

**MINUTES  
CITY OF FARMINGTON HILLS  
PLANNING COMMISSION PUBLIC/REGULAR MEETING  
FARMINGTON HILLS CITY HALL  
COUNCIL CHAMBERS  
November 14, 2019, 7:30 P.M.**

Chair Schwartz called the Planning Commission meeting to order at 7:30 p.m. on October 17, 2019.

Commissioners Present: Brickner, Countegan, McRae, Orr, Schwartz, Trafelet, Turner

Commissioners Absent: Mantey, Stimson

Others Present: City Planner Stec, City Attorney Schultz, Planning Consultants Arroyo and Tangari, Staff Engineers Kennedy and Olson

**APPROVAL OF AGENDA**

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

**MOTION carried unanimously.**

**PUBLIC HEARING**

**A. SPECIAL APPROVAL PLAN 67-10-2019**

LOCATION: 23460 Industrial Park Drive  
PARCEL I.D.: 23-30-276-054  
PROPOSAL: Indoor golf training facility in excess of 5,000 square feet in an LI-1, Light Industrial District  
ACTION REQUESTED: Special land use and site plan approval  
APPLICANT: Chad Elledge  
OWNER: 23460 Industrial, LLC

Chad Elledge, 23460 Industrial, LLC., was present on behalf of this request for special land use and site plan approval for an indoor golf training facility in excess of 5,000 square feet at 23460 Industrial Park Drive, located in an LI-1, Light Industrial District.

Mr. Elledge explained that the Golf Leadership Academy had been in the building for two years. The facility had indoor putting turf, nets, etc. They worked to instill leadership traits in young people through the golf experience.

City staff expressed surprise that the Academy had been in operation for two years; this had not been clear from the application.

In response to questions from the Commission, Mr. Elledge gave the following information:

- At the maximum they would have 20 people training at one time, with 3 employees.
- The 4-foot-high trash receptacle was in the rear of the parking lot behind the building, without an enclosure. They had used Waste Management to remove their trash since opening.
- Due to ownership issues, in summer 2019 the landlord reworked the title and ownership of the building. In August the landlord had notified the Academy that they would need to submit an

application for a Certificate of Occupancy. When they did that, they discovered they needed a Special Land Use Approval. The landlord told them it had been the original real estate broker's responsibility to make sure this was taken care of. As soon as the Academy learned that this process had not been followed, they submitted an application for a Special Land Use approval, resulting in tonight's meeting.

- No new HVAC equipment had been added.
- No food was served on the premises, except for a vending machine with snacks, and a water jug in the training area.

In response to a question from Chair Schwartz, City Attorney Schultz said the issues called out in the Planning Consultant's October 29 review letter addressed the same things that would have been required if the applicants had come in for Special Land Use Approval before they began operations in the building.

Chair Schwartz opened the public hearing. Seeing that no one came forward to speak, Chair Schwartz closed the public hearing and invited the Planning Consultant to give his report.

Utilizing a PowerPoint presentation, and referring to his October 28, 2019 review letter, Planning Consultant Tangari gave the background for this application for special land use and site plan approval for an indoor golf training facility at 23460 Industrial Park Drive.

Planning Consultant Tangari explained that certain indoor recreational uses were permitted in the LI-1 District after a public hearing and Planning Commission deliberation and approval. Because this was an existing site, the Commission had some discretion as to how much of the site needed to be brought into compliance with the current ordinance. It did not appear that the exterior of the site was modified for this use.

Outstanding issues included:

- Regarding parking, the plan showed 21 spaces, with plenty of room on the site for more parking. The Commission should determine whether the striped spaces shown on the plan were adequate or whether additional spaces should be striped. No barrier-free spaces were provided; one must be provided in a parking lot this size.
- If the applicant was keeping trash outside, the need for an enclosure should be addressed.
- The Planning Commission should determine whether to require screening of the existing rooftop air conditioner, since it was clearly visible from Industrial Park Drive. The air conditioner predated this use.
- The four wall-mounted fixtures did not meet the cutoff standards of Section 34-5.16. It was unclear if lighting to the site otherwise complied with the standards of Section 34-5.16. It did not appear that there were any pole-mounted lights.
- Regarding parking lot trees, 3 additional trees were need to reach the required 7 trees.

Commissioner Brickner said that nothing had changed on the building exterior for many years. While a dumpster enclosure might be required, other major exterior changes might not be necessary.

**MOTION by Countegan, support by Orr, that Special Approval No. 67-10-2019, submitted by Chad Elledge, be approved, subject to all applicable provisions of the Zoning Chapter, for the following reasons:**

- 1. The use would not be injurious to the district and environs.**

2. **The effects of the use would not be contrary to the spirit and intent of the Zoning Chapter.**
3. **The use would be compatible with existing uses in the area.**
4. **The use will not interfere with orderly development of the area.**
5. **The use will not be detrimental to the safety or convenience of vehicular or pedestrian traffic.**

**And with the condition that revised site and landscape plans addressing the following issues be submitted for administrative review:**

- **The plans show a dumpster enclosure.**
- **The plans show 23 striped parking spaces including one (1) ADA space.**
- **3 parking lot trees be added.**
- **All improvements be complete within 1 (one) year per the approved revised site and landscape plans.**

**MOTION carried unanimously.**

Commissioner Orr indicated he would make a motion regarding the landscape plan.

**MOTION by Orr, support by Trafelet, that Landscape Plan for Special Approval No. 67-10-2019, submitted by Chad Elledge, be approved, because it appears to meet all applicable Zoning Chapter requirements, and applicable Design Principles, as adopted by the Planning Commission, with the condition that all issues called out in the Planning Consultant's October 29, 2019 review letter under *Tree Removal and Replacement* be resolved, including:**

- **A tree inventory identifying the type and size of existing trees be provided.**
- **3 parking lot trees be added.**
- **A cost estimate be provided.**
- **All improvements be complete within 1 (one) year per the approved revised site and landscape plans**

**Motion carried unanimously.**

**B. ZONING TEXT AMENDMENT 2, 2019**

|                   |   |
|-------------------|---|
| CHAPTER OF CODE:  | Chapter 34-Zoning   |
| REQUEST:          | Amend Article 3, "Zoning Districts" of Chapter 34 "Zoning" in multiple subsections to permit greater maximum building heights and to establish the maximum number of building stories in non-residential zoning districts |
| ACTION REQUESTED: | Recommendation to City Council  |
| SECTIONS:         | 34-3.1.19.E, 34-3.1.20.E, 34-3.1.21.E, 34-3.1.22.E, 34-3.1.23.E, 34-3.1.24.E, 34-3.1.25.E, 34-3.1.26.E, 34-3.1.27.E, 34-3.1.28.E, 34-3.1.29.E, and 34-3.9.4.B.iv(2)   |

Planning Consultant Arroyo gave the background for this proposed Zoning Text Amendment, which would make changes to multiple subsections to permit greater maximum building heights and to establish the maximum number of building stories in non-residential zoning districts.

The City's current Zoning Ordinance primarily regulated building height by a specified maximum building height in feet. In most districts, the current Ordinance did not call out a maximum number of stories. The potential need for the City to address its building heights came forward in 2017 when the Commission reviewed the Century Office Building project on Haggerty Road. When that project went through the PUD process, the applicant had presented a number of reasons why there was a desire for increased ceiling heights in their office building, and they had indicated that the market was demanding increased height from floor to ceiling in newer office buildings. In the case of that project, the applicant's 5-story building was approved with an 80-foot tall building height. Each floor was 14'8" from floor to ceiling.

As part of the process of studying this issue, along with other zoning amendments, the Commission reviewed other information that showed there was support nationally for additional ceiling heights in commercial developments.

The amendments before the Commission this evening were to a) allow increased floor to ceiling heights and b) to establish a maximum number of stories; for the most part, the current ordinance did not specifically limit the number of stories. The amendment would not increase the number of stories or intensify the amount of development that was permitted. The proposed changes allowed for additional ceiling heights and additional room in the ceiling for equipment, etc., but because the language also included a maximum number of stories, the amendments would ensure that a developer did not use the additional building height to put in an extra floor and thereby increase traffic or the intensity of the development.

For example, under this proposal the maximum building height in the OS-1 District would increase from 30 feet to 34 feet. This would allow two floors with 15-foot modules, with an extra 4 feet for a parapet wall. Currently in that same district two stories were allowed, but with floors two feet shorter at 13-feet high, with the parapet. Again, the proposed draft language was simply allowing for additional flexibility for new buildings. It would not increase square footage, traffic, intensity, or density.

Commissioner Countegan asked if Planning Consultant Arroyo was seeing a demand not only for greater ceiling heights, but also wiring for computers, etc., between the ceilings and the floor of the next story. Planning Consultant Arroyo said the need for greater storage above the ceiling was secondary to the demand for greater light in the workplace. A higher ceiling height allowed for more light and created an open feeling to the floor space. This market trend was across all uses, including retail and office.

Commissioner Countegan summarized that the proposed change was for a small incremental increase in the various zoning districts, with the result that the City's requirements would be competitive for those who wanted to invest in the City to build office or commercial space, and who wanted the flexibility to build stories with higher floor to ceiling heights. The intensity of the use would not increase.

Planning Consultant Arroyo said that was correct. The change would help address industry trends, and also would address what neighboring communities had already provided in their ordinances. For instance, the City's OS-4 District was currently limited to 40 feet maximum height. The proposed amendments would raise that limit to 50 feet. In Novi similar office districts allowed for 46-foot and 65-foot high buildings. In Southfield similar office districts allowed for 55-foot tall buildings, with one district having no height limit at all.

In Farmington Hills, the business districts that contained mostly retail uses allowed a maximum 40-foot height; those were proposed to go to 50 feet. In Novi similar districts allowed 45 feet and 65 feet heights. In Southfield similar districts had no height limit.

In summary, the proposed change would help the City remain competitive as the market changed regarding the demand for increased ceiling heights. As structured, the amendments would not result in an increase in allowable floor area over the existing ordinance because a new maximum number of floors regulation would keep someone from using the amendments to add additional floors and additional floor area to a building.

Chair Schwartz asked how many properties were available for new commercial construction. Planning Consultant Arroyo listed the following availabilities, as researched by City Planner Stec:

B-1, 5 parcels, under 1 acre

B-2, 3 parcels, approximately 3.2 acres

B-3, 35 parcels, approximately 18.11 acres

B-4, 1 parcel, approximately .6 acres

IRO, 3 parcels, approximately 2.7 acres

LI-1, 13 parcels, approximately 18.25 acres

OS 1, 21 parcels, approximately 6.4 acres

OS 2, 2 parcels, approximately 8.35 acres

OS 4, 7 parcels, approximately 91.1 acres, although approximately 48 acres of that was already under developmental consideration.

Commissioner McRae pointed out that in the IRO and LI-1 Districts, the height was not changing, but maximum number of floors would be applied. Commissioner Countegan added that all districts in the City had maximum heights; no district had unlimited heights.

Planning Consultant Arroyo said those points were correct. The highest buildings of 100 feet were allowed as part of PUD projects in the Freeway Overlay District.

Commissioner Orr said that in some districts, required setbacks increased as buildings got taller. Would these changes increase those setbacks and result in smaller footprints? Planning Consultant said that might happen in districts where that specific formula was in place.

In response to a question from Commissioner Countegan, Planning Consultant Arroyo said he believed the proposed changes would be a positive for the community from an economic development standpoint, in terms of maintaining a tax base to support city services, schools, etc.

Commissioner Countegan thought the incremental increased heights would help keep the City competitive as it allowed for adjustments that developers might otherwise seek through the Zoning Board of Appeals process; that process could be discouraging to developers and result in a loss of opportunity for the City.

Planning Consultant Arroyo said that was correct. If it was the City's desire to continue to offer and see more Class A office space, this would be the type of improvement that should be made.

Commissioner Brickner asked why the current height limits were set as they were. Was fire suppression for tall buildings an issue?

Planning Consultant Arroyo said that he had not been involved when the original height limits were set. However, generally those limits reflected the industry standard at the time they were established.

Commissioner Orr said that during his years on the Commission other discussion regarding building heights had occurred, especially when a sustainability study was completed several years ago. At that time another

Commissioner had pointed out that the ITC building at M-5 at 12 Mile Road was already 8 stories high. All the buildings discussed this evening would be shorter than that.

Chair Schwartz opened the public hearing.

Leroy Asher, Miller Canfield, 150 W. Jefferson Ste 2500, Detroit MI, said he represented the owner of 32000 12 Mile Road LLC. He made the following points:

- The opposition notifications that had been on Facebook and mailed as postcards to residents that showed pictures of 30-40 story buildings had nothing to do with tonight's proposed changes, which would not increase the number of stories as already permitted in the zoning districts, with a maximum 3 stories, and would not add to the number of people using buildings over what was currently occurring.
- The Planning Commission was to be commended for the work they had done on this issue: they had looked at the market, listened to the comments of their professional consultants, and had been proactive as a Planning Commission in terms of looking at what was available and what the market was driving.
- Planning and Community Development Director Gardiner had previously given a presentation at a City Council Study Session [Oct. 14, 2019]] regarding the history of height levels in Farmington Hills, including the historic emphasis on keeping the heights at tree level. The increase from 40 to 50 feet in the OS-4 District, with a 3-story maximum, kept the height reasonable; people driving by would likely not even notice the increase in height.
- The proposed changes were consistent with what other communities were doing. Tenants wanted increased floor to ceiling building heights so that more light could enter. The distance between the floors was equally important, because there was more technology apparatus that needed to go there. A 10-foot ceiling height, and a 4-foot area between the ceiling and the floor above, required a 14-15 foot height distance for each floor. Three stories at that height totaled about 45 feet.
- At a previous Planning Commission study session, the commercial neighbor to the west of 32000 12 Mile Road had claimed the proposed changes would be anti-competitive. Mr. Asher distributed a handout to the Commission, showing the building heights in the area east of Halsted and south of 12 Mile Road, where a PUD agreement approved in 1994 had allowed 55 foot tall buildings. What was being proposed this evening was nothing more than what was done in 1994.

Carrie Miles, 30570 W. 11 Mile Road, said her property was .5 acres, and she had been approached by commercial developers to sell her property, even though it was zoned residential. How would the proposed changes affect homeowners like herself? Was an attempt being made to push people out of their homes in order to construct higher commercial buildings? She was concerned that her area would end up being like certain areas in Ann Arbor or Southfield.

Chair Schwartz explained that the City was divided into zoning districts; those districts and their uses would not change under the amendments proposed this evening. Properties in single-family districts would remain unchanged. For districts where office or retail was allowed, the number of stories would stay the same. If the amendments were approved by City Council, the height of each story would be permitted to be slightly higher. The changes were being proposed because tenants wanted more natural light, and there was a need for more technology apparatus to be stored in between floors.

Sharon Brown, 31538 Rocky Crest, was concerned that the additional proposed height of 10 feet for some buildings would be detrimental to the open, "country" feel of the City.

Pat Plamondon, 31976 Wayburn Street, was concerned about development and the resulting intense traffic on 12 Mile Road between Farmington and Orchard Lake Roads. Specifically, she was concerned about the three new hotels at Farmington and 12 Mile, added to the hotels at Orchard Lake and 12 Mile, creating traffic bottlenecks in the area.

Robin Richardson, 34595 Quaker Valley Road, asked for clarification regarding which districts were allowed which heights.

Planning Consultant Arroyo listed the maximum stories that would be allowed in the various zoning districts under the proposed changes: OS-1, OS-2, OS-3, B-1, and B-2 Districts would be allowed 2 stories; OS-4, B-3 and B-4 Districts would be allowed 3 stories. Expressway District would also be 3 stories, as would IRO and LI-1. The heights in the IRO and LI-1 Districts were not changing.

Currently buildings in the Freeway Overlay District could potentially have a height of 100-feet, after a public hearing and special approval by the Planning Commission. The Grand River Overlay District could, through the PUD process, potentially allow an 87-foot high building, or 7 stories, on a portion of Grand River. The Freeway Overlay District and the Grand River Overlay District were not changing under the proposed amendments.

The PUD ordinance allowed anyone who met certain qualifications to petition the City for greater heights than allowed in their underlying zoning district. The process required a public hearing, and the petitioner would have to demonstrate that they were providing something unique to the community. In that instance, the Planning Commission would make a recommendation to City Council, and Council would be the final determining body.

For the districts that were being affected by tonight's proposed amendments, none exceeded 3 stories.

Ms. Richardson said that if a developer wanted taller ceilings, they could choose to have fewer stories, so that the City did not have to have taller buildings. She mentioned the loss of sun and view when very tall houses were built close to older homes. If taller buildings, such as those in Southfield, for instance, were required to make the City more competitive, she preferred the City remained noncompetitive. She worked in Royal Oak, where she felt tall 4-story buildings were destroying the beauty of that city. She preferred that buildings in Farmington Hills did not get taller or bigger.

Susan Scott, 29240 Spring, pointed out the various residential housing developments on Middlebelt between 12 Mile and 13 Mile Roads. It also appeared that an adult care facility was going to be constructed at 12 and Middlebelt, at the site of the old Ginopolis Restaurant. Additionally, for 5 summers the residents had infrastructure repair and construction on that mile of Middlebelt Road. Last, she felt the condo development at the corner of 13 and Middlebelt was not attractive. She was concerned that overdevelopment was causing Farmington Hills to deteriorate.

Saleem Chaudhary, 27952 Trailwood, echoed the concerns of others who had spoken this evening. Farmington Hills had the opportunity to be beautiful and green. City Planners needed to balance the need between economic development and how residents were impacted by that economic development. While it was important to develop the City, Planners should also work at making the City more livable by planting more trees and providing more green spaces, and making sure commercial and residential spaces were separated by green space.

Benta (phonetic), 27952 Trailwood, said that people felt disrespected when they were encroached upon by commercial development. She lived near Haggerty and 12 Mile, with all industrial buildings on the Novi side. Traffic around their area was so intense that they had to be in or out by 3:30 pm. Having green spaces to separate residential from commercial would be appreciated.

Tim McElmurry, 28085 Alycekay, asked if the Fire Department could suppress fires at the taller buildings.

Chair Schwartz explained that new office and retail buildings had to include fire suppression sprinkler systems. Additionally, the City already had taller buildings in other districts, and the City's Fire Department had the capability to fight fires at taller buildings.

Commissioner Brickner said when the ordinances were written, the City might not have had that fire-fighting equipment. The Fire Department now had 100-foot ladder trucks.

Mr. McElmurry said there were office spaces in the City that were empty. He was concerned that businesses in current buildings would move to the more modern buildings, leaving empty spaces behind.

Rick Spranger, 26200 Farmington, said he applauded the Planning Commission and City Council for looking at this issue. It was good that the City looked at its ordinances to make sure they were competitive with other area cities for businesses of this type. This was a tax base the City could not afford to lose. If the City were not competitive, why would businesses stay in the City?

John Anhut, Senior Corporate Liaison Chair Emeritus of the Economic Development Corporation, said he had been involved in economic development for 40 years. He was convinced that economic development drove the economy. In order to be competitive, the City needed to be up to date. The proposed changes would bring the City up to date and help keep it competitive, and he asked the Commission to recommend approval for the amendments proposed this evening.

John Budrys, 29921 Ardmore, asked if there were regulations regarding lighting buildings for passing aircraft. Also, would exterior lighting on the buildings shine into the neighborhoods, causing less of a dark sky for residents?

Chair Schwartz said that towers 200 feet high had to have lights; buildings discussed this evening would not be affected. The City did have a lighting ordinance.

Commissioner McRae noted that last month the Commission had recommended to City Council changes in the lighting ordinance that would strengthen lighting controls, including limiting glare and ensuring exterior lights were installed parallel to the ground. The City had one of the more restrictive lighting ordinances in the area.

Chair Schwartz acknowledged correspondence from Michael Evangelista, 34790 W. 8 Mile Road, and Pat Lenhart, a Farmington Hills resident, regarding this matter.

Seeing that no one else came forward to speak, Chair Schwartz closed the public hearing and brought the matter back to the Commission for discussion and/or a motion.

Commissioner Countegan said that the Planning Commission and City Council, as well as prior Commissions and Councils, had been very aware of the desire of the community as it was Master Planned



and zoned, to be a low-rise developed community. This type of purposeful low-rise development differentiated Farmington Hills from other cities in the area who followed a different path, and this would not change with the proposed amendments. Zoning districts also would not change; residential zoning districts would remain residential districts.

The City also recognized that there were vacant and re-developable properties within its boundaries, and reasonable standards needed to be put in place that would attract investment that would support city services, public schools, etc., while still being true to the principals of low-rise development as articulated in the Master Plan.

The proposed height increases were incremental – some building heights in some districts were only being increased 4 feet. The maximum increase in height was 10 feet. Therefore the increase would be between 4-10 feet, with no additional stories above 3 in the districts being discussed. Residents should feel comfortable that the Commission was mindful that Farmington Hills was a low-rise developed community and that would not change. On the other hand, the City needed to be competitive so that when people wanted to come in and invest or re-invest in the community, it was a positive thing for the sustainability of the community in terms of supporting city services.

Commissioner Countegan said that for those reasons he felt the proposed amendments were good ones, and he would support recommending their approval to City Council.

Commissioner Brickner noted that he had lived and been involved in City government in Farmington Hills for a long time. The City had consistently aimed to have a 65% residential/35% commercial tax base. The request to increase the height of buildings by no more than 10 feet seemed reasonable, and the additional height would also give room for a parapet to shield roof-mounted heating and cooling systems. The taller buildings would be closer to the expressway. The proposed development at 12 and Drake would be well off the roads. Again, the number of stories would not be increased, and he did not think the proposed amendments would harm the residents of the City. Regarding vacancies in office buildings, he believed that Farmington Hills had a low vacancy rate, especially compared to neighboring communities.

Commissioner Brickner said that he also dealt with 12 Mile Road traffic on a daily basis.

Commissioner Brickner addressed the opposition piece referenced by Mr. Asher that showed 40-story buildings. This was not what was being discussed this evening. He felt the proposed amendments increased the City's competitiveness while not increasing intensity of use, and he would support a positive recommendation to City Council.

Commissioner McRae indicated he was ready to offer a motion.

**MOTION by McRae, support by Countegan, that the Planning Commission recommend approval by City Council of proposed Zoning Text Amendment 2, 2019, proposing to amend Chapter 34 "Zoning", Article 3 "Zoning Districts," in multiple subsections for non-residential uses, in order to amend provisions related to building height and/or maximum number of stories, as presented in the draft ordinance language this evening.**

**Motion carried unanimously.**

Chair Schwartz called a brief break at 8:45 p.m., and reconvened the meeting at 8:50 p.m.

**REGULAR MEETING**

**A. SITE PLAN 68-10-2019**

|                   |  |
|-------------------|--|
| LOCATION:         | 25000 Haggerty Rd.   |
| PARCEL I.D.:      | 23-19-151-011  |
| PROPOSAL:         | Drive through car wash for existing auto dealer in B-3,<br>General Business District |
| ACTION REQUESTED: | Approval of site plan  |
| APPLICANT:        | Bloom General Construction   |
| OWNER:            | Suburban Haggerty Property, LLC  |

Utilizing a PowerPoint presentation, and referring to his October 29, 2019 review letter, Planning Consultant Tangari gave the background and review for this application for site plan approval for a drive through car wash for an existing auto dealership at 25000 Haggerty Road.

The applicant was proposing to add a car wash to the existing 20,488 square-foot-building. The addition would be approximately 975 square feet. The car wash appeared to be for dealer use only, and the proposed car wash location appeared to be currently used for temporary vehicle storage.

Outstanding issues included:

- The plan did not identify a loading space, although a loading space might not be necessary.
- The Planning Commission should determine whether to require, as a condition of approval, screening of roof-top units on the existing building in accordance with Section 34-5.17.
- A tree inventory and landscape cost estimate should be provided.
- The required screening hedge for the parking spaces facing Haggerty Road was not present for the existing site; the Planning Commission should determine whether or not to require a hedge.

Commissioner Orr wondered if the hedge was required when the building was originally constructed, and a certificate of occupancy was received. He pointed out that the building must have complied with ordinance requirements at that time.

Matthew McCollum, Bloom General Contracting, 25601 W. 8 Mile Road, Redford MI, said they were in process of resolving all issues in the consultant's letter. They were hesitant to plant hedges along Haggerty Road because they didn't want to block the view of their inventory.

**MOTION by Countegan, support by McRae, that Site and Landscape Plans 68-10-2019, dated October 18, 2019, submitted by Bloom Construction, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the condition that a revised site plan addressing the following items be submitted for administrative review:**

- **Provide a landscape cost estimate.**
- **Provide an inventory of existing trees.**
- **Tree planting details show compliance with City requirements.**

**And with the following findings:**

- **Roof top screening of existing units is acceptable.**
- **The existing condition of no screen hedge along Haggerty is acceptable because no changes are being made to the area.**

- **Compliance with the existing landscape plan is required prior to final granting of the Certificate of Occupancy.**

**Motion carried unanimously.**

**B. SITE CONDOMINIUM PLAN 1, 2019**

|                   |  |
|-------------------|--|
| LOCATION:         | West side of Farmington Rd., North of Colfax Dr.<br>and South of Stocker St.   |
| PARCEL I.D.:      | 23-33-279-047  |
| PROPOSAL:         | Tentative approval of a 19 unit detached single-family home Site<br>Condominium Plan in an RA-4, One-Family Residential District |
| ACTION REQUESTED: | Set for Public Hearing   |
| APPLICANT:        | SFO Partners, LLC  |
| OWNER:            | Floraluz Macaraig & Eulogio De Los Santos  |

Utilizing a PowerPoint presentation and referring to his November 6, 2019 review letter, Planning Consultant Tangari gave the background and review for this application to set for public hearing a detached single-family home Site Condominium Plan in an RA-4, One-Family Residential District.

Planning Consultant Tangari reviewed the uses of the adjacent properties, all of which were single-family residential lots, and the site condo standards found in the Subdivision of Land Ordinance. The applicant was proposing 19 single-family lots, with a density of 2.85 units per acre on the 6.65 acre parcel, arranged along a 550-foot long public street that intersected with Farmington Road.

Outstanding issues included:

- The proposed street terminated near the southern property line, but it should terminate at the property line. It appeared that the intent was for this street ultimately to connect to a development to the south. However, in the meantime, the applicant would need to work with the Engineering and Fire Departments as to whether a turnaround in the form of a hammerhead or other device must be provided for the street.
- Farmington Hills' Landscape Design Principles for Storm Water Detention Basins required all detention basins to have a natural shape. The proposed detention basin was basically rectangular in shape. The Planning Commission should make a determination as to whether or not this standard was met.
- Regarding landscaping, a landscape cost estimate must be provided, and the plan should show the required snow fence location on the Landscape Plan as noted on page 3 of the review letter.

City Planner Stec addressed the requirement for the detention basin to have a natural form, saying that it was important that the applicant not be put in a position to make the grade so steep that it required a fence, which would not be allowed.

James Butler, PEA, 2430 Rochester Court, Suite 10, Troy MI was present on behalf of this application to set the site condominium plan for public hearing.

In response to questions from Commissioner McRae, Mr. Butler said that to the south there was a portion of a dedicated right-of-way off of Colfax, and they did want to provide a future connection to that, should development occur there. Mr. Butler had discussed putting in a T-turnaround with the Fire Department this morning, and they were planning on doing this.

In response to comments from Commissioner Turner, Mr. Butler described detention on the site, explaining that one basin was a pre-treatment basin acting as a sediment forebay. The second basin toward the road was the storm water management basin. Snow fencing would be shown on the landscape plan.

Commissioner Trafelet asked why the applicants were saving cottonwood and box elder trees. Mr. Butler said those trees represented some natural features that could remain; they didn't want to clear cut the site. The trees were located in areas where they would not be building.

Commissioner McRae asked about the Engineer's comment regarding a potential wetland on the west end of the property. Mr. Butler said a wetlands analysis was completed, and they had a letter stating the area was not under any jurisdiction of the State.

Chair Schwartz asked that the details discussed this evening be resolved before the public hearing, including:

- The shape of the storm water detention basin will need to comply with the storm water detention design guidelines.
- A landscape cost estimate must be provided.
- Additional tree protection fencing be shown as indicated in Landscape Item 3 of the 11/6/19 Giffels Webster review report.
- The stub street terminate at the southern property line.

**MOTION by Brickner, support by Trafelet, that Site Condominium Plan 1, 2019, petitioned by SFO Partners, LLC, bet set for Public Hearing on December 12, 2019.**

**Motion carried unanimously.**

**C. CLUSTER SITE PLAN 54-2-2019 (Revised)**

|                   |   |
|-------------------|---|
| LOCATION:         | 19 acre vacant parcel on the North side of Ten Mile Rd., East of Orchard Lake Rd.                 |
| PARCEL I.D.:      | 23-23-351-035   |
| PROPOSAL:         | 44 unit detached one-family cluster option subdivision in an RA-1 One-Family Residential District |
| ACTION REQUESTED: | Set for Public Hearing  |
| APPLICANT:        | Sherr Development   |
| OWNER:            | Joanne McQuade-Arnold   |

Utilizing a PowerPoint presentation, and referring to his October 28, 2019 review letter, Planning Consultant Arroyo gave the background and review for this application to set a revised cluster site plan for a detached one-family cluster option subdivision for public hearing.

Planning Consultant Arroyo made the following points:

- Most of the site was qualified for a cluster plan in December, 2018. A third parcel was added to the qualification in February 2019, and the Planning Commission recommended conditional approval of the plan to City Council on May 16, 2109. On July 8, 2019 City Council voted to deny the cluster site plan and asked that the applicants return to the Planning Commission in order to find ways to accommodate the requests of the Fire Department and Engineering Division for an entrance off of 10 Mile Road. Council's motion also stated their preference for the density to remain at 2.2 units per acre and 42 units total as originally proposed, so that they were more

compatible with surrounding properties.

- The major difference between tonight's plan and the previous plan was the primary access. Previously there was a parcel that went out to Orchard Lake Road and access had been shown there. That was no longer part of this project, and the primary access was now at 10 Mile Road. There would be 2 points of access: one on Paisley which currently was a stub street to the subdivision to the east, and the principal access on 10 Mile Road.
- Regarding density, the applicant was proposing 44 units, or 2.3 units per acre. This fell within the maximum permitted density, but was not at the 42 units requested as a preference in the Council motion.
- As described in paragraph 3 on page 4 of the review letter, tree numbers should be verified and corrected as needed. The applicant proposed to pay \$350 per tree into the tree fund for 62 trees; this should be increased to 87 trees.
- The other key issue was described in paragraph 7 on page 4 of the review letter, which addressed buffering. Given that the single-family lots did not meet the standards of the underlying district, the Planning Commission could require plantings, other buffering as appropriate, or some other means of providing a transition to the adjoining neighborhoods. The applicant showed clustered tree plantings around the edge of the development. The plans also indicated some berming might be provided, but were not specific as to the location of berms; there was not sufficient space between the rear drainage area and the property line to install a substantial berm in the rear yards. Most of the existing vegetation in this area would likely be removed as part of site development.
- It did not appear there was any material change from the previous applicant-proposed transition/buffering to the east. Based on discussions at the City Council meeting, there was an expectation that the applicant would provide a transition more substantial than what was previously proposed, and more in line with what was usually offered with cluster option developments. The Planning Commission should decide and make a specific finding as to whether or not the applicant's proposal satisfied the transition requirement of the cluster ordinance.

Roger Sherr, Sherr Development, was present on behalf of this application to set Revised Cluster Site Plan 54-2-2019 for public hearing.

Chair Schwartz asked if density would be affected if two units were moved from the northern cul-du-sac. Mr. Sherr said any units removed would affect density. The distance between all the other houses, however, would not be affected.

Chair Schwartz asked if one unit were removed from each side of the proposed street, would the distances between the other houses be affected? Mr. Sherr said that change would not affect those distances.

Mr. Sherr said tonight's proposal was in response to Council's two primary objections to the plan the Planning Commission had originally recommended to them. The first objection was that there was a cul-du-sac length that exceeded 600 feet; that had been eliminated and the development's public road now connected to 10 Mile Road as the main entrance. The second objection related to density. The project proposed 44 units, well below the density permitted under the cluster ordinance. The plan respected the distance between units as required, and connected with Paisley, giving the neighborhood to the east a secondary entrance.

Commissioner Orr said he could not remember a plan being rejected by City Council and referred back to the Planning Commission. He did not want to recommend a plan to Council that would again not meet the

preference as stated in their motion. He thought the applicant should offer a plan with 2.2 units per acre, total 42 units, as listed in the Council motion.

Commissioner McRae said he did not have a problem sending the proposed plan to City Council, who were relying on the Planning Commission's input. He felt the applicant had reduced the density from previous plans, and was offering something very close to Council's preference. The proposed plan met the requirements of the Cluster ordinance.

City Planner Stec said that after the public hearing, should the Commission recommend approval to City Council, they should be comfortable enough regarding the transition to the east to make a specific finding regarding that transition.

**MOTION by McRae, support by Brickner, that Cluster Site and Landscape Plan 54-2-2019, petitioned by Sherr Development, be set for Public Hearing on December 12, 2019.**

**Motion carried 5-2 (Orr, Turner opposed).**

**APPROVAL OF MINUTES:** October 17, 2019

**MOTION by McRae, support by Brickner, to approve the October 17, 2019 minutes as published.**

**Motion carried unanimously.**

**PUBLIC COMMENT:** None.

**COMMISSIONERS' COMMENTS:**

The Commissioners discussed various enforcement issues in the City.

**ADJOURNMENT:**

Seeing that there was no further discussion, Chair Schwartz adjourned the meeting at 9:30 p.m.

Respectfully Submitted,  
Dale Countegan  
Planning Commission Secretary

/cem