

**CITY OF FARMINGTON HILLS
PLANNING COMMISSION MEETING
31555 W ELEVEN MILE ROAD
FARMINGTON HILLS, MICHIGAN
SEPTEMBER 18, 2025, 7:30 P.M.**

CALL MEETING TO ORDER

The Planning Commission Regular Meeting was called to order by Chair Trafelet at 7:30 p.m.

ROLL CALL

Commissioners present: Brickner, Countegan, Grant, Stimson, Ware, Trafelet

Commissioners Absent: Aspinall, Mantey

Others Present: Staff Planner Mulville-Friel, Planning Consultant Upfal (Giffels Webster),
Staff Engineer Alexander, City Attorney Schultz

APPROVAL OF THE AGENDA

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

Motion passed unanimously by voice vote.

PUBLIC HEARING

A. AMEND PLANNED UNIT DEVELOPMENT 2, 2023,

INCLUDING SITE PLAN 67-9-2023

LOCATION: 30825 and 31361 Orchard Lake Road
PARCEL I.D.: 22-23-03-226-027 and 028
PROPOSAL: Redevelop shopping center in B-2, Community Business Zoning District
ACTION REQUESTED: Recommend to City Council
APPLICANT: Frank Jarbou (formerly Timothy Collier)
OWNER: Hunter's Square Development, LLC

Applicant presentation

Frank Jarbou, Symmetry Management, was present on behalf of this proposed amendment to PUD 2, 2023, including Site Plan 67-9-2023. He explained that large-scale developments require extensive planning, and in this case, modifications were made after discussions with tenants. These revisions triggered classification as a major amendment to the PUD:

- A large retail box was reconfigured into smaller spaces without changing the total building footprint or square footage.
- Buffalo Wild Wings requested to remain on site but required a 5,000 sq. ft. space with additional cooler capacity at the rear of the building.
- Parking calculations remain consistent, though circulation and accessibility have been improved.

Planning Consultant report

Referencing the Giffels Webster August 11, 2025 memorandum, Planning Consultant Upfal provided background and review for this requested amendment to the existing Hunter's Square PUD development. The development was reviewed by the Planning Commission and approved by City Council in 2024, but the development agreement was never recorded for this site.

Requested changes to the development agreement are:

- Building addition: A 503 sq. ft. cooler addition proposed to the building on the south side of the property (Buffalo Wild Wings).
- Tenant Space configurations: Tenant Space E has been redesigned with indoor loading docks. Tenant Spaces D1 and D2 have minimal changes to the rear layout. C2 has been reduced in size, with new fourth Tenant Space C1 added. A dumpster enclosure was added abutting the loading dock, and the tenant space to the north's dumpster enclosure was reduced from a double to a single enclosure.
- Setbacks:
 - South side setback reduced from 75 ft. to 61.03 ft. (relief applies only to the cooler addition).
 - Rear setback changed from 75 ft. to 69.59 ft.
 - Front yard deviation adjusted from 58.59 ft. to 58.92 ft., moving slightly closer to compliance.
- Parking:
 - 82 land-banked spaces (southeast corner) now proposed as constructed parking. The plan provides 1,401 spaces, 16 fewer than the required 1,417. The deviation request is for the 16-space shortfall, which is 9 fewer than the previous plan.
 - Parking between the two redevelopment buildings has been reconfigured from one row into a small double row lot behind the buildings.
 - Off-street parking spaces need to be verified.
- Other changes:
 - Minor pavement replacement for detention and electrical work.
 - Landscaping along Five Below remains nonconforming, with no changes proposed.
 - Lighting calculations exceed ordinance limits (4.5 lumens vs. 2.5 required).

The PUD agreement should be updated to reflect all changes before being recorded.

Commission Discussion

- Most changes are minimal.
- Buffalo Wild Wings' cooler addition requires use of space designated for parking/loading but is not expected to impact operations.

Consultant Upfal explained that the changes qualify as a major amendment because the changes affect previously granted relief.

City Attorney Schultz confirmed that the PUD plan was approved subject to the PUD agreement, but the agreement was never executed. This amendment will require finalization of the PUD agreement.

Public Hearing

John Clarahan, Highview, expressed concern about light pollution from Hunters Square and urged the Commission to ensure compliance with ordinance standards. He also addressed pedestrian safety crossing Orchard Lake Road.

As no other public indicated they wished to speak, Chair Trafelet closed the public hearing and brought the matter back to the Commission.

Commission deliberation

Commissioners generally supported the proposed changes, citing improved design, appropriate parking reduction, and economic investment.

After discussion, which included clarifying questions from the Commission regarding potential tenants as well as signed leases, the following motion was offered:

MOTION by Countegan, support by Stimson, to RECOMMEND TO CITY COUNCIL that the applications to amend Planned Unit Development Plan 2, 2023 and revise Site Plan 67-9-2023, both dated September 15, 2023, as revised July 14, 2025, submitted by Frank Jarbou (formerly Timothy Collier), BE APPROVED, because the plans are consistent with the goals, objectives, and policies of the Master Plan and applicable provisions of the Planned Unit Development Option in Section 34-3.20 of the Zoning Ordinance, SUBJECT TO the following findings and conditions:

FINDING:

The Planning Commission has no objections to the proposed relief from ordinance standards which will be addressed in conjunction with the final PUD Plan and the PUD Agreement.

CONDITIONS:

1. **Modifications of Zoning Ordinance requirements as identified on the proposed plan and in Giffels Webster's August 11, 2025, review; and**
 - A. **All outstanding issues identified in Giffels Webster's August 11, 2025, review shall be addressed to the reasonable satisfaction of the City Planner;**
 - B. **All outstanding issues identified in the City Engineer's August 8, 2025, interoffice correspondence shall be addressed to the reasonable satisfaction of the City Engineer; and**
 - C. **All outstanding issues identified in the Fire Marshal's August 7, 2025, interoffice correspondence shall be addressed to the reasonable satisfaction of the Fire Marshal.**

Motion passed unanimously by voice vote.

B. AMEND PLANNED UNIT DEVELOPMENT 4, 2000

LOCATION:	32555 Northwestern Hwy
PARCEL I.D.:	22-23-02-176-068
PROPOSAL:	Use existing building as a catering kitchen, storage, and private event space with new addition and changes to landscape features in B-3, General Business District and RA-4, One-Family Residential District.
ACTION REQUESTED:	Recommend to City Council
APPLICANT:	Zack Sklar
OWNER:	CEC Farmington, LLC

Applicant presentation

Zack Sklar, owner, explained that his proposal includes a small addition to the existing building and replacement of the man-made pond with landscaping.

Consultant's review

Referencing the September 4, 2025 Giffels Webster memorandum, Planning Consultant Upfal provided an overview of the amendment request and issues identified in the review:

- The Planning Commission previously (August 21, 2025 meeting) determined this application to be a major amendment to the original Planned Unit Development (PUD) Agreement, due to the catering use. Additionally, the Agreement prohibits outdoor events. The applicant previously clarified no outdoor events will be held, but written confirmation is needed.
- Site Characteristics:
 - 1.85-acre site with one-story former restaurant building is zoned as a PUD, with B-3 underlying zoning.
 - Proposal includes a building addition, pond elimination, replacement landscaping, removal of 20 parking spaces and two landscape islands, and the removal of a rear walled-off area behind the building that included a shed and cooler/freezer.
 - The building expansion requires an adjustment of an existing sanitary sewer easement that goes through the site. Any changes to the easement must be reviewed by the city engineer and city attorney.
- Design Standards and Materials:
 - The Development Agreement includes building material requirements, and grants authority to the City Manager to approve modifications from the building material requirements. Approval of this request will require relief from the building materials in the Development Agreement subject to the review of the City Manager. All building materials shall be labeled on the elevation plans.
 - The new design standards amendment must apply to new materials.
 - Elevation drawings are mislabeled as noted in the review memorandum, and should be corrected.
- Master Plan Considerations:
 - The proposed amendment should be consistent with the 2024 Master Plan. The site is within the 14-Mile mixed-use area intended for walkable, mixed-use redevelopment.
 - Surrounding area includes large commercial and declining residential uses.
- Parking:
 - Overall PUD deficiency of 45 spaces identified.
 - Parking space dimensions must be labeled.
 - Development agreement must be updated to reflect parking change.
- Loading:
 - Four roll-up doors shown; unclear if loading is inside or outside. Side-yard loading requires Commission waiver and screening.
 - Maneuvering space for vehicles requires clarification.
- Landscaping and Pond Removal:
 - Pond not required in development agreement but was part of original PUD approval. The Commission must determine acceptability of replacing pond with landscaping.
 - Landscape plan for overall site is missing; unclear if trees will be transplanted or replaced. If the latter, replacement calculations are required.
- Lighting:
 - Photometric plan required by ordinance and PUD agreement.
 - Clarification needed on new vs. relocated fixtures.
- Clarification is needed relative to screening of any rooftop mechanical equipment.

In summary, the Planning Commission must consider:

Modifications from the original PUD:

- Catering as a permitted use within the PUD.
- The parking deficiency of 45 spaces.
- The replacement of the pond with natural landscaping as indicated on the plans. The pond is not a required component of the development, but the feature was approved and discussed as part of the original PUD.

Loading areas:

Loading areas may only be permitted in the rear yard. The Planning Commission may waive this requirement to allow loading in an interior side yard, provided such location is necessitated by site conditions and sufficient screening is provided from any public street. A planting strip exists along the side lot line.

Commission discussion

- Regarding the parking deficiency and use of parking spaces, Planning Consultant Upfal explained that the deficiency results from both the removal of 27 spaces for the new addition and additional square footage requiring more parking. Staff Planner Mulville-Friel confirmed that although 27 spaces are lost, the overall PUD maintains sufficient surplus spaces.
- Regarding outdoor events, Mr. Sklar confirmed that a letter has already been submitted to staff stating outdoor events will not occur. This condition will also be incorporated into the revised PUD agreement.
- Regarding the location of the garage doors and loading, Mr. Sklar clarified that the doors are pull-up style for catering truck use during non-event hours. Vehicles will not pull inside.
- In response to questions, Mr. Sklar said the building currently operates as a catering facility, primarily for off-site events. The expansion would allow activation of the front interior space for on-site community events such as weddings, baptisms, and bar mitzvahs, while continuing off-site catering operations. Prep and loading would occur on weekdays, while on-site events would occur on weekends.
- The loading doors face the Thai restaurant.

Public Hearing

John Clarahan, Highview Avenue, requested that confirmation be obtained in writing that no outdoor events would be permitted. He also asked about hours of operation, noting past issues with noise from other businesses in the area. He supported replacing the pond with landscaping. He pointed out that the excessive parking on the greater site had caused drainage issues and attracted loitering. Less parking would be beneficial.

As no other public indicated they wished to speak, Chair Trafelet closed the public hearing.

City Attorney comments

City Attorney Schultz explained that correspondence from another property owner challenged whether the applicant had authority to request amendments to the PUD plan or agreement. Attorney Schultz noted that when this application first came in, it involved site plan changes only, and no other property owners were required to participate. However, since this request now involved an amendment to the PUD plan and agreement, the legal question had been raised, and

Attorney Schultz recommended postponement to allow time for him to provide a formal legal opinion.

Discussion followed:

- Commissioner Countegan confirmed that the Commission could proceed under the public notice that had been provided. He suggested the City Attorney could render an opinion in the time period between Planning Commission action and City Council review.
- Commissioner Brickner raised concerns about PUD ownership structure. When the PUD was created, a single owner held all parcels, but some parcels have since been sold. He asked how amendments could be processed fairly if multiple owners must consent. City Attorney Schultz responded that this case raised a unique legal question, which is why he recommended postponement to allow time for a formal legal opinion to be rendered.
- Mr. Sklar expressed frustration regarding legal questions raised by the correspondence presented this evening. He emphasized the difficulty of navigating the process despite investing in landscaping improvements and activating a long-vacant property for community use.
- City Attorney Schultz explained that prior discussions in March assumed site plan changes only, not amendments to the PUD plan and agreement. The correspondence received today was from the attorney representing Grand Sakwa Properties.
- In response to questions, City Attorney Schultz clarified that this site is subject to the PUD agreement, which listed specific permitted uses, rather than the broader B-3 by right uses. Catering is not listed in the PUD agreement, which the Planning Commission had previously determined required review as a PUD amendment. Consultant Upfal added that the catering operation resembles food manufacturing more typically allowed in industrial districts. This change necessitates amendment of the PUD to authorize catering as a permitted use at this location.

Commission deliberation

Commissioner Countegan stated that the applicant had followed the process with staff direction, public notice, and hearings. Additionally, the redevelopment project is a positive community investment. He asked Mr. Sklar whether a delay of one month to give the attorney time to provide a written legal opinion would cause hardship.

Mr. Sklar stated that he wished to proceed without delay. He explained that he had already obtained a liquor license and building approvals, all of which disclosed the intended use. He emphasized that his operation had been operating transparently for three years and that city inspections had confirmed his activity. He stressed that his investment was revitalizing a declining area, creating community value, and that further delays seemed unnecessary and unfair.

Commissioner Countegan thought that the Commission should act since the matter was properly advertised, the applicant was present, and the request would still require City Council review, where any legal questions could be resolved.

Commissioner Brickner pointed out that the amendment involves modifying a PUD agreement, which requires signatures by the city and the property owners, raising the question of who had authority when multiple owners exist. He supported this proposal, but stressed that legal clarity on signing authority is required.

In response to questions from Commissioner Ware, City Attorney Schultz stated that the applicant likely had authority to seek relief, though a formal legal opinion was necessary. The issue was not frivolous, as another property owner within the PUD had raised the issue in writing. He recommended postponing for legal review. If the Commission proceeds, all concerned parties should understand that the applicant's relief might later be limited by the legal resolution of the issue raised.

Commissioner Countegan emphasized fairness and due process, and recommended that the Commission move forward. The issue regarding authority to sign will be formally reviewed by the City Attorney prior to City Council action.

Commissioner Brickner supported moving forward but emphasized the importance of conditioning any approval on confirmation that all appropriate parties to the PUD agreement sign the amendment. He noted that conditions of the PUD carry forward with the property upon sale, similar in function to an easement, and observed that multiple owners are now involved, including Grand Sakwa.

MOTION by Countegan, support by Stimson, to RECOMMEND TO CITY COUNCIL that the application to amend part of Planned Unit Development Plan 4, 2000, based on plans revised July 10, 2025, submitted by Zack Sklar, BE APPROVED, because the plans are consistent with the goals, objectives, and policies of the Master Plan and applicable provisions of the Planned Unit Development Option in Section 34-3.20 of the Zoning Ordinance, SUBJECT TO the following findings and conditions:

FINDINGS:

1. The Commission has no objection to the proposed relief from ordinance standards which will be addressed in conjunction with the final PUD Plan and the PUD Agreement.
2. Catering will be a permitted use under the amended PUD.
3. The Commission finds the 45 parking space deficiency acceptable.
4. The replacement of the pond with natural landscaping as proposed is acceptable.

CONDITIONS:

1. The amended PUD agreement shall not take effect until it has been executed by the parties who have been determined by the City to have the legal authority to sign on behalf of the PUD.
2. Per the PUD Agreement, the building materials used in the new addition shall be reviewed by the City Manager, and confirmed to conform with current design standards.
3. Modifications of Zoning Ordinance requirements as identified on the proposed plan and in Giffels Webster's September 4, 2025, review; and
 - A. All outstanding issues identified in Giffels Webster's September 4, 2025, review shall be addressed to the reasonable satisfaction of the City Planner;
 - B. All outstanding issues identified in the City Engineer's August 13, 2025, interoffice correspondence shall be addressed to the reasonable satisfaction of the City Engineer; and
 - C. All outstanding issues identified in the Fire Marshal's August 13, 2025, interoffice correspondence shall be addressed to the reasonable satisfaction of the Fire Marshal.

Motion approved unanimously by voice vote.

C. CLUSTER SITE PLAN 54-4-2025

LOCATION: South side of Folsom Road, between Parker Avenue and Lundy Drive, PARCEL I.D.: 22-23-34-252-019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 030, 031, 032, 033, 034, and 043

PROPOSAL: Construct thirty-three (33) single-family detached units within RA-3, One Family Residential District

ACTION REQUESTED: Recommend to City Council

APPLICANT: Forest at Riverwalk Development, LLC

OWNER: Forest at Riverwalk Development, LLC

Applicant presentation

Members of the applicant team present this evening included:

Stuart Michaelson, Windmill Group

George Major, Co-Manager, Forest at Riverwalk

Evan Priest, Civil Engineer, MLP & Associates

Brian Devlin, Landscape Architect

The development team provided the following information:

- The property was purchased in August 2023 as an assemblage of 16 parcels.
- The Planning Commission had previously determined the site qualifies for a one-family cluster option, which was sought in order to reduce lot widths to preserve open space, wetlands, and trees, and to avoid disturbance to the river on the property.
- Following direction from the Planning Commission, the applicant pursued a wetland permit from EGLE (Michigan Department of Environment, Great Lakes, and Energy) before site plan review. The wetland permit has been secured.
- As part of the wetland permit process, the team and their consultant, Barr Engineering, met with EGLE in February 2024 for a pre-application review, and a formal wetland permit application was submitted in July 2024. Public comments were received in September 2024; site plan modifications were made accordingly.
- EGLE issued a wetland permit with several restrictions:
 - Maximum of 33 lots (reduced from earlier proposals of 38–42).
 - Removal of two lots between Lots 13 and 14 due to wetlands.
 - Dedication of a 4.0226-acre conservation easement, plus 0.25 acres for walking paths and 0.2 acres of preserved wetland. In total, over 27% of the site will be preserved.
 - Requirement to work with a qualified herpetologist, HRM, to relocate amphibians and reptiles on site.
 - Mitigation of 0.325 acres of impacted forested wetland by purchasing 0.66 acres of credits in an EGLE-approved mitigation bank.
 - Additional restrictions during construction to protect species such as the Indiana Bat.
- Regarding drainage and flooding concerns, a ponding area at the north end near Folsom Road is not regulated as wetland but has caused flooding concerns. The grading and drainage plan has been designed to eliminate flooding in that area by directing water into rear yard catch basins and the detention basin, which is oversized to accommodate runoff from the site and surrounding properties on Lundy and Parker.

- Regarding landscaping and buffers, in order to meet buffer requirements adjacent to one-family districts, a 10-foot-wide area will be preserved behind each lot to retain existing healthy trees. Additional trees and evergreens will be planted along property lines as shown on the submitted landscape plan.
- Regarding utility placement, a storm sewer easement will be located at the rear, but electric and other utility lines will come from the street, to allow easy servicing and avoid landscape disruption in the rear yards.

Planning Consultant Report

Referencing the September 4, 2025 Giffels Webster memorandum, Planning Consultant Upfal presented background and review for this request:

Cluster qualification:

- The parcel is zoned RA-3 single family residential, with 16.29 total acres, and 13.83 acres net after right-of-way.
- The site was qualified for cluster qualification in October 2023; density findings allow up to 63 units, but the plan now proposes only 33.
- Cluster justification included items ii., vi., and viii. under Section 34-3.17.2.B.i-viii, citing frontage on a major or secondary thoroughfare with a narrow width, the presence of a floodplain or poor soil conditions that result in a substantial portion of the total area of the parcel being unbuildable, and the parcel contains natural assets which would be preserved through the use.

Cluster site plan:

- 33 units. The property is designated as single-family residential in the future land use map, and is designated as medium density on the residential densities map.
- Lot Sizes: Reduced lot widths (55 feet vs. 80 feet) and minimum lot size (7,795 sq. ft. vs. 12,500 sq. ft.), with average lot size around 8,470 sq. ft.
- Setbacks: Reduced side setbacks (5 feet and 10 feet total vs. 8 and 20 feet total), front setback 25 feet vs. 30 feet; rear setback maintained at 35 feet.
- Tree Removal: 637 trees to be removed, including 86 landmark trees totaling 2,122.5 inches. Discrepancy of eight non-landmark trees noted. Applicant proposes 45 new street trees. Cost estimate for landscaping still required.
- Transition Area: Applicant proposes a 10-foot buffer along rear yards with preserved existing trees and additional plantings. Planning Commission must determine if this satisfies transition requirements.
- Open space: 15% of the development must be set aside as open space.
- EGLE Permit: Must be provided to the City as part of the process.

Commissioner Brickner asked about grading differences and potential runoff impacts on neighboring lots. Project Engineer Priest explained that rear yards in the development will be lower than adjacent properties. Catch basins will be installed approximately every 110 feet, connected by swales, to collect and direct runoff to the detention basin. Runoff will be captured on site and should not back up onto neighboring properties.

Public Hearing

Chair Trafelet opened the Public Hearing at 9:15pm.

The following people spoke in opposition to Cluster Site Plan 54-4-2025:

Robert George, Parker Street
Mary Newlin, Lundy Street
Tamara Trinko, Lundy Drive
Rene Daihl, Lundy Drive
Margaret Williams, Parker Street
Kirk Bowman, Folsom Road
Paul Rusinowski, Lundy Drive
Mike Williams, Parker Street
Cynthia Ludwick, Osmus
Olivia Ludwick, Parker Street
Dragos Ionescu, Lundy Drive
Joe Derek, 10 Mile Road
Elizabeth Bowman, Folsom Road
Joe Curran, Parker Street
George Wright, Birchwood St., Farmington
Michelle Gala, Parker Street
Margie Caza, Parker Street
Audrey Williams, Lundy Street
Laura Fowler, Lundy Street
David Lehner, Lundy Street
Tom Progar, Flanders Street
Tracy Brooks, Lundy Street
Andrew Williams, Parker Street
Brandon Wade, Lundy Street

Public comments focused on the following concerns:

- Drainage issues
 - Concerns about water runoff toward lower-lying properties and yards.
 - Filling wetlands will worsen water flow and flooding.
 - Questions about adequacy of EGLE submissions and retention basin design.
 - Sump pumps already run continuously; fear that flooding will worsen.
 - Retention basin outletting into the creek may increase downstream flooding, especially where the creek is close to Orchard Lake Road.
 - Tree removal will reduce natural absorption and worsen drainage.
 - Past developments (e.g., Riverwalk) worsened flooding by altering stream flow.
 - Development's swales and impervious surfaces will create new runoff channels, pushing water into backyards.
- Environmental concerns
 - Wetlands were intentionally left undeveloped in the past due to environmental constraints.
 - Residents urged preservation of wetlands and wildlife (marbled salamander, owls, hawks, etc.) as a community resource.
 - Relocation of amphibians and reptiles often fails, with high mortality rates.
 - Concern about climate change impacts and loss of mature trees.
 - Question whether a wetland delineation has been conducted by the Army Corps of Engineers.

- Wetlands fed by underground springs cannot be altered with fill; water will continue to surface.
- Concern about outdated tree survey with inaccurate or obscured markers.
- Compatibility
 - Proposed lot sizes are not compatible with the larger lots in surrounding neighborhoods.
 - Density of 2.6 houses per acre is misleading; effective density will be higher once unbuildable land is excluded.
 - Cluster development prioritizes profit over neighborhood character.
 - Proposed homes will be expensive, HOA-driven, and inaccessible to average families.
 - Residents chose the area for its unique, natural character, which would be destroyed.
 - Existing neighborhood of older, historic homes is incompatible with “cookie-cutter” cluster housing.
- Design and infrastructure
 - Questions about sidewalk continuation on Folsom Road including to the Montessori School.
 - Concerns about sanitary sewer placement, hookup, and whether city sewer can handle additional homes.
 - Questions about adequacy and sizing of the detention basin.
 - Concerns about the retention pond 1) draining into the creek, and 2) becoming a mosquito breeding ground.
 - Questions about long-term maintenance of the stormwater system.
 - New road entrance off Parker is too close to the nearby home of an elderly resident.
 - Questions about whether clearing and construction will extend into the conservation easement. In response, the developer stated most of the land will be preserved under EGLE permit.
 - Request for a formal traffic study to address congestion and safety.
- Issues with the developer
 - Low Google rating
 - Never met with some residents; lack of resident outreach by developer.
- Other concerns:
 - The City should protect current property owners. Residents pointed to recent zoning denials on 13 Mile and Middlebelt as precedent for rejecting this project.
 - Historic ownership issues had prevented land banking of the property.
 - Concerns about protecting the integrity of existing fences and property lines. Request to prevent property encroachment.
 - Existing residents were not given the opportunity to purchase the land
 - The City is losing its last open parcels of land; this parcel is irreplaceable.
 - Community impact needs further research before approving this project
 - Construction activity and dense development will destroy neighborhood peace and character.
 - Local schools (Gill Elementary, Power Middle) already over capacity; additional homes would worsen class sizes.

Planning Commission deliberation

Chair Trafelet closed the public hearing at 10:26pm and brought the matter back to the Commission.

Commissioner Ware asked where wetlands would remain. Mr. Michaelson confirmed wetlands would remain south toward Colfax and between former lots 13 and 14, which were removed to preserve wetlands.

Mr. Michaelson acknowledged neighborhood concerns but emphasized that the proposed development is consistent with city qualifications and that extensive time and resources were spent obtaining the wetlands permit and designing a plan that preserved natural features. The project should be approved because it meets ordinance standards, includes a conservation easement, and preserves the river and wetlands.

Commissioner Brickner addressed concerns raised during public comment, focusing on drainage and cluster design.

- The property is lower than adjacent lots. Detention ponds are required by ordinance to hold water on-site and release it at an agricultural rate, preventing runoff to neighboring properties.
- He assured residents the city engineering department will strictly enforce compliance with drainage standards.
- Land banking was not an option, as historically the City chose not to purchase land for land banking.
- The cluster option allows homes to be built closer together while preserving wetlands and open space. The total number of units is still within RA-3 allowances, but development is concentrated on buildable land.
- Builders cannot trespass on private property and residents should report any violations.
- Regarding wildlife concerns, Brickner noted that animals generally adapt to development, sharing examples from his own neighborhood. However, the City has no control over wildlife relocation.

The Chair recognized Joe Derek.

Mr. Derek explained that some species, particularly reptiles and amphibians, cannot adapt if removed from their habitats. While deer and turkeys can migrate, snakes, frogs, and amphibians are often confined to small environmental areas and suffer high mortality if relocated. He disagreed with Commissioner Brickner's assertion that all animals adapt, stating that many smaller species cannot survive outside their established habitats.

Commissioner Countegan stated that the Planning Commission must enforce its ordinances and allow private property development within the bounds of the law. He emphasized that the parcel qualified for cluster development due to its shape, wetlands, and location along a major road. The applicant originally proposed 38 units and reduced the number to 33 after wetlands review.

Commissioner Countegan acknowledged residents' frustration but explained that under city ordinances, property owners retain the right to develop land so long as they comply with regulations. He noted that engineering standards require no water from the site be discharged onto

adjacent properties, and in fact, the applicant's infrastructure may improve drainage in nearby areas.

Commissioner Countegan concluded that the Planning Commission must follow the ordinances and approve projects that comply, even when unpopular with neighbors.

In response to questions, City Attorney Schultz confirmed that the creek is a natural feature crossing private property, not owned by the city, county, or state.

MOTION by Ware, support by Brickner, to RECOMMEND TO CITY COUNCIL that the application for Cluster Site Plan Approval 54-4-2025, dated February 25, 2025, as revised, submitted by Forest at Riverwalk Development, LLC, BE APPROVED, because the plans are consistent with the goals, objectives, and policies of the Master Plan and applicable provisions of the One Family Cluster Option in Section 34-3.17.2.B of the Zoning Ordinance, specifically Sections ii, vi, and viii, SUBJECT TO the following findings and conditions:

FINDINGS:

- 1) The parcel proposed for use as a cluster development abuts a one-family residential district. The planning commission has determined that the abutting one-family district is effectively buffered by planting all 100 replacement trees (apart from 6) along the rear property lines of the lots backing up to neighboring residential properties.

CONDITIONS:

- A. All outstanding issues identified in Giffels Webster's July 22, 2025, review shall be addressed to the reasonable satisfaction of the City Planner;
- B. All outstanding issues identified in the City Engineer's July 24, 2025, interoffice correspondence shall be addressed to the reasonable satisfaction of the City Engineer; and
- C. All outstanding issues identified in the Fire Marshal's July 25, 2025, interoffice correspondence shall be addressed to the reasonable satisfaction of the Fire Marshal.

Motion passed unanimously by voice vote.

D. ZONING TEXT AMENDMENT 1, 2025

CHAPTER OF CODE: 34, Zoning Ordinance

PROPOSED AMENDMENT: Amend Zoning Ordinance to add new definitions and Public Art requirements

ACTION REQUESTED: Recommend to City Council

SECTION: Amend Section 34-2.2 and add Section 34.5.20

Applicant presentation

Planning Consultant Upfal introduced the proposed zoning text amendment, which had been reviewed in several prior study sessions with both the Planning Commission and City Council.

- The amendment would require public art installations for construction projects exceeding \$2 million within special study areas or as part of a Planned Unit Development (PUD).
- The ordinance specifies placement, installation, and maintenance requirements, along with exemptions that may be granted by the Planning Commission.

Commission discussion:

- Commissioner Brickner supported the amendment after confirming that public art requirements would be excluded from residential (RA) districts.
- Commissioner Ware asked whether collected funds could be used to support smaller businesses required to contribute art. City Attorney Schultz explained that public funds generally cannot be given to private entities, but noted that the Corridor Improvement Authority or similar bodies could potentially provide grants. Funds collected through this ordinance would be used for public art on public land.
- Commissioners clarified that the ordinance applies only to projects exceeding \$2 million in construction costs, making it unlikely to affect small businesses or rental operations.
- Commissioner Grant asked about the process of selecting and approving art. Staff Planner Mulville-Friel explained that a separate committee would be established to review art proposals, while the Planning Commission's role would be limited to reviewing compliance with dollar amounts and ordinance requirements.
- Commissioner Stimson pointed out that the Planning Commission retains authority to grant exemptions if public art is deemed unnecessary for a particular project.
- Commissioner Grant asked what would happen in the case of an incomplete art installation. Planning Consultant Upfal explained that the art requirement would function like any other site plan condition and would need to be completed before issuance of a Certificate of Occupancy.

Public Hearing

Chair Trafelet opened the public hearing. As no public indicated they would like to speak, Chair Trafelet closed the public hearing and brought the matter back to the Commission.

MOTION by Stimson, support by Grant, to RECOMMEND TO CITY COUNCIL that draft Zoning Text Amendment 1, 2025, BE APPROVED.

Motion passed unanimously by voice vote.

REGULAR MEETING

A. CLUSTER SITE PLAN 57-4-2025

LOCATION:	28000 West Nine Mile Rd.
PARCEL I.D.:	22-23-25-401-001
PROPOSAL:	Construct fifty-two (52) single-family attached units (four per building) within RA-1, One Family Residential District
ACTION REQUESTED:	Set for Public Hearing
APPLICANT:	Eureka Development Group
OWNER:	Lutheran Child and Family Services of Michigan Inc.

Planning consultant comments

Referencing the August 26, 2025 Giffels Webster memorandum, Planning Consultant Upfal provided the background and review for this request to set Cluster Site Plan 57-4-2025 for public hearing.

- The project would be located on the Wellspring Lutheran Service Campus, a 79.61-acre site with existing buildings and athletic facilities.

- Cluster qualification was previously granted by the Planning Commission in March 2025 based on preservation of natural assets through the cluster option.
- The applicant elected the less dense cluster option, which allows 1.8 units per acre. The current plan proposes 52 units across 13 buildings with four ranch units each. Units will include attached garages, with two connections to Nine Mile Road. An existing bridge leading across the river will be preserved for a future phase, which could add 88 units, which would remain within the maximum allowable density of 143 units.
- The current plan avoids most wetlands, though Wetland B will be culverted on the west side, and a detention pond in the southeast corner encroaches slightly on Wetland A.
- Dimensional relief was not requested, as the proposed setbacks (76 feet front, 173 feet side, 43 feet west, nearly 2,000 feet rear) exceed requirements. Building height is proposed at 22.5 feet.
- The primary outstanding issue relates to the required transition buffer adjacent to the one-family district. The applicant proposed using only replacement trees to meet this requirement, but the Planning Commission may need to discuss additional screening.

Lucas Driesenga, PEA Group, noted that the project had been revised following comments from staff. Updated plans, dated July 30, 2025, had been submitted that included a boulevard entrance. He agreed the only outstanding issue relates to trees and potential buffer requirements. Existing south-side buildings will be demolished in Phase One; the bridge will be addressed as part of Phase Two.

Commission deliberation

Chair Trafelet confirmed demolition plans and bridge requirements with the applicant.

Commissioner Brickner urged the applicant to engage with neighboring residents in advance of the public hearing to reduce concerns and misconceptions.

MOTION by Grant, support by Ware, that Application for Cluster Site Plan Approval 57-4-2025, dated April 24, 2025, as revised July 30, 2025, submitted by Eureka Development Group, BE SET FOR PUBLIC HEARING for the Planning Commission's next available regular meeting agenda.

Motion passed unanimously by voice vote.

The next Planning Commission meeting will be October 16, 2025.

APPROVAL OF MINUTES

August 21, 2025, Regular Meeting

MOTION by Stimson, support by Ware, to approve the August 21, 2025 Regular Meeting minutes as submitted.

Motion passed unanimously by voice vote.

PUBLIC COMMENT

None

COMMISSIONER/STAFF COMMENTS

Commissioner Brickner said that Arie Liebowitz – a long time developer in Farmington Hills – recently passed away.

Commissioner Ware spoke to the importance of educating the public relative to the updated Master Plan and the planning approval process generally.

Commissioner Brickner asked staff to follow up on the proliferating signage, including an animated digital sign, at the Marathon Station at the corner of Orchard Lake and 12 Mile Road.

City Planner Mulville-Friel reported that Commissioner Varga had resigned from the Commission.

ADJOURNMENT

MOTION by Grant, support by Brickner, to adjourn the meeting.

Motion passed unanimously by voice vote.

The meeting ended at 11:16pm.

Respectfully submitted,
Kristen Aspinall,
Planning Commission Secretary

/cem