to City Council of an amendment to the City Code of Farmington Hills, Chapter 15, Historical Preservation, Article II, Historic Districts and Historic District Commission, Section 15-29, to eliminate Historic District #7, The David Simmons House located at 22000 Haggerty Road.**

Commissioner Schwartz said that even though he had a Masters of Planning Degree he did not know much about historic homes. He couldn't have said this was a Greek Revival house until he was told it was, and to a large extent he and other Planning Commissioners were dependent upon the information brought to them from the HDC. He felt the house potentially could be very valuable piece of property in the right location. He understood that the applicants inherited this problem from their parents. But the parents made a choice. The best solution was to figure out a way to move the home. Maybe they could still make some money on it. Also, Commissioner Schwartz said that he would support rezoning the parcel to the OS-4 District. He noted that the cost of sewer attachment was significant but not astronomical.

Commissioner Mantey said that he understood the plight of the current owners and that this was a problematic property. As he had pointed out he thought they had been asking too much for the property. He welcomed a request to change the land use to make it easier for the applicant to try and sell the home and property. Then if it could not be sold or the home could not be relocated, he might be open to supporting a delisting. But currently he agreed with the motion.

Commissioner McRae said he would be voting against the denial. He was hopeful that they could find some place to move the home to and find someone who wanted it. He was hopeful that was the case. But in terms of tonight's question, he believed that the house had lost the characteristics of an historic home, including the idyllic setting it was once in.

Commissioner Blizman said he would also be voting against the denial for the reasons he had said. He spoke to the fate of Historic Districts in the State generally, since legislators were considering eliminating historic district preservation entirely. But in any case he would not support the motion. He thought it was not justified to keep this home in the Historic District because of what had happened to the physical characteristics of the home and the environment. Also the original owner of the home, David Simmons, was important to Livonia, but did not have historic significance to Farmington Hills.

Chair Topper called the motion.

**MOTION CARRIED 4-2 (Blizman, McRae opposed).**

**B. PRESENTATION OF HISTORIC DISTRICT COMMISSION ANNUAL REPORT FOR 2015**

Utilizing a power point presentation, and referring to the Historic District Commission Annual Report in the Commissioners' packets, Steve Olson, Chair of the Historic District Commission, began by reviewing the membership and role of the Historic District Commission (HDC), which was authorized by City Ordinance and guided by Secretary of Interior Standards. The HDC reviewed requested modifications for Historic properties and issued Certificates of Appropriateness and Notices to Proceed. The HDC also nominated properties for inclusion in the HDC; every year they went on a tour and looked in different sections of the City. The whole purpose was to promote preservation in the City and to help retain some of that DNA that existed within the City's history.

In 2015 they issued 6 Certificates of Appropriateness as follows:

- District #516, Spicer House Stables/Chauffer Quarters, 24723 Farmington Road. New wall and freestanding wayfinding/directional signage approved for various uses.
- District #506, Glen Oaks County Club, 30500 West Thirteen Mile Road. Approved work to reconfigure the parking lot within 100 feet of the district.
- District #303, The Samuel Davis House, 32330 Twelve Mile Road. Approved the replacement of the existing freestanding sign along 12 mile Road.
- District #16, The Mark Arnold House, 26490 Drake. Approved exterior materials for previously approved plans for a two-story addition to the side and rear of the home and for the construction of a new detached garage.
- District #202, The Boorn-Halsted House, 28325 Halsted. Approved the installation of twelve new replacement windows matching the approved replacement windows installed in other rooms in 2005. The installation of a new fence within 100 feet of the historic home was also approved.
- District #301, The Lawrence Simmons House, 33742 West Twelve Mile Road. Approved the installation of exterior security cameras at all entrances, the repair and/or replacement of rotting exterior wood and architectural features, the replacement of three non-historic exterior French doors on a non-historic addition to the eastern side of the home, and the resurfacing of the existing parking lot.

In 2015 they issued the following Notices to Proceed:

- District #509, the Lewis Howard House, 30318 Twelve Mile. Approved the removal and replacement of the existing wood shake roof with architectural fiberglass shingles.
- District #507, The Sarah Fisher Home, 27400 Twelve Mile. As part of a proposed PUD Plan for this site, approved a Notice to Proceed that would allow the demolition of all on-site structures with the exception of the main administration building and two of the “cottages” which would be repurposed for use as part of the facility. The historic entrance sign structure at the corner of 12 Mile and Inkster would also be preserved.

Regarding the Sarah Fisher home, Mr. Olson said they were guardedly very pleased with what was developing there. In addition to saving the 3 structures (administration building and two “cottages,” they also believed that they would be able to retain a lot of the building materials there and have those repurposed in some of the construction that was done in gardens and other areas. They had been gratified to work with the new owner who seemed to have a real understanding that the administration building and these other buildings could really create the character of that property. The HDC did not see it as much of a loss as spreading the character throughout the property.

Additionally, regarding the David Simmons house and the challenge it represented as discussed this evening, they had been aware of it and they would continue to try and work on that and try to reach an eventual solution for that home.

Historic Designation: 26291 Pillsbury. This was a house on Pillsbury that was near Farmington Road and 11 Mile and would be the 3<sup>rd</sup> mid-century home that would come into the District. It had a very long lawn and a wonderful horizontal spread in the style of Frank Lloyd Wright, echoing the Prairie look.

Mr. Olson noted that anything that was beyond 50 years old and deemed historically significant could be included in the Historic District. The HDC would only be considering architect-designed homes and would continue to be very selective.

Additionally the HDC worked on historic marker maintenance. The majority of their budget actually applied to markers that were 25+ years old, where the paint had become worn. They had them taken back to the manufacturing shop for repainting and necessary restoration.

HDC also participated in communications outreach. They did a video program on Ken Klemmer's house for the local channel and for youtube. Mr. Klemmer's home was a Storybook Tudor home on Bond Street. Storybook Tudor's were commonly built in Hollywood in California; very few were built in Michigan.

Mr. Olson also reported that the HDC had held an open house event. All the homeowners of the Historic District were invited. At this open house the HDC shared the files they had. A lot of the owners hadn't seen some of the older files. This event was attended by about 35 people and represented an outreach that gave back to the property owners.

Mr. Olson concluded with the theme from the National Trust: "This Place Matters." The HDC was vested in building community, protecting historic properties, and bringing publicity forward. This was part of what they felt added to the community in Farmington Hills.

Commissioner Schwartz thanked the Historic District Commission for their work. He said that he had just returned from New Orleans and saw the economic productivity of historic preservation there. He was concerned about currently proposed state legislation, which he felt was absurd, and which might violate home rule. He asked if a motion could be made this evening recommending that the City Council formally oppose that legislation.

Mr. Olson said that he appreciated Commissioner Schwartz' comments. He said he did not like reading commentary on commentary and he had read the actual proposed legislation as it was posted on the State of Michigan website. He pointed out two things that he found of concern: 1) The new legislation changed the way that members of Historic District Commissions were nominated. They had eliminated the phrase that said, *clearly demonstrated interest or knowledge in historic preservation*. They were saying HDC members don't have to have any interest in historic preservation. Instead they had added in that a member should be an elected member of the legislative body in the local unit and one who was a representative of the business of engaging in residential or commercial construction. Mr. Olson thought that came fairly close to putting the fox in the henhouse. The second matter of concern was the 10-year sunset clause on historic districts. The HDC had considerable supervision from the Planning Department, from the Council liaison (currently Valerie Knoll), and from the Planning Commission. It seemed really unnecessary and onerous to have every district in the State expire every 10 years, and new Historic Districts formed.

In response to a question from Commissioner Schwartz, City Attorney Schultz said making a recommendation to City Council regarding this proposed legislation should be an agenda topic before a vote was taken. Commissioner Schwartz asked that this be put on the next agenda, and asked that the proposed legislation be put in the Commissioners' packets.

Commissioner Blizman said the motion tonight was to accept the report. Could an addendum to the motion be added to the motion regarding the pending legislation? City Attorney Schultz said this would be at the Commission's pleasure, but would be an unusual way to proceed. Commissioner Blizman said it was also unusual to do away with historic preservation every 10 years. He was a supporter of historic preservation and always had been. He commended the HDC on behalf of the Sarah Fisher preservation.

Commissioner McRae said that related to the David Simmons home discussed tonight, one of the biggest challenges was where could that house go. Could the HDC approach City Council and advocate for some section of parkland somewhere and establishing an actual district for homes that needed to be moved? There were other possible historic homes that might be affected. The City had traditionally advocated keeping the homes in place. But was there an alternative way to do this?

Commissioner Mantey said this had been done in Oakland, California.

Commissioner McRae said other cities had large historic parks or districts, including Livonia, Northville, and Southfield.

Chair Topper indicated she was ready for a motion.

**MOTION by Blizman, support by McRae, to accept the Historic District Commission Annual Report for 2015.**

**Motion carried 6-0.**

**C. PRESENTATION OF PLANNING COMMISSION ANNUAL REPORT FOR 2015**

Staff Planner Stec reviewed the Planning Commission Annual Report for 2015. He noted that the report had been in its present format for many years.

Major initiatives in the report included:

- Capital Improvements Plan
- Zoning Ordinance Text Amendments.

Major projects included:

- Beaumont Botsford Hospital Campus PUD
- Sarah Fisher PUD

Staff Planner Stec highlighted some of the provisions in the Zoning Ordinance Text Amendments:

- The addition of the ordinance requirement for pedestrian sidewalks – the connections from the sidewalks to the buildings. There had been concern that his requirement would be a burden for property owners and developers, but it seemed to be working very well, especially as the Planning Commission was allowing striping to delineate pedestrian areas.
- Indoor recreation facilities regulations had changed, relaxing the regulations a bit and allowing them in LI districts with simpler approvals.
- Streamlining the application process by requiring concurrent applications of landscape and site plans. In most cases that had been helpful to the approval process and to the Commission.
- Changes to the drive-through stacking space.

Also, in 2015 discussions were started regarding ordinance amendments for signs because of the recent US Supreme Court rulings. He was expecting draft revisions for the cell tower ordinance and the signs to come soon.

Staff Planner Stec reviewed the charts in the annual report, which included a listing of Planning Commission Activity, graphs of yearly activity since 2010, a listing of Site and Special Plan Approval requests, Landscape Plan request, Lot Splits, Cluster Options, Site Condominium/Open Space Review requests, and PUD Options and Plans.

The Planning Commission Annual Report would be presented to the City Council in the near future.

Commissioner Schwartz said the report was a very powerful tool for economic development and trying to present an image: *We will work with developers and investors*, especially the page labeled Planning Commission Activity. The statistics showed that the Commission approved 95% of whatever was presented to them. Relatively little was postponed or denied. While the Commission might ask lots of questions and add conditions, basically people were able to get their projects through in a pretty timely manner. He recommending making sure the Economic Development Director had this information.

Minor corrections were noted and Staff Planner Stec said these would be made before the report went to City Council.

Chair Topper indicated she was ready for a motion.

**MOTION by McRae, support by Stimson, to accept the Planning Commission Annual Report for 2015 with corrections.**

**Motion carried 6-0.**

**D. DISCUSSION OF BUILDING ACCENT LIGHTS IN COMMERCIAL DISTRICTS.**

Chair Topper said this item would be moved to the next study session, which would be in April.

**COMMISSIONER'S COMMENTS**

Commissioner Blizman asked Staff Planner Stec to make sure the sign at the tailor shop across from Ginopolis on 12 Mile met City regulations.

Commissioner Blizman also asked about the new house on the north side of 12 Mile Road west of the Jain Center – was this a residence or a home of some kind? Staff Planner Stec said he would check on this.

The next meeting would be March 24, 2016.

**ADJOURNMENT:**

Seeing that there was no further discussion, Chair Topper adjourned the meeting at 10:13 p.m.

Respectfully submitted,

Steven Schwartz  
Planning Commission Secretary

/cem