

**AGENDA**  
**PLANNING COMMISSION REGULAR MEETING**  
**CITY OF FARMINGTON HILLS**  
**DECEMBER 14, 2023 @ 7:30 P.M.**  
**FARMINGTON HILLS CITY HALL – CITY COUNCIL CHAMBER**  
**31555 W. ELEVEN MILE ROAD, FARMINGTON HILLS, MICHIGAN 48336**  
**Cable TV: Spectrum – Channel 203; AT&T – Channel 99**  
**YouTube Channel: <https://www.youtube.com/user/FHChannel8>**  
**[www.fhgov.com](http://www.fhgov.com)**  
**(248) 871-2540**

- 1. Call Meeting to Order**
- 2. Roll Call**
- 3. Approval of Agenda**
- 4. Public Hearing**

**A. REZONING REQUEST ZR 2-10-2023**

LOCATION: South side of Nine Mile Road, just west of Farmington Road  
PARCEL I.D.: 22-23-33-227-001, 002, and 003  
PROPOSAL: Rezone three (3) parcels from B-1, Local Business to RA-4, One Family Residential zoning district  
ACTION REQUESTED: Recommendation to City Council  
APPLICANT: Fortesa Homes LLC/Robert Donovic  
OWNER: Tom Dedvukaj

**B. AMEND PLANNED UNIT DEVELOPMENT 1, 2020, INCLUDING REVISED SITE PLAN 56-6-2020**

LOCATION: 28800 Eleven Mile Road  
PARCEL I.D.: 22-23-13-351-008  
PROPOSAL: Demolition of small chapel structure for open space in SP-5, Special Purpose zoning district  
ACTION REQUESTED: Recommendation to City Council  
APPLICANT: Edward Rose & Sons – Mark Perkoski, Dir. Of Acquisitions  
OWNER: Farmington Hills Senior Living, L.L.C.

- 6. Approval of Minutes** November 16, 2023, Regular Meeting
- 7. Public Comment**
- 8. Commissioner/Staff Comments**
- 9. Adjournment**

Respectfully Submitted,

**Marisa Varga, Planning Commission Secretary**

**Staff Contact**

**Erik Perdonik**

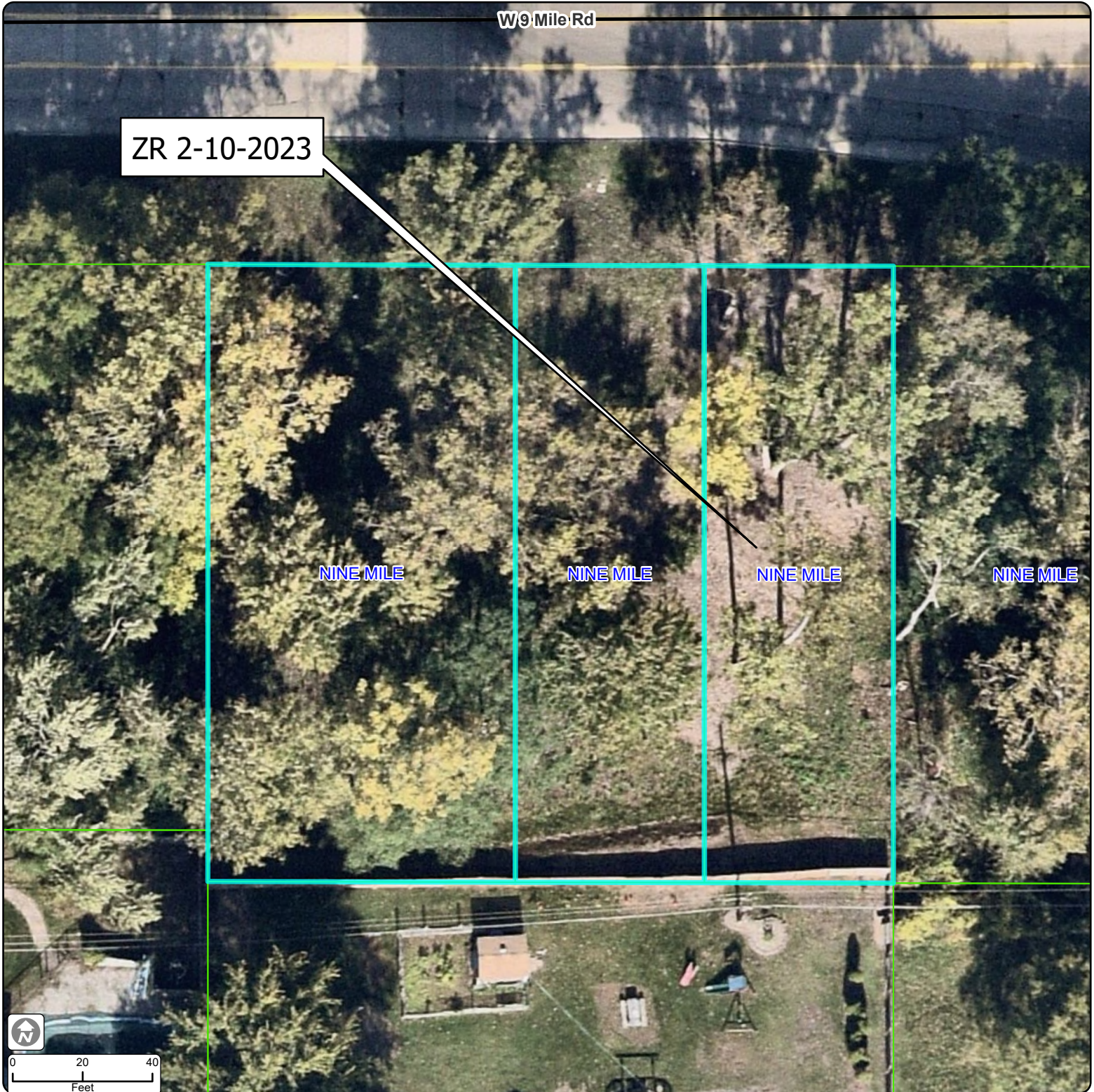
**City Planner, Planning and Community Development Department**

**(248) 871-2540**

**[eperdonik@fhgov.com](mailto:eperdonik@fhgov.com)**

NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk's Office at (248) 871-2410 at least two (2) business days prior to the meeting, wherein arrangements/accommodations will be made. Thank you.

ZR 2-10-2023, 33-227-003, 002, 001  
S. side of 9 Mile, E. of Farmington Rd.  
Rezone from B-1 to RA-4

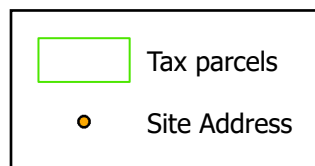


## Planning and Community Development

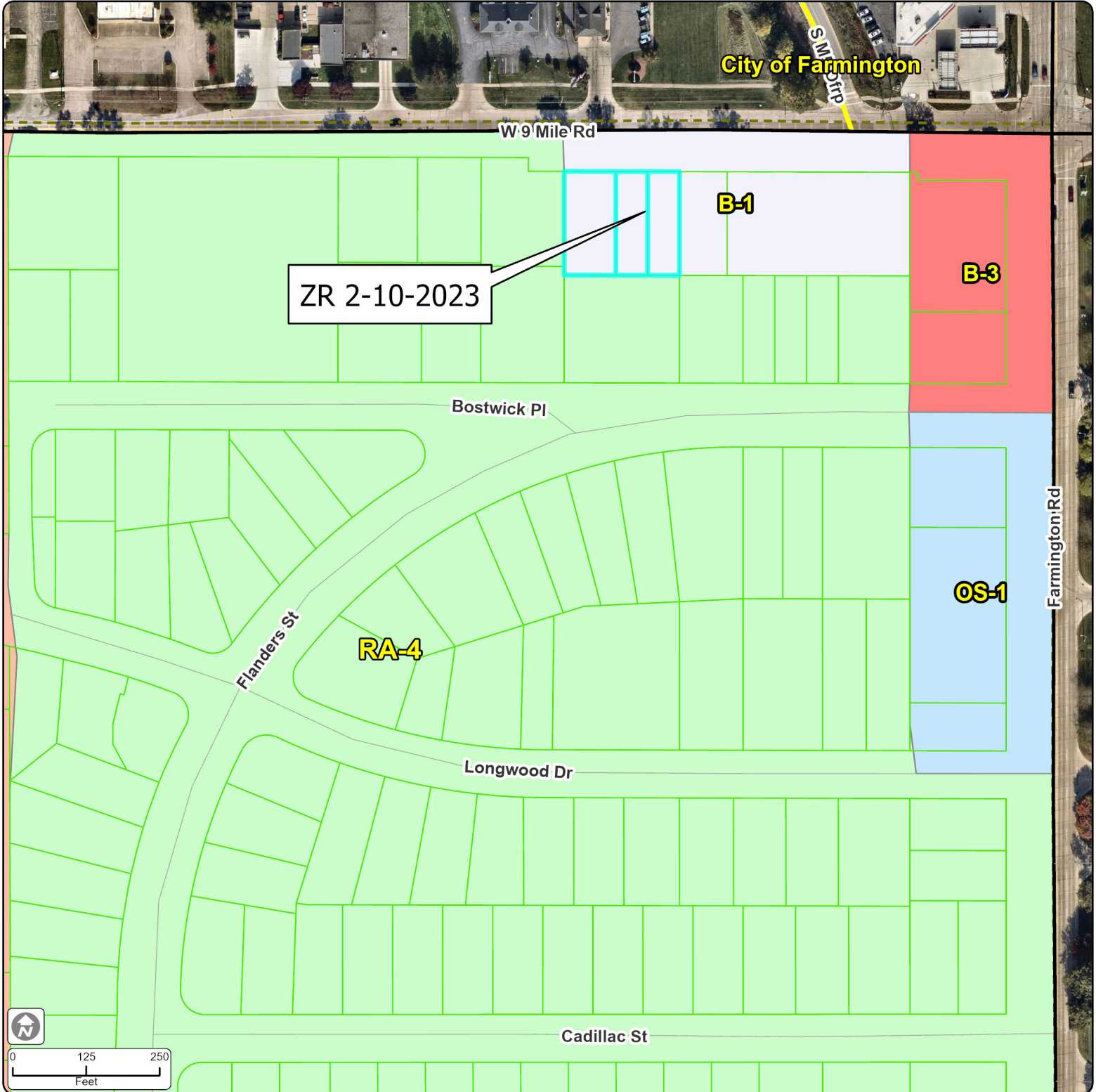
City of Farmington Hills, Michigan



SOURCE: City of Farmington Hills GIS, 2023  
Oakland County GIS, 2023



ZR 2-10-2023, 33-227-003, 002, 001  
 S. side of 9 Mile, E. of Farmington Rd.  
 Rezone from B-1 to RA-4

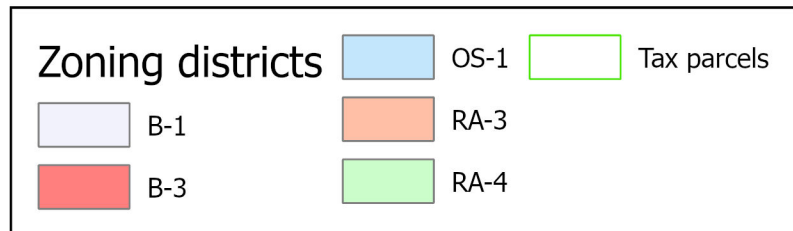


## Planning and Community Development

City of Farmington Hills, Michigan



SOURCE: City of Farmington Hills GIS, 2023  
 Oakland County GIS, 2023



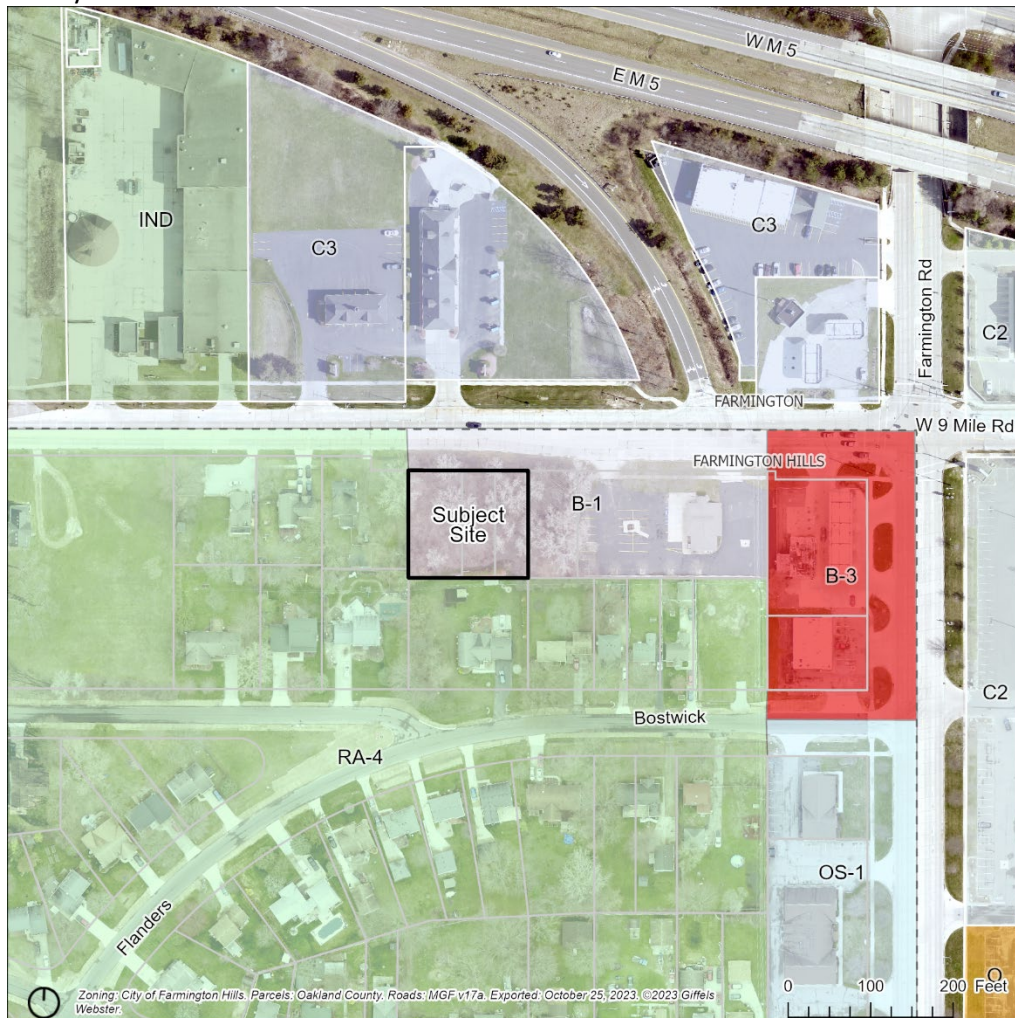
October 24, 2023

Planning Commission  
City of Farmington Hills  
31555 W 11 Mile Rd  
Farmington Hills, MI 48336

# Rezoning Review

Case: ZR 2-19-2023  
Site: Nine Mile and Farmington/ 22-23-33-227-003/ 22-23-33-227-002/ 22-23-227-001  
Applicant: Tom Dedvukaj  
Plan Date: Received 10/12/2023  
Request: Rezone from B-1 to RA-4

We have completed a review of the request for rezoning referenced above and a summary of our findings is below. Items in **bold** require specific action by the Applicant. Items in *italics* can be addressed administratively.



**SUMMARY OF FINDINGS**

Items to be addressed administratively:

- As noted on the City of Farmington’s Application for rezoning, the applicant shall submit an up-to-date survey of the property. The information included on the “proposed zoning vs. current zoning” chart should be confirmed upon review of the survey.
- The proposed land to be rezoned includes three parcels. Together, these parcels comprise 17,400 sf, which exceeds the required lot minimum. However, individually, none of the parcels are compliant with the required lot minimum and a rezoning cannot result in a nonconforming lot. The applicant must complete the proposed land combination and boundary adjustment shown in the application, prior to approval of the rezoning.
- The proposed land to be rezoned includes three parcels. Together, these parcels comprise a frontage that extends 145 ft, which exceeds the required lot width. However, individually, only lot -001 is compliant with the required lot width and a rezoning cannot result in a nonconforming lot. The applicant must complete the proposed land combination and boundary adjustment shown in the application, prior to approval of the rezoning.

**Existing Conditions**

1. **Zoning.** The subject property comprises three parcels totaling 17,400 sf and currently zoned B-1 Local Business District. It is located on the South side of Nine Mile Road, just East of Farmington Road.
2. **Existing Development.** The site is currently vacant.
3. **Adjacent Properties.** Zoning and use of adjacent properties is as follows:

Direction	Zoning	Land Use	Future Land Use Category
North (Across Nine Mile)	C3 (Farmington General Commercial)	Car Wash	(Farmington) Commercial
East	B-1	Personal Services	Non-Center Type Business
South	RA-4	Single-Family	Single-Family Residential (Medium Density)
West	RA-4	Single-Family	Single-Family Residential (Medium Density)

4. **Master Plan.** This land is designated Non-Center Type Business on the Future Land Use Map, which is inconsistent with the proposed single-family zoning.

Non-Center Type Business uses are those that are not compatible with shopping centers and that could have an undesirable impact on abutting residential areas. They include most automobile oriented uses and outdoor uses; e.g. those that have the greatest impact beyond their boundaries in terms of either traffic generation, noise or appearance. These are the uses that are permitted within the B-3 General Business District.

The Future Land Use Map is intended to show a generalized plan for future development and is not precise in terms of the exact boundaries of each land use category. See item 1 below for discussion.

- 5. **Residential Densities Map.** These lots are approximately within the Medium-Density residential density designation. Medium-Density residential is typically aligned with the RA-3 or RA-4 Zoning classification.
- 6. **Special Planning Areas.** The parcel is not part of any special planning areas.

**Proposed Zoning Versus Current Zoning**

The applicant is proposing to rezone the property in question to RA-4 for the stated purpose of constructing two single family homes on the site. The site is currently vacant. **As noted on the City of Farmington’s Application for rezoning, the applicant shall submit an up-to-date survey of the property. The information included on this chart should be confirmed upon review of the survey.**

Standard	B-1 District	RA-4 District	Existing
Minimum Lot area	NA	8,500 SF	17,400 SF <sup>1</sup>
Minimum Lot Width	NA	60 Ft	145 ft <sup>2</sup>
Maximum Lot Coverage	NA	35%	NA- Vacant Lot
Front Setback	25	25 Ft	NA- Vacant Lot
Rear Setback	20	35 Ft	NA- Vacant Lot
Side Setback (East)	10	5 ft one side/ 15 ft total of two sides	NA- Vacant Lot
Side Setback (West/ Residential)	20		NA- Vacant Lot
Max Height	30 feet/ 2 stories	25 ft	NA- Vacant Lot
Front Yard Open Space	50%	NA	NA- Vacant Lot

<sup>1</sup>The proposed land to be rezoned includes three parcels. Together, these parcels comprise 17,400 sf, which exceeds the required lot minimum. However, individually, none of the parcels are compliant with the required lot minimum and a rezoning cannot result in a nonconforming lot. The applicant must complete the proposed land combination and boundary adjustment shown in the application, prior to final approval of the rezoning.

<sup>2</sup>The proposed land to be rezoned includes three parcels. Together, these parcels comprise a frontage that extends 145 ft, which exceeds the required lot width. However, individually, only lot -001 is compliant with the required lot width and a rezoning cannot result in a nonconforming lot. The applicant must complete the proposed land combination and boundary adjustment shown in the application, prior to approval of the rezoning.

**Items to Consider for Zoning Map Amendment**

- 1. Is the proposed zoning consistent with the Master Plan?

*The Master Plan designates this site as Non-Center Type Business, which is inconsistent with the proposed rezoning. The parcels abutting the site to the east are also Non-Center Type Business. The abutting parcels to the south and west are designated as single-family, shown on the residential densities map as "medium density." These neighboring parcels are consistent with RA-4 Zoning.*

2. What other impact would the requested zoning have on public services, utilities, and natural features?

*The site would transition from a commercial designation to a residential designation, a less intensive land use that is not expected to have any impact on public services, utilities, and natural features.*

3. Has the Applicant provided evidence that the property cannot be developed or used as zoned?

*The applicant has not provided evidence that the property cannot be developed or used as zoned.*

4. Is the proposed zoning district (and potential land uses) compatible with surrounding uses?

*The site is compatible with the neighboring RA-4 uses. In addition, if zoned RA-4, this site would be compatible with the neighboring B-1 parcel to the west, as the ordinance states that the intent of the B-1 District is to meet the day-to-day convenience shopping and service needs of persons residing in nearby residential areas.*

5. Will the proposed zoning place a burden on nearby thoroughfares? If so, how would this burden compare with the existing zoning district?

*The requested zoning will not change the burden on nearby thoroughfares.*

6. Is there other land currently available for this use?

*With several listings on Zillow, there are other opportunities to construct single-family homes on vacant land in Farmington Hills.*

7. Will development of the site under proposed zoning be able to meet zoning district requirements?

*No. Due to nonconforming lot minimums and lot width, the lots must undergo the proposed combination and boundary adjustment prior to a rezoning.*

8. Is rezoning the best way to address the request or could the existing zoning district be amended to add the proposed use as a permitted or special land use?

*The applicant could not construct a single-family home under B-1 Zoning.*

9. Has there been a change in circumstances and conditions since adoption of the Master Plan that would support the proposed change?

*Development in the immediate area has not changed in a substantial way since the adoption of the last master plan.*

10. Would granting the request result in the creation of an unplanned spot zone? Spot zoning is the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area, for the benefit of a single property owner and to the detriment of others (*Rogers v. Village of Tarrytown*, 96 N.E. 2d 731). Typically, to determine if a rezoning would constitute spot zoning a municipality would look to answer three questions.

- Is the rezoning request consistent with the Master Plan for the area?



*The Master Plan for the area designates this land as Non-Center Type Business, which is not consistent with the rezoning request. However, the Planning Commission may consider the parcel's proximity to adjacent lots proposed for Single-Family (Medium Density) residential.*

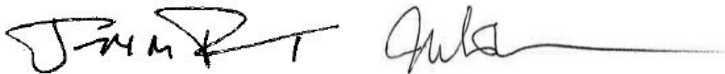
- Is the proposed zoning district a logical extension of an existing zoning district in the area?  
*This rezoning could be perceived as an extension of the RA-4 district to the west and south.*
- Would approving the request grant a special benefit to a property owner or developer?  
*It does not appear to result in a special benefit to the property owner/developer.*

For reference, we have included the lists of permitted and special land uses in both districts at the end of this letter.

We look forward to discussing our review at the next Planning Commission meeting.

Sincerely,

Giffels Webster

Handwritten signatures of Joe Tangari and Julia Upfal.

Joe Tangari, AICP  
Principal Planner

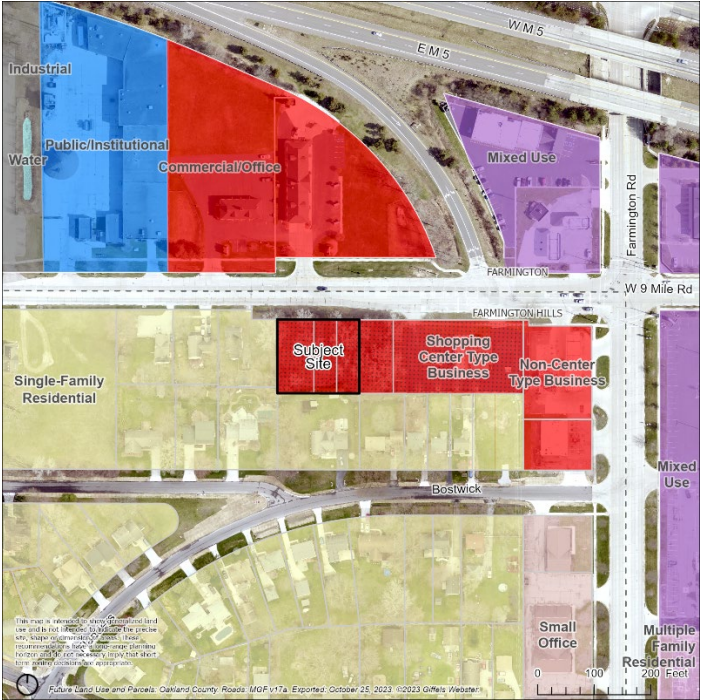
Julia Upfal, AICP  
Senior Planner

cc: Gary Mekjian, City Manager  
Ed Gardiner, Director of Planning and Community Development  
Erik Perdonik, City Planner  
Almira Fulton, Fire Department  
James Cubera, Senior Engineer



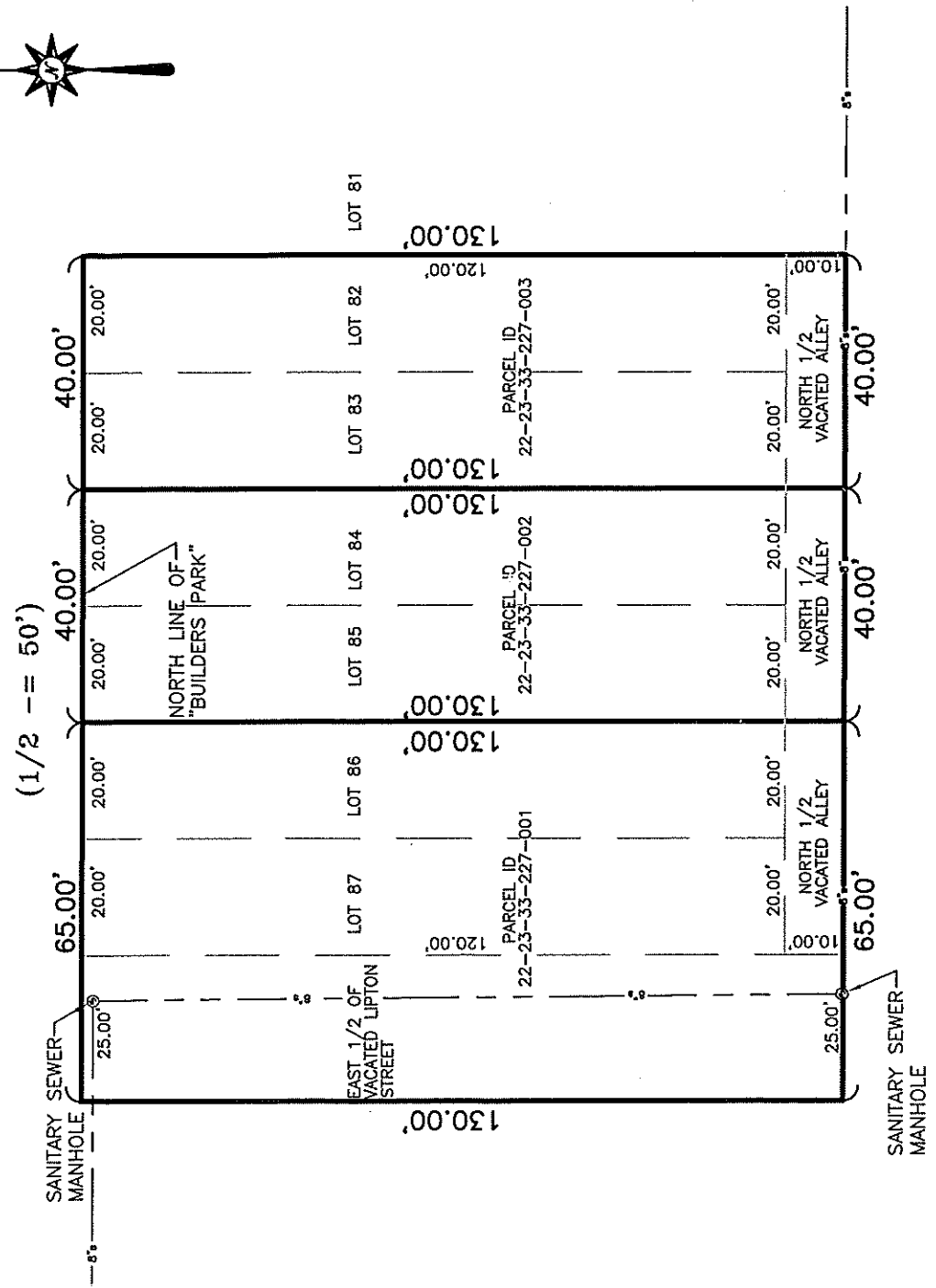
**Future Land Use**

This plan is intended to show generalized land use and is not intended to indicate precise size, shape, or dimension. These proposals reflect future land use recommendations and do not necessarily imply short range rezoning proposals.



ZR 2-10-2027

# CERTIFICATE OF SURVEY NINE MILE RD (1/2 = 50')



## LEGAL DESCRIPTIONS

PARCEL ID  
22-23-33-227-003  
LOTS 82, 83 AND THE ADJACENT 1/2 OF VACATED ALLEY OF "BUILDERS PARK" SUBDIVISION, PART OF THE NORTHEAST 1/4 OF SECTION 33, FARMINGTON TOWNSHIP (NOW BEING THE CITY OF FARMINGTON HILLS), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 36 OF PLATS, PAGE 31, OAKLAND COUNTY RECORDS.

PARCEL ID  
22-23-33-227-002  
LOTS 84, 85 AND THE ADJACENT 1/2 OF VACATED ALLEY OF "BUILDERS PARK" SUBDIVISION, PART OF THE NORTHEAST 1/4 OF SECTION 33, FARMINGTON TOWNSHIP (NOW BEING THE CITY OF FARMINGTON HILLS), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 36 OF PLATS, PAGE 31, OAKLAND COUNTY RECORDS.

PARCEL ID  
22-23-33-227-001  
LOTS 86, 87, THE ADJACENT 1/2 OF VACATED ALLEY AND THE EAST 1/2 OF VACATED LIPTON STREET OF "BUILDERS PARK" SUBDIVISION, PART OF THE NORTHEAST 1/4 OF SECTION 33, FARMINGTON TOWNSHIP (NOW BEING THE CITY OF FARMINGTON HILLS), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 36 OF PLATS, PAGE 31, OAKLAND COUNTY RECORDS.

## PROPERTY ZONING

CURRENTLY ZONED  
B-1 LOCAL BUSINESS DISTRICT

PROPOSED ZONING  
RA-4 ONE FAMILY RESIDENTIAL

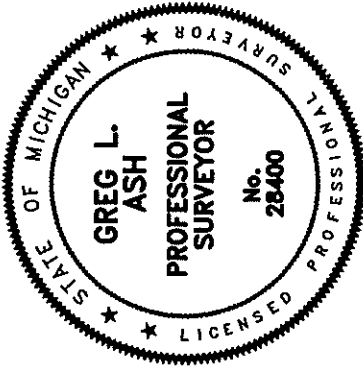
EXISTING ADJACENT ZONING  
TO THE EAST: B-1 LOCAL BUSINESS DISTRICT  
TO THE SOUTH: RA-4 ONE FAMILY RESIDENTIAL  
TO THE WEST: RA-4 ONE FAMILY RESIDENTIAL  
TO THE NORTH: 9 MILE R.O.W.

## LEGEND

RECORDED R.  
MEASURED M.  
SET IRON S.C.I.  
FOUND IRON F.I.  
FOUND CONC. MON. F.C.M.

## SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND ABOVE PLATTED AND/OR DESCRIBED ON 9/21/23 AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS LESS THAN 1/5000 AND THAT ALL REQUIREMENTS OF P.A. 132 OF 1970 HAVE BEEN COMPLIED WITH.



*Greg L. Ash*  
GREG L. ASH, P.L.S. #28400

**GLA ENGINEERS**  
SURVEYORS & ENGINEERS

9450 SOUTH MAIN STREET  
SUITE 103  
PLYMOUTH, MI 48170

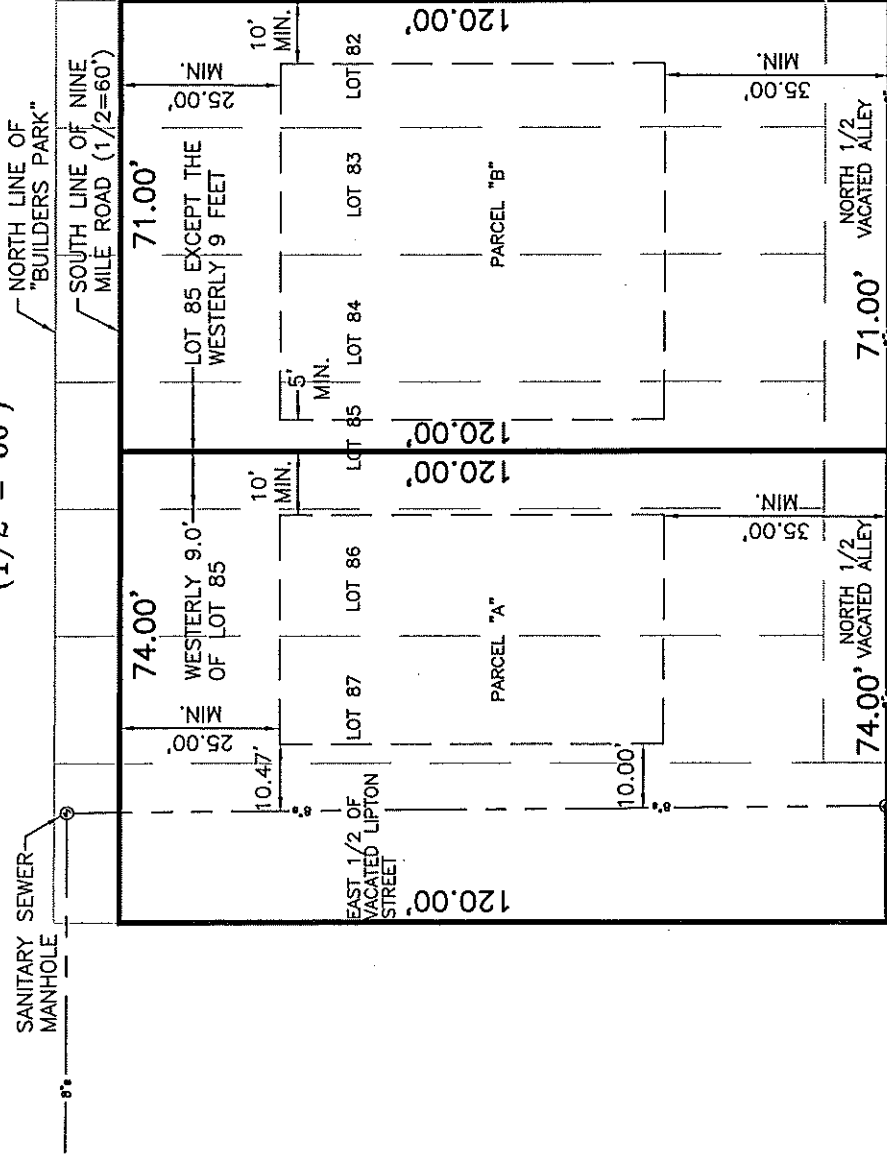
PHONE: (734) 416-9650  
FAX: (734) 416-9657  
www.glasurveyor.com

CLIENT:  
FORTESA HOMES, LLC  
37637 FIVE MILE RD, STE 104  
LIVONIA, MI 48154

DATE: 10/9/23	SCALE: 0' = 30'	60'	DRAWN BY: S.A.S.
JOB NO.: 4233-082	1" = 30'		
FILE NO.: 4233-082	SHEET: 1 OF 2		

# CERTIFICATE OF SURVEY

## NINE MILE RD (1/2 = 60')



### LEGAL DESCRIPTIONS

**PARCEL A**  
 LOTS 86, 87, THE WESTERLY 9 FEET OF LOT 85, THE ADJACENT 1/2 OF VACATED ALLEY AND THE ADJACENT 1/2 OF VACATED LIPTON STREET, EXCEPT THE NORTHERLY 10 FEET OF SAID LOTS AND 1/2 OF VACATED LIPTON STREET FOR NINE MILE ROAD (1/2 = 60 FEET) OF "BUILDERS PARK" SUBDIVISION, PART OF THE NORTHEAST 1/4 OF SECTION 33, FARMINGTON TOWNSHIP (NOW BEING THE CITY OF FARMINGTON HILLS), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 36 OF PLATS, PAGE 31, OAKLAND COUNTY RECORDS.

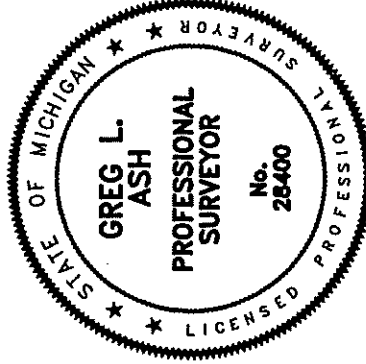
**PARCEL B**  
 LOT 85 EXCEPT THE WESTERLY 9 FEET, LOT 84, 83 AND THE ADJACENT 1/2 OF VACATED ALLEY, EXCEPT THE NORTHERLY 10 FEET OF SAID LOTS FOR NINE MILE ROAD (1/2 = 60 FEET) OF "BUILDERS PARK" SUBDIVISION, PART OF THE NORTHEAST 1/4 OF SECTION 33, FARMINGTON TOWNSHIP (NOW BEING THE CITY OF FARMINGTON HILLS), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 36 OF PLATS, PAGE 31, OAKLAND COUNTY RECORDS.

### PROPERTY ZONING

RA-4 ONE FAMILY RESIDENTIAL  
 MINIMUM LOT SIZE: = 8,500sf  
 MINIMUM LOT WIDTH: = 60'  
 LOT COVERAGE: MAXIMUM = 35% PER UNIT  
 SETBACKS:  
 MINIMUM FRONT YARD = 25'  
 MINIMUM REAR YARD = 35'  
 MINIMUM SIDE YARD = 5' ONE SIDE  
 15' TOTAL OF TWO SIDES

### LEGEND

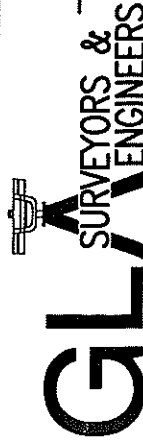
RECORDED R.  
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### SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND ABOVE PLATTED AND/OR DESCRIBED ON 9/21/23 AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS LESS THAN 1/5000 AND THAT ALL REQUIREMENTS OF P.A. 132 OF 1970 HAVE BEEN COMPLIED WITH.

*Greg L. Ash*  
 GREG L. ASH, P.L.S. #28400



9450 SOUTH MAIN STREET  
 SUITE 103  
 PLYMOUTH, MI 48170  
 PHONE: (734) 416-9650  
 FAX: (734) 416-9657  
 www.glasurveyor.com

CLIENT:  
 FORTESA HOMES, LLC  
 37637 FIVE MILE RD, STE 104  
 LIVONIA, MI 48154

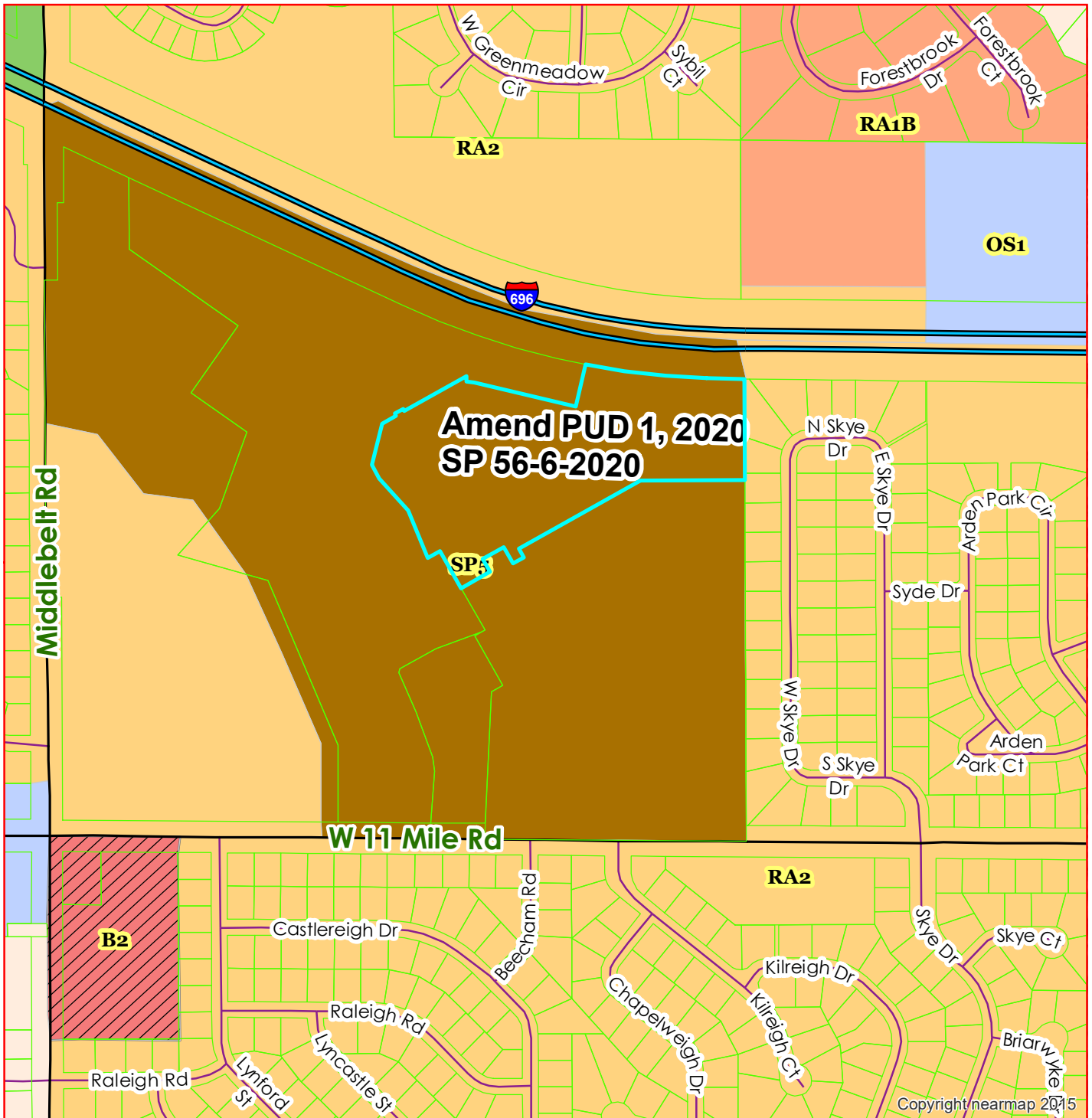
DATE: 10/9/23  
 JOB NO.: 4233-082  
 FILE NO.: 4233-082

SCALE: 0' 30' 60'  
 1" = 30'

SHEET:  
 2 OF 2

DRAWN BY:  
 S.A.S.

**Amend PUD 1, 2020, SP 56-6-2020 SP-5**  
**13-351-008, 28800 Eleven Mile Rd.**  
**Demo of small chapel structure for open space**



- |                                 |                                       |
|---------------------------------|---------------------------------------|
| Tax parcel                      | RA-1 One Family Residential District  |
| Minor roads                     | RA-1B One Family Residential District |
| <b>Zoning Districts</b>         | RA-2 One Family Residential District  |
| <b>Zoning Districts</b>         | RC-2 Multiple Family Residential      |
| B-2 Community Business District | SP-5 Special Purpose District         |
| OS-1 Office Service District    |                                       |



FEET



SOURCE: City of Farmington Hills, 2022  
 Oakland County GIS, 2022

DISCLAIMER: Although the information provided by this map is believed to be reliable, its accuracy is not warranted in any way. The City of Farmington Hills assumes no liability for any claims arising from the use of this map.

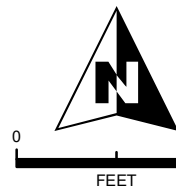
Copyright nearmap 2015

**Amend PUD 1, 2020, SP 56-6-2020 SP-5  
13-351-008, 28800 Eleven Mile Rd.  
Demo of small chapel structure for open space**



**Planning Division**

- Tax parcel
- Minor roads



SOURCE: City of Farmington Hills, 2022  
Oakland County GIS, 2022

DISCLAIMER: Although the information provided by this map is believed to be reliable, its accuracy is not warranted in any way. The City of Farmington Hills assumes no liability for any claims arising from the use of this map.

October 20, 2023

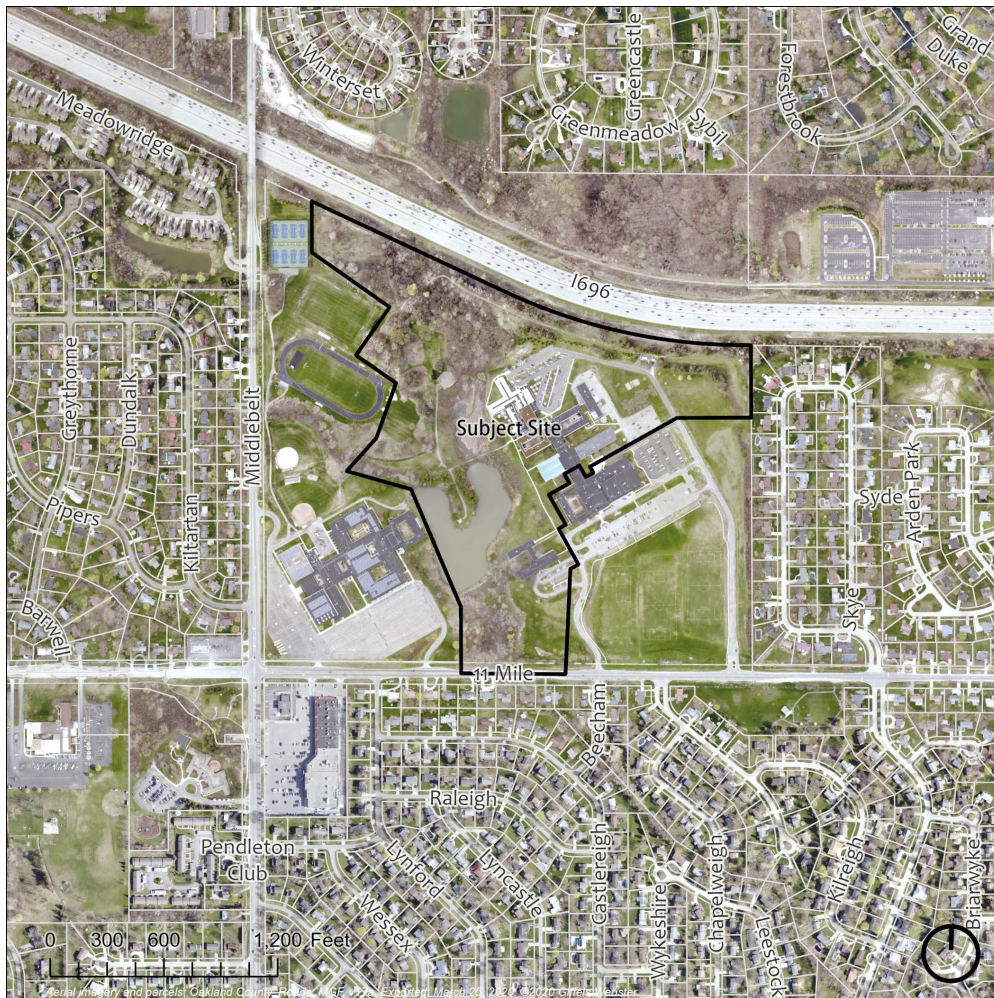
Farmington Hills Planning Commission  
 31555 W 11 Mile Rd  
 Farmington Hills, MI 48336

# Final PUD Determination & Site Plan

Case: PUD 1, 2020  
 Site: 29000 11 Mile Rd (Parcel ID 23-13-351-005)  
 Applicant: Edward Rose & Sons  
 Plan Date: Amended Plan: 10/17/2023  
 Zoning: SP5

Dear Planning Commissioners:

We have completed a review of the application for PUD amendment referenced above and a summary of our findings is below. Items in **bold** require specific action by the Applicant. Items in *italics* can be addressed administratively.



## SUMMARY OF FINDINGS

### PUD Amendment:

Per Section 34-3.20.5.G, “Proposed amendments or changes to an approved PUD plan shall be submitted to the planning commission. The planning commission shall determine whether the proposed modification is of such minor nature as not to violate the area and density requirements or to affect the overall character of the plan, and in such event may approve or deny the proposed amendment. If the planning commission determines the proposed amendment is material in nature, the amendment shall be reviewed by the planning commission and city council in accordance with the provisions and procedures of this section as they relate to final approval of the Planned Unit Development.”

As the planning commission considers whether the amendment constitutes a minor or major amendment to the PUD, it should consider that the original approval of this PUD application included the acknowledgment of several different PUD objectives achieved by the plans, including those listed under 34-3.20.E as Objectives ii, vi, vii, and viii. The original review of PUD qualification considered preservation of historic structures and the need to coordinate around existing structures, as well as other qualifying criteria. The Planning Commission may wish to review the original PUD qualification to determine whether this change in the plans impacts the original criteria considered.

**If the PC makes a determination that this is a major amendment to the PUD, the PC will set a public hearing on the amendment and make a recommendation to Council. If it determines the amendment is minor, it may act upon the site plan per the typical site plan procedures.**

#### **To be reviewed administratively:**

The ordinance standards chart on Sheet C-2 should note the 54-foot height.

The lot coverage provided is the same lot coverage that was included in the original PUD application, but the applicant has proposed the removal of a structure. The updated lot coverage shall be provided and the applicant should provide the precise size of the structure to be removed.

The proposed amendment will result in a reduction of Floor Area Ratio. The applicant should provide the precise size of the small chapel and correct the Floor Area Ratio calculation for the amended plans.

### Existing Conditions

1. **Previous Approvals.** The PUD Plan for this site was first approved on September 28, 2020. The following motion approving the PUD was passed by a 4-1 vote of the City Council.

*MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby approves PUD Plan 1, 2020 dated September 11, 2020 as presented with the following conditions:*

- *Final approval of all necessary access easements*
- *Any damage caused to the entry road from 11 Mile Road to the subject site as a result of construction must be repaired by the applicant. The applicant is not required to repair the existing damage to the access road, or any damage that the Engineering Division determines that they did not cause.*



- *The eastern most entrance sign with the Costick Center sign on top and the eastern internal wayfinding sign are permitted to be located on City property.*

*IT IS FURTHER RESOLVED, that the City Council authorizes the City Attorney prepare the appropriate PUD agreement stipulating the final development.*

On October 18, 2023, the applicant (John Thompson, PEA Group) submitted a request to amend the approved site plan.

2. **Zoning.** The Site is zoned SP5 Special Purpose District. The Special Purpose District is intended for uses that are generally compatible with one-family residential, but because of characteristics of size or use should not be permitted in a one-family district without special consideration. SP5 zoning permits centers for elderly care and services as Special Land Uses. The PUD approval included deviations from SP-5 Zoning requirements, including:
  - a. **Building height deviations on both building wings (Maximum 54.5 feet)** acceptable as presented in the plans (SP5 height limit is 40 feet (34-31.1.18))
  - b. **Floor area ratio of .45** (Maximum FAR for Elderly Care and Services shall be .16 - Article 34-4.20.3 )

*It should be noted that the proposed amendment will result in a reduction of Floor Area Ratio. The applicant should provide the precise size of the small chapel and correct Floor Area Ratio calculation.*

3. **Existing site.** The site is 53.66 acres, 34.18 acres of which is a dedicated conservation easement. The original PUD plans include development on the remaining 19.48 acres. The site included the Sisters of Mercy Facilities, of which six obsolete structures were proposed for demolition. The remaining structures to be preserved included Catherine’s Place, a small chapel and a large chapel. There is also a wireless communication tower on the site, maintained by others.

As noted in the original application, “the subject 19.48-acre parcel is further divided into a north (15.57 acre) and south (3.91 acre) parcel, which are separated by the City’s Costick Center parcel. Our PUD application only includes the north 15.57 acres to accommodate the development of our Rose Senior Living building. We intend for the south 3.91-acre parcel to be included with the City’s plans for a future detached age restricted residential community. The site plan and zoning applications related to the south parcel will be submitted separately as those plans further evolve under the City’s guidance.”

“Seven (7) buildings currently exist on the 15.57-acre parcel and one building exists on the 3.91-acre (south) parcel. The construction of the new Rose Senior Living building will require removal of six (6) obsolete structures. Our plans also include preservation and repurposing of the large 500-seat chapel and Catherine’s Place, the skilled nursing facility.” The Original plans also included preservation of a small chapel on the site, which the applicant has proposed to demolish in this application for amendment.

4. **Adjacent Properties.**

Direction	Zoning	Land Use
North	I-696 (RA2 beyond)	I-696 (single family homes beyond)
East	RA2	Single family homes
South	SP5	Costick Center

West	SP5/RA2	School beyond conservation easement
------	---------	-------------------------------------

5. **Site configuration and access.** The site is accessible from 11 Mile Road; access is via a road through the Costick Center property.

**PUD Qualification:**

Under Section 34-3.20, the Planning Commission may make a determination that the site qualifies for a PUD based on the following criteria and procedures.

*The original approval of this PUD application included the acknowledgment of several different PUD objectives achieved by the plans, including those listed under 34-3.20.E as Objectives ii, vi, vii, and viii. The original review of PUD qualification considered preservation of historic structures and the need to coordinate around existing structures, as well as other qualifying criteria. The Planning Commission may wish to review the original PUD qualification to determine whether this change in the plans impacts the original criteria considered.*

- Below is the qualification information provided with the original PUD plans.
  - Criteria for qualification. In order for a zoning lot to qualify for the Planned Unit Development option, the zoning lot shall either be located within an overlay district or other area designated in this chapter as qualifying for the PUD option, or it must be demonstrated that all of the following criteria will be met as to the zoning lot:
    - A. The PUD option may be effectuated in any zoning district.
    - B. The use of this option shall not be for the sole purpose of avoiding the applicable zoning requirements. Any permission given for any activity or building or use not normally permitted shall result in an improvement to the public health, safety and welfare in the area affected.

*The applicant is proposing a use generally permitted in the SP5 district, but does appear to be proposing a project that would require certain exceptions to standards of that zoning district. The plan also appears to place the proposed use on the same lot with at least one other use, in an existing building that will not be removed.*
    - C. The PUD shall not be utilized in situations where the same land use objectives can be accomplished by the application of conventional zoning provisions or standards. Problems or constraints presented by applicable zoning provisions shall be identified in the PUD application. Asserted financial problems shall be substantiated with appraisals of the property as currently regulated and as proposed to be regulated.

*In the narrative accompanying the PUD application, the applicant presents the case that in order to address unusual characteristics of the lot, existing nonconforming setback issues and other site master planning issues as reasons that the PUD option is the most appropriate avenue for this development. **This is a unique parcel, and the existing structures that will remain on the subject property and adjacent city property, along with the freeway right-of-way and the conservation easement, create unusual parcel shapes and coordination challenges.***

- D. The Planned Unit Development option may be effectuated only when the proposed land use will not materially add service and facility loads beyond those contemplated in the Future Land Use Plan unless the proponent can demonstrate to the sole satisfaction of the city that such added loads will be accommodated or mitigated by the proponent as part of the Planned Unit Development.

*This standard appears to be met.*

- E. The Planned Unit Development must meet, as a minimum, one of the following objectives of the city:
- i. To permanently preserve open space or natural features because of their exceptional characteristics or because they can provide a permanent transition or buffer between land uses.
  - ii. **To permanently establish land use patterns which are compatible or which will protect existing or planned uses**
  - iii. To accept dedication or set aside open space areas in perpetuity.
  - iv. To provide alternative uses for parcels which can provide transition buffers to residential areas.
  - v. To guarantee the provision of a public improvement which could not otherwise be required that would further the public health, safety, or welfare, protect existing or future uses from the impact of a proposed use, or alleviate an existing or potential problem relating to public facilities.
  - vi. **To promote the goals and objectives of the Master Plan for Land Use.**
  - vii. **To foster the aesthetic appearance of the city through quality building design and site development, the provision of trees and landscaping beyond minimum requirements; the preservation of unique and/or historic sites or structures; and the provision of open space or other desirable features of a site beyond minimum requirements.**
  - viii. **To bring about redevelopment of sites where an orderly change of use is determined to be desirable.**

*The applicant's narrative of the PUD calls attention to four of these standards: ii, vi, vii, and viii. Regarding items ii and vi, the proposed PUD does appear to be broadly consistent for the city's goals for development around the Costick Center. **Regarding item vii, the applicant cites project history and the planned integration of certain existing site elements into the proposed development as an indication that the city can expect high-quality design.** Finally, regarding item viii, it appears that the use of the PUD option in this location could support this objective.*

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

*While the applicant will request several deviations from the standards of the underlying*

*district, these deviations do not appear to be the sole driving factor behind the PUD application.*

### **Site Plan & Use:**

*The applicant has submitted an application for site plan amendment and a copy of updated plans. The original landscape plans and photometric plans are included with the submittal, but no changes to these plans were proposed.*

1. **Summary of Proposed Use.** The original plans included a 207-apartment assisted and independent living building and a future 27-apartment memory care facility. The overall facility also includes common amenities and a guest suite for visitors. There are three satellite buildings containing fully enclosed garages, each with a brick façade to match the first floor of the main building. The existing large chapel (attached to the Costick Center) on the site will be preserved, as will the building identified as Catherine’s Place, which is planned for future conversion to the aforementioned 27-apartment memory care facility.

The amendment includes the demolition of a small chapel that is adjacent to Catherine’s Place, which was to be preserved on the original site plan. The applicant’s letter included with the PUD application explains that the preservation of this structure is a cost burden, with no functional use. The applicant goes on to explain further that this structure does not have sufficient access to parking or assigned toilet rooms.

2. **Master Plan.** The master plan’s future land use map assigns a quasi-public designation to this site. It is the subject of specific study as well:

#### **Sisters of Mercy Campus (No. 4)**

The present SP-5 zoning of this area was originally established to permit development of an extensive senior citizen community. The SP-5, Special Purpose District permits elderly care and services as a special land use. Residential uses were also permitted under the standards of the RA-2 District. Since then a large portion of the site has been acquired by the City resulting in creation of the Costick Center. Mercy High School has extended its outdoor athletic facilities as far north as the freeway and a conservation easement has been granted to the Six Rivers Regional Land Conservancy consisting of almost thirty-five acres of the property. Since there is no longer a need for the SP-5 District, it could be removed from the zoning ordinance and the zoning could be returned to the original RA-2 District.

If the opportunity ever presented itself, the site would also be ideal for an expanded municipal center or “community center” as suggested in the City’s Sustainability Study.

#### **Goals**

- Recognize continued use of the area for public and/or quasi-public purposes
- With opportunity, expand municipal use of the site
- Review the current zoning of the area in light of the change in ownership and its impact on the potential use as SP-5

#### **Policy**

- Change the zoning from SP-5 to RA-2 and remove the SP-5 section from the zoning ordinance

2. **Dimensional Standards.** The planning commission granted relief from the building height requirements as a part of the original PUD application. The new buildings were compliant with the SP5 setback requirements, although the existing Large Chapel is nonconforming with respect to the front setback.

Standard	Requirement	Proposed
Lot Size	15,000 sq ft	15.57 acres (contiguous)
Lot width	90 ft	None; access is via easement
Lot coverage	Max 35%	22.2% <sup>1</sup>
Front setback	35 ft	50.95 ft <sup>2</sup>
Rear setback	35 ft	188.19 ft
Side setback	8 ft/20 ft total	817 ft/481 ft
Building height	Max. 30 ft	<b>41 ft, 7 in for 3 stories and 54 ft for 4 stories – requires relief from underlying standard<sup>3</sup></b>

<sup>1</sup>The lot coverage provided is the same lot coverage that was included in the original PUD application, but the applicant has proposed the removal of a structure. The updated lot coverage shall be provided.

<sup>2</sup>The front setback is nonconforming in front of the large chapel. The 50.95 ft setback applies to recent improvements approved as a part of the PUD.

<sup>3</sup>The ordinance standards chart on Sheet C-2 should note the 54-foot height, and this height should further be labeled on Sheet A3.13.

3. **Building Materials.** No changes to building materials are proposed as a part of this PUD amendment. As previously approved, the façade of the new building is primarily brick veneer and cement fiber siding in two colors. It is designed in a way that reflects the interior division of the building by floors and generally comprised of durable materials.
4. **Parking.** No changes to parking spaces are proposed as a part of this PUD amendment.

The units are proposed as follows:

- Independent Living (117 units – 71 1BR & 46 2BR).
- Assisted Living (90 units – 78 1BR & 12 2BR).
- Memory Care (27). 6 spaces required

Parking is required as follows: 1.25 spaces for each 1-bedroom unit and 1.5 spaces for each 2-bedroom unit. 273 spaces would typically be required for the new building, with additional spaces (34) required for the memory care facility when it is completed.

The plan provides 219 parking spaces (32 in garages), with a net 54 additional spaces land banked on the eastern portion of the site for potential future parking, if needed. The Planning Commission granted approval for the landbanked parking during the initial review of the PUD.

5. **Overall Circulation.** No changes to site circulation are proposed as a part of this PUD amendment. The site is proposed to be accessed from a driveway to 11 Mile Road. There is two-way circulation around the proposed building. The plans include a note on Sheet C-2 indicating that the applicant will repair or reconstruct the access road as necessary.
6. **Trash Enclosure.** No changes to the trash enclosures are proposed as a part of this PUD amendment.

7. **Rooftop Appurtenances.** No changes to rooftop appurtenances are proposed as a part of this PUD amendment.
8. **Signs.** No changes to signs are proposed as a part of this PUD amendment.
9. **Lighting.** A photometric plan has been provided. No changes to lighting are proposed as a part of this PUD amendment.
10. **Pedestrian Connections.** A pedestrian connection to 11 Mile is provided. No changes to pedestrian connections are proposed as a part of this PUD amendment.
11. **Section 34-4.20.3.** All centers for elderly care and services in the SP-5 district shall be subject to the conditions of Section 34- 4.20.3. While the planning commission and city council may provide relief from zoning ordinance standards under a planned unit development agreement, it should be noted that these are the underlying standards that apply to this use in the underlying district, and any that are not met will require specific reference in any final PUD agreement.
  - a. A traffic impact analysis was reviewed as a part of the original PUD plan. The proposed changes are not expected to have any impact on traffic to the site.
  - b. The principal, service and accessory uses proposed for the residents are all permitted as part of a larger project in the SP-5 district. No additional changes to land use are proposed as a part of this PUD amendment.
  - c. The section establishes a maximum floor area ratio of 0.16 for the entire zoning lot. The applicant proposed a floor area ratio of 0.45, approved by the Planning Commission as a part of the initial PUD Plans.
  - d. No changes to building placement included as a part of this application for amendment.
  - e. No changes to the number of units included as a part of this application for amendment.
  - f. No changes to the building height are proposed. However, a deviation from dimensional standards for this building was approved as a part of the original PUD plan. The maximum building height of 30 feet may increase to 40 feet when a building is greater than 300 feet from the nearest abutting RA district. The 300-foot distance is met at 481.5 feet. However, the tallest point of the building is 54 feet.
  - g. No changes to building placement included as a part of this application for amendment.
  - h. No changes to landscaping included as a part of this application for amendment. A five-foot berm is required between a parking lot and property line, unless existing vegetation can be preserved. The Planning Commission reviewed the existing landscaping and made a determination that the proposed landscaping provides adequate screening.
  - i. No changes to public services are proposed as a part of this PUD amendment.
  - j. Typically, this use would require a public hearing on the functional land use plan. However, the applicant has applied to amend a planned unit development, and the public hearing for the PUD serves the same purpose for this plan.

**Tree Preservation:**

No changes to tree preservation proposed as a part of these plans.

**Landscape Plan**

No changes to landscaping proposed as a part of these plans.

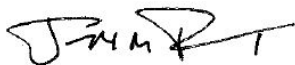
**Relief from Ordinance Standards:**

- No additional relief sought as a part of the amended PUD.

The applicant should specifically identify other standards requested to be varied, if any, as well as the degree of relief sought based on additional comments in this review letter.

We are available to answer questions.

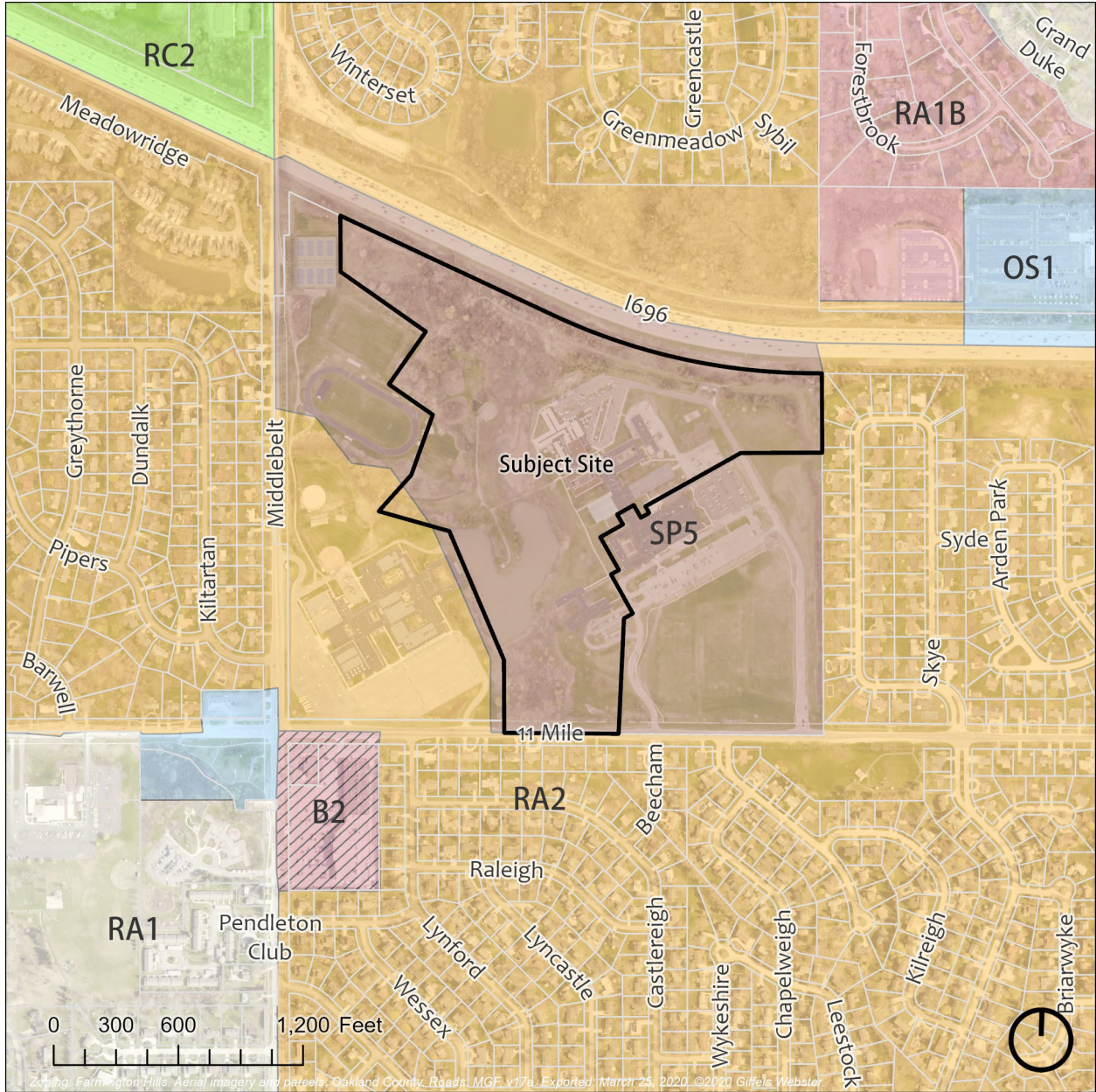
Respectfully,  
**Giffels Webster**



Joe Tangari, AICP  
Principal Planner

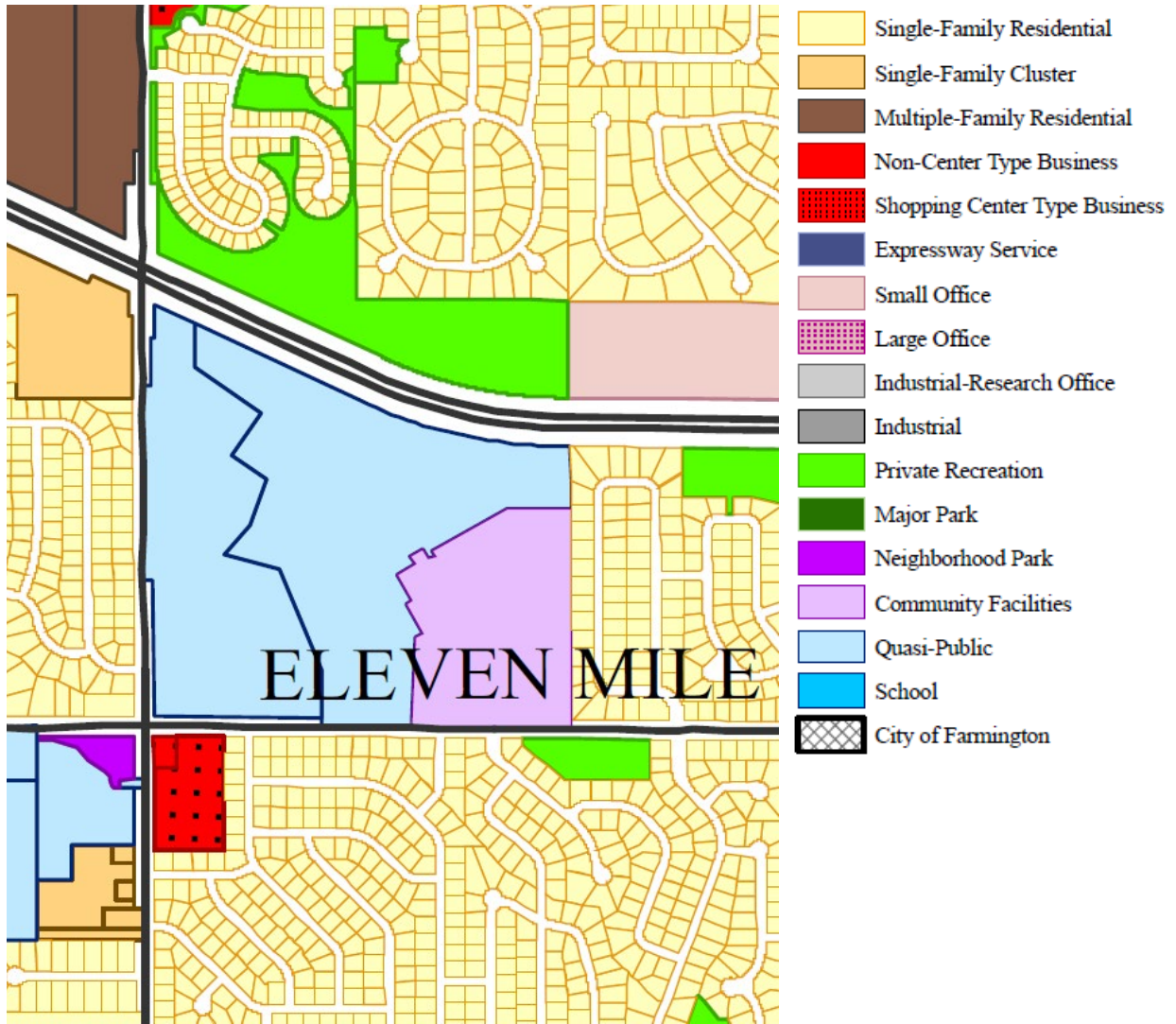


Julia Upfal, AICP  
Senior Planner



Current zoning






Master Plan designations for this area.





DEPARTMENT OF PUBLIC SERVICES  
KAREN MONDORA, P.E., DIRECTOR

**INTEROFFICE CORRESPONDENCE**

**DATE:** November 10, 2023  
**TO:** Planning Commission  
**FROM:** James Cubera, City Engineer  
**SUBJECT:** Revised PUD 1, 2020  
Rose Senior Living   
PJ #: 13-20-33 SP #: 56-06-2020

---

This office has performed a preliminary review of the above referenced revised PUD 1-2020 plan submitted to the Planning Department on October 19, 2023. We also reviewed the correspondence from the proponent dated October 18, 2023. It appears that the plan is identifying the removal of a small 5000 sq ft chapel and replacement with lawn. With this in mind, we have no objection to the plan as submitted. Note the original comments regarding the original development in our memo dated July 7, 2020, and August 6, 2020, remain in effect.

Intentionally left blank



INTEROFFICE CORRESPONDENCE

**DATE:** November 1, 2023  
**TO:** Planning Commission  
**FROM:** Jason Baloga, Fire Marshal  
**SUBJECT:** Site Plan 56-6-2020, PUD 1-2020 (Rose Senior Living) 3<sup>rd</sup> Revision

The Fire Department has no objection to the scope of work proposed with the understanding of the following:

1. The Life Safety Systems affected by the demolition shall require a Fire Department submittal, review, and acceptance test.
2. All previous PUD requirements shall remain.

A handwritten signature in blue ink, appearing to read 'Jason Baloga'.

Jason Baloga, Fire Marshal

JB/al

FINAL PUD AMENDMENT PLANS FOR

# ROSE SENIOR LIVING - FARMINGTON HILLS

PART OF THE SE 1/4 OF SECTION 13, T.1N., R. 9E.,  
CITY OF FARMINGTON HILLS, OAKLAND COUNTY, MICHIGAN

**OWNER/APPLICANT/DEVELOPER:**

EDWARD ROSE & SONS  
38525 WOODWARD AVENUE  
BLOOMFIELD HILLS, MI - 48303  
CONTACT: MARK PERKOSKI  
PHONE: (248) 686-5512  
FAX: (248) 686-5210  
EMAIL: MARK\_PERKOSKI@EDWARDROSE.COM

**ARCHITECT:**

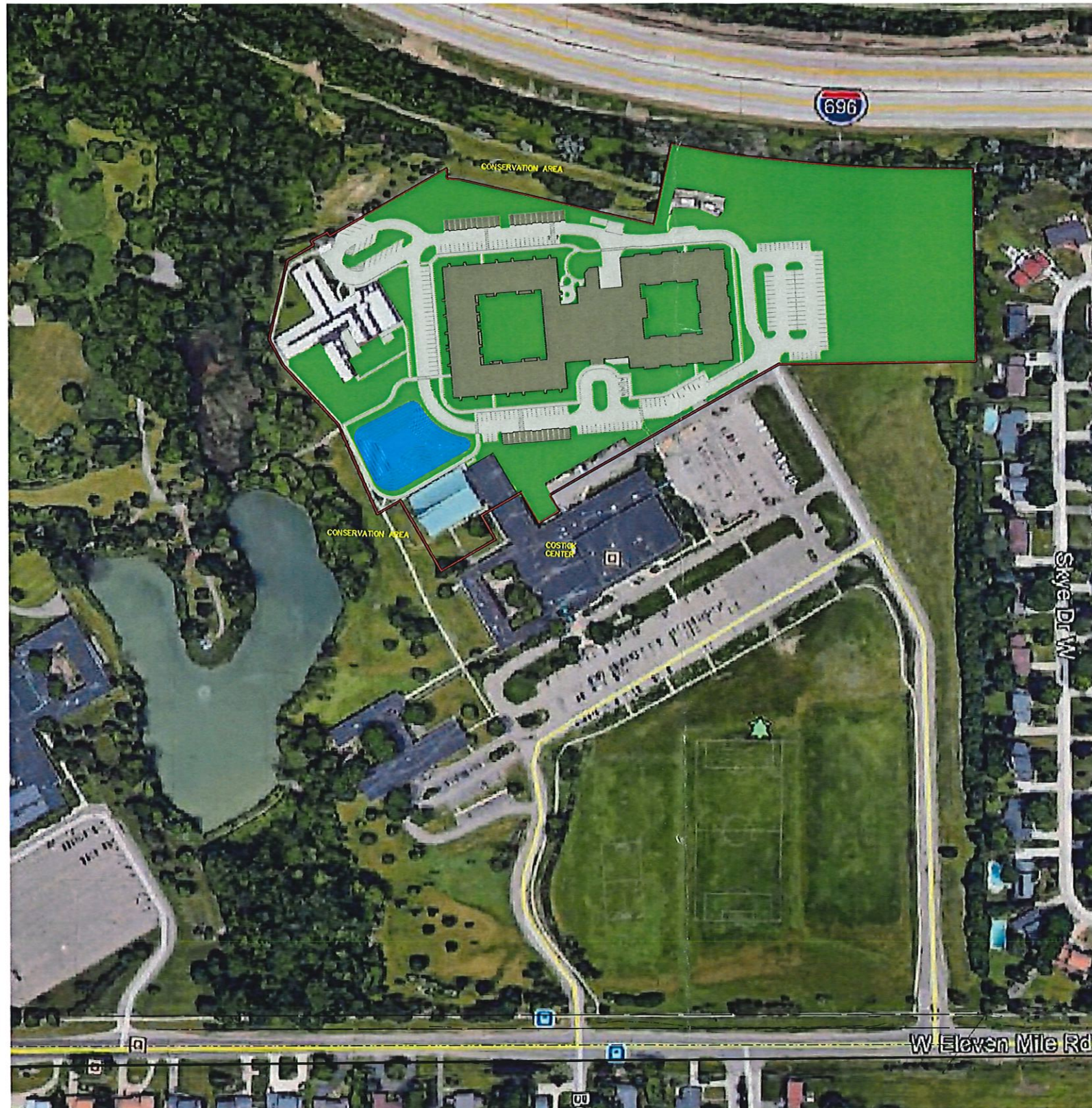
POPE ARCHITECTS  
1295 BANDANA BLVD N, SUITE 200  
ST. PAUL, MN 55108-2735  
CONTACT: DAN NEUDECKER  
PHONE: (715) 222-1107  
EMAIL: DNEUDECKER@POPEARCH.COM

**CIVIL ENGINEER:**

PEA GROUP  
1849 POND RUN  
AUBURN HILLS, MI 48326  
CONTACT: JOHN B. THOMPSON, PE  
PHONE: (248) 689-9090 EXT. 1109  
FAX: (248) 689-1044  
EMAIL: JTHOMPSON@PEAGROUP.COM

**LANDSCAPE ARCHITECT:**

PEA GROUP  
7927 NEMCO WAY, SUITE 115  
BRIGHTON, MI 48116  
CONTACT: LYNN WIPPLE  
PHONE: (517) 546-8583  
EMAIL: LWHIPPLE@PEAGROUP.COM



**INDEX OF DRAWINGS:**

- \* COVER SHEET
- C-1 BOUNDARY SURVEY
- \* C-1.1 TOPOGRAPHIC SURVEY
- \* C-1.2 PRELIMINARY DEMOLITION PLAN
- \* C-2.0 PRELIMINARY SITE PLAN
- \* C-3.0 PRELIMINARY GRADING PLAN
- \* C-4.0 PRELIMINARY UTILITY PLAN
- C-5.0 EXISTING DRAINAGE PLAN
- C-6.0 PRELIMINARY DRAINAGE PLAN
- C-7.0 WALKABILITY PLAN
  
- \* L-1 PRELIMINARY LANDSCAPE PLAN
- L-2 CONCEPTUAL AMENITIES
- \* L-3 LANDSCAPE OVERLAY
- T-1 TREE PRESERVATION PLAN
- T-2 TREE PRESERVATION LIST
- T-3 TREE PRESERVATION LIST
  
- L201 PHOTOMETRIC CALCULATION SITE LIGHTING
- L202 PHOTOMETRIC CALCULATION SITE LIGHTING
- L203 PARTIAL ENLARGED VIEW
- L204 PHOTOMETRIC CUT SHEETS
- L205 PHOTOMETRIC CUT SHEETS

\* INDICATES REVISED SHEETS

Amend PUD 1-2020  
SP 56.6.2020

Rec'd Oct 18, 2023

NO.	BY	DATE	REVISIONS
1	JBT	10/17/20	REVISIONS PER OFFICE WEBSITE AND CITY REVIEW
2	JBT	10/17/20	REVISIONS PER OFFICE WEBSITE AND CITY REVIEW
3	JBT	10/17/20	REVISIONS PER OFFICE WEBSITE AND CITY REVIEW



**CAUTION!!**  
THE USER AND RELIANCE OF THESE UNDERGROUND UTILITIES SHOWN ON THIS DRAWING ARE AT THE USER'S SOLE RISK. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO THE START OF CONSTRUCTION. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM ALL APPLICABLE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONSENTS FROM ALL APPLICABLE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONSENTS FROM ALL APPLICABLE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONSENTS FROM ALL APPLICABLE AGENCIES.

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www.peainc.com

EDWARD ROSE & SONS 38525 WOODWARD AVENUE BLOOMFIELD HILLS, MI - 48303	COVER SHEET	JBT
ROSE SENIOR LIVING PART OF THE SE 1/4 OF SECTION 13, T.1N., R. 9E., CITY OF FARMINGTON, OAKLAND COUNTY, MICHIGAN		
DES: TMK	DN: TMK	SUR: KTR
		P.M.

ORIGINAL ISSUE DATE:  
JUNE 17, 2020

PEA JOB NO. 2019-462

SCALE: NONE

DRAWING NUMBER:  
**COVER**

**SIGN LEGEND:**

- 'ONE WAY' SIGN [1]
- 'BARRIER FREE PARKING' SIGN [2]
- 'VAN ACCESSIBLE' SIGN [3]
- 'DO NOT ENTER' SIGN [4]
- 'NO PARKING FIRE LANE' SIGN [5]

REFER TO DETAIL SHEET FOR SIGN DETAILS

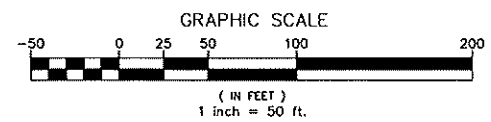
**CONSERVATION AREA**

**DIMENSION STANDARDS:**

REQUIRED:	PROVIDED:
LOT SIZE: 15,000 SF	15.57 ACRES (NET AND GROSS)
LOT WIDTH: 90 FT	HOME ACCESS IS VIA EASEMENT
LOT COVERAGE: MAX 35%	22.2%
FRONT SETBACK: 35 FT	50.95 FT
REAR SETBACK: 35 FT	188.19 FT
SIDE SETBACK: 8 FT/20 FT TOTAL	481.37 FT/917.49 FT
BUILDING HEIGHT: MAX 30 FT	41 FT, 7 IN
RA ZONED BUFFER: MIN. 200 FT	481.37 FT
FLOOR AREA RATIO: MAX 0.16	0.45

**FIRE DEPARTMENT NOTES:**

- EMERGENCY ACCESS SHALL BE MAINTAINED AT ALL TIMES;
  - MINIMUM OF 20' FIRE LANES.
  - MINIMUM OF 50' TURNING RADIUS.
  - FIRE LANE SIGNS SHALL BE POSTED THROUGHOUT THE SITE AND STRICTLY ENFORCED.
- DURING CONSTRUCTION SITE ACCESS SHALL BE MAINTAINED AND ROADWAYS SHALL BE ABLE TO SUPPORT FIRE APPARATUS WEIGHTING UP TO 25 TONS.
- HYDRANT COVERAGE SHALL BE PROVIDED PURSUANT TO REQUIREMENTS OUTLINED IN THE CITY CODE (CHAPTER 12 SEC. 12-11 [A]).
- FIRE SUPPRESSION SHALL BE PROVIDED AND INSTALLED PURSUANT TO NFPA 13, STATE OF MICHIGAN AND FARMINGTON HILLS REQUIREMENTS. EACH FLOOR SHALL HAVE CONTROL VALVE, TAMPER SWITCH AND WATER-FLOW DEVICES INSTALLED.
- A FIRE ALARM SYSTEM SHALL BE PROVIDED AND INSTALLED PURSUANT TO NFPA 72, STATE OF MICHIGAN AND FARMINGTON HILLS REQUIREMENTS.
- EMERGENCY RESPONDER RADIO COVERAGE SHALL BE PROVIDED THROUGHOUT THE FACILITY.



**SITE DATA TABLE:**

SITE AREA: 15.57 ACRES (NET AND GROSS)

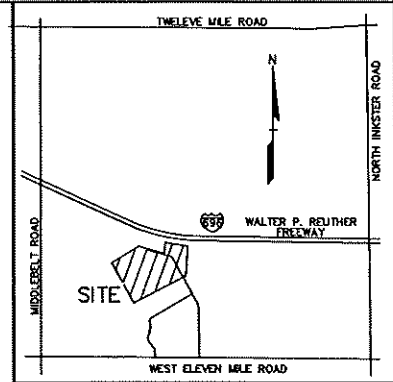
PROPOSED ZONING: PUD

EXISTING ZONING: SP-5 SPECIAL PURPOSE DISTRICT

PROPOSED USE: SENIOR LIVING COMMUNITY  
 90 UNIT ASSISTED LIVING  
 117 UNIT INDEPENDENT LIVING  
 27 UNIT MEMORY LAKE (FUTURE CATHERINE'S PLACE BUILD-OUT)  
 234 UNITS TOTAL

PARKING: REQUIRED PARKING = 273  
 PROVIDED PARKING SPACES = 232  
 LAND BANKED SPACES = 42  
 TOTAL PROVIDED PARKING = 274 SPACES

\* SHARED PARKING AGREEMENT PROPOSED WITH COSTICK CENTER TO PROMOTE "OVERFLOW" PARKING DURING EVENTS AND HOLIDAYS.



**REVISIONS**

NO.	DATE	DESCRIPTION	BY	CHK
1	05/11/20	ISSUE FOR PERMITS	JBT	
2	05/11/20	REVISIONS PER OFFICIALS COMMENTS AND CITY REVIEW	JBT	
3	05/11/20	REVISIONS PER OFFICIALS COMMENTS AND CITY REVIEW	JBT	
4	05/11/20	REVISIONS PER OFFICIALS COMMENTS AND CITY REVIEW	JBT	
5	05/11/20	REVISIONS PER OFFICIALS COMMENTS AND CITY REVIEW	JBT	

**LEGEND**

EXISTING	PROPOSED
● IRON FOUND	○ BRASS PLUG SET
⊗ IRON SET	⊗ MONUMENT FOUND
⊗ NAIL FOUND	⊗ MONUMENT SET
⊗ NAIL & CAP SET	⊗ RECORDED
	⊗ MEASURED
	⊗ CALCULATED

**CAUTION!**

ALL UTILITIES AND CONDITIONS OF EXISTING UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE RECORD DRAWINGS AND FIELD SURVEY. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF FARMINGTON HILLS AND THE STATE OF MICHIGAN PRIOR TO THE START OF CONSTRUCTION.

CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF FARMINGTON HILLS AND THE STATE OF MICHIGAN PRIOR TO THE START OF CONSTRUCTION. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

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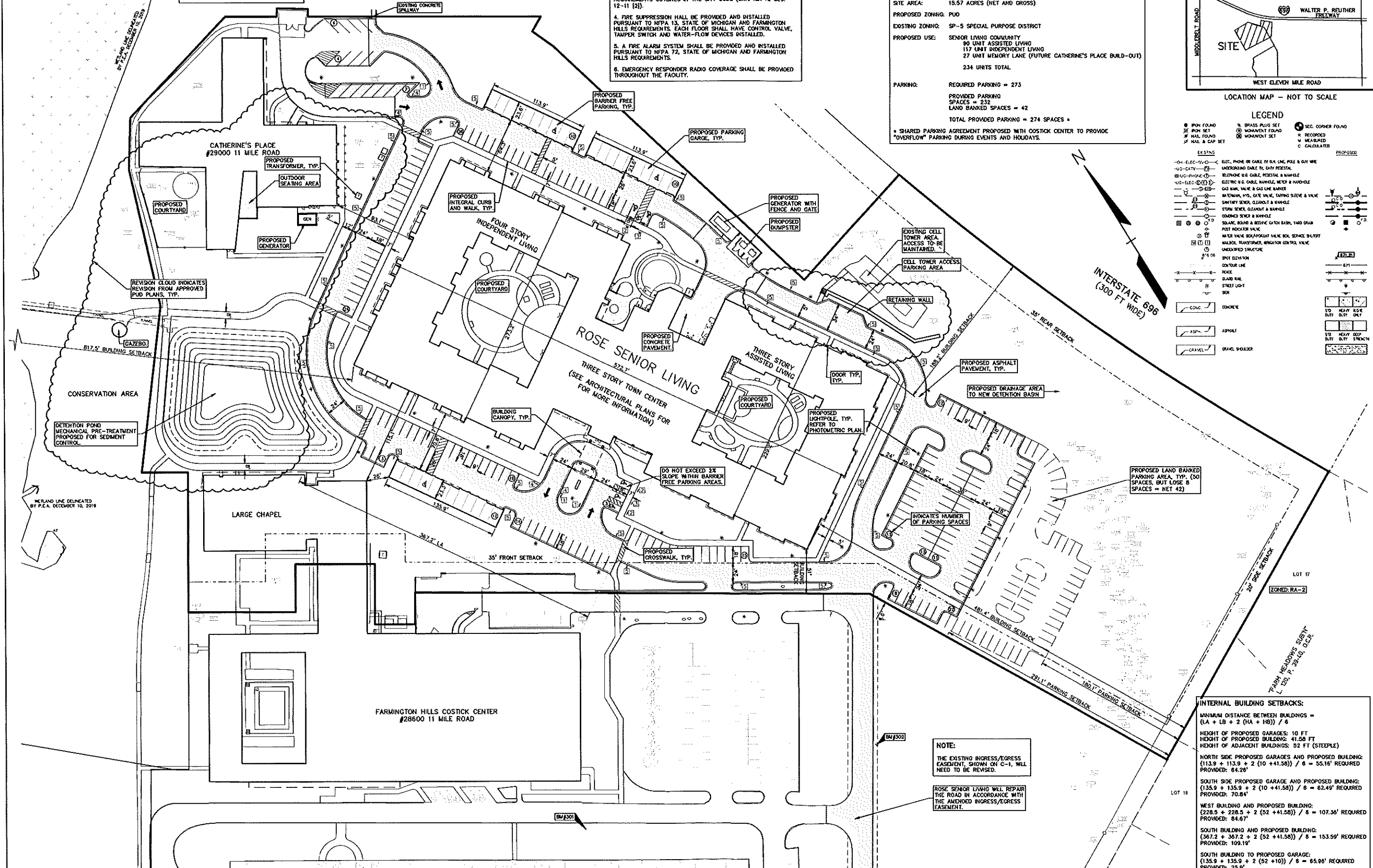
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F 248.689.1044  
www.peainc.com



**NOTE:**

THE EXISTING INGRESS/EGRESS EASEMENT, SHOWN ON C-1, WILL NEED TO BE REVISED.

ROSE SENIOR LIVING WILL REPAIR THE ROAD IN ACCORDANCE WITH THE AMENDED INGRESS/EGRESS EASEMENT.

**INTERNAL BUILDING SETBACKS:**

MINIMUM DISTANCE BETWEEN BUILDINGS = (LA + LB + 2 (HA + HB)) / 6

HEIGHT OF PROPOSED GARAGES: 10 FT  
 HEIGHT OF PROPOSED BUILDINGS: 41.58 FT  
 HEIGHT OF ADJACENT BUILDINGS: 52 FT (STEEPLE)

NORTH SIDE PROPOSED GARAGES AND PROPOSED BUILDING:  
 (113.9 + 113.9 + 2 (10 + 41.58)) / 6 = 55.16' REQUIRED  
 PROVIDED: 64.20'

SOUTH SIDE PROPOSED GARAGE AND PROPOSED BUILDING:  
 (228.5 + 228.5 + 2 (10 + 41.58)) / 6 = 62.49' REQUIRED  
 PROVIDED: 70.84'

WEST BUILDING AND PROPOSED BUILDING:  
 (367.2 + 367.2 + 2 (52 + 41.58)) / 6 = 107.36' REQUIRED  
 PROVIDED: 84.67'

SOUTH BUILDING AND PROPOSED BUILDING:  
 (367.2 + 367.2 + 2 (52 + 41.58)) / 6 = 153.59' REQUIRED  
 PROVIDED: 109.19'

SOUTH BUILDING TO PROPOSED GARAGE:  
 (135.9 + 135.9 + 2 (52 + 10)) / 6 = 85.96' REQUIRED  
 PROVIDED: 25.9'

**NOT FOR CONSTRUCTION**

**EDWARD ROSE & SONS**  
36555 DIVISION AVENUE  
SACRED HEART, MI 48383

**PRELIMINARY SITE PLAN**  
**ROSE SENIOR LIVING**  
PART OF THE SOUTH SIDE OF SECTION 13, T4N, R1E, W6E  
CITY OF FARMINGTON HILLS, OAKLAND COUNTY, MICHIGAN

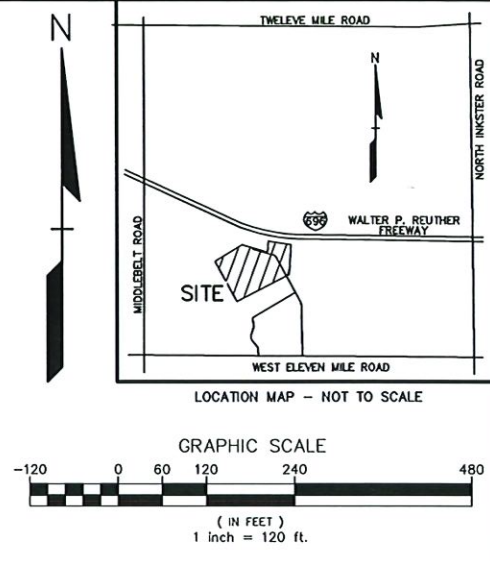
DES: TMR DN TMR SUR KTR P.M.  
 JBT  
 DATE: 05/11/20

ORIGINAL ISSUE DATE:  
JUNE 17, 2020

PEA JOB NO. 2019-462

SCALE: 1" = 50'

DRAWING NUMBER:  
**C-2**



NO.	BY	DESCRIPTION	DATE
3	JBT	REVISIONS PER OFFICEL WEBSTER AND CITY REVIEW	04/23/20
2	TKM	REVISIONS PER OFFICEL WEBSTER AND CITY REVIEW	8/27/20
1	TKM	REVISIONS PER OFFICEL WEBSTER AND CITY REVIEW	7/28/20

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<b>EDWARD ROSE &amp; SONS</b> 38525 WOODWARD AVENUE BLOOMFIELD HILLS, MI - 48303		<b>JBT</b>	
<b>WALKABILITY PLAN</b>		<b>KTR</b>	
<b>ROSE SENIOR LIVING</b>		<b>P.M.</b>	
PART OF THE SE 1/4 OF SECTION 13, T. 1N., R. 9E., CITY OF FARMINGTON, OAKLAND COUNTY, MICHIGAN			
DES.	TKM	DN.	TKM
		SUR.	KTR
			JBT

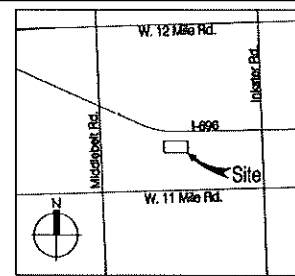
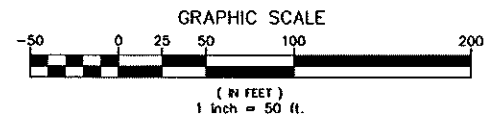
ORIGINAL ISSUE DATE:  
 JUNE 17, 2020

PEA JOB NO. 2019-462

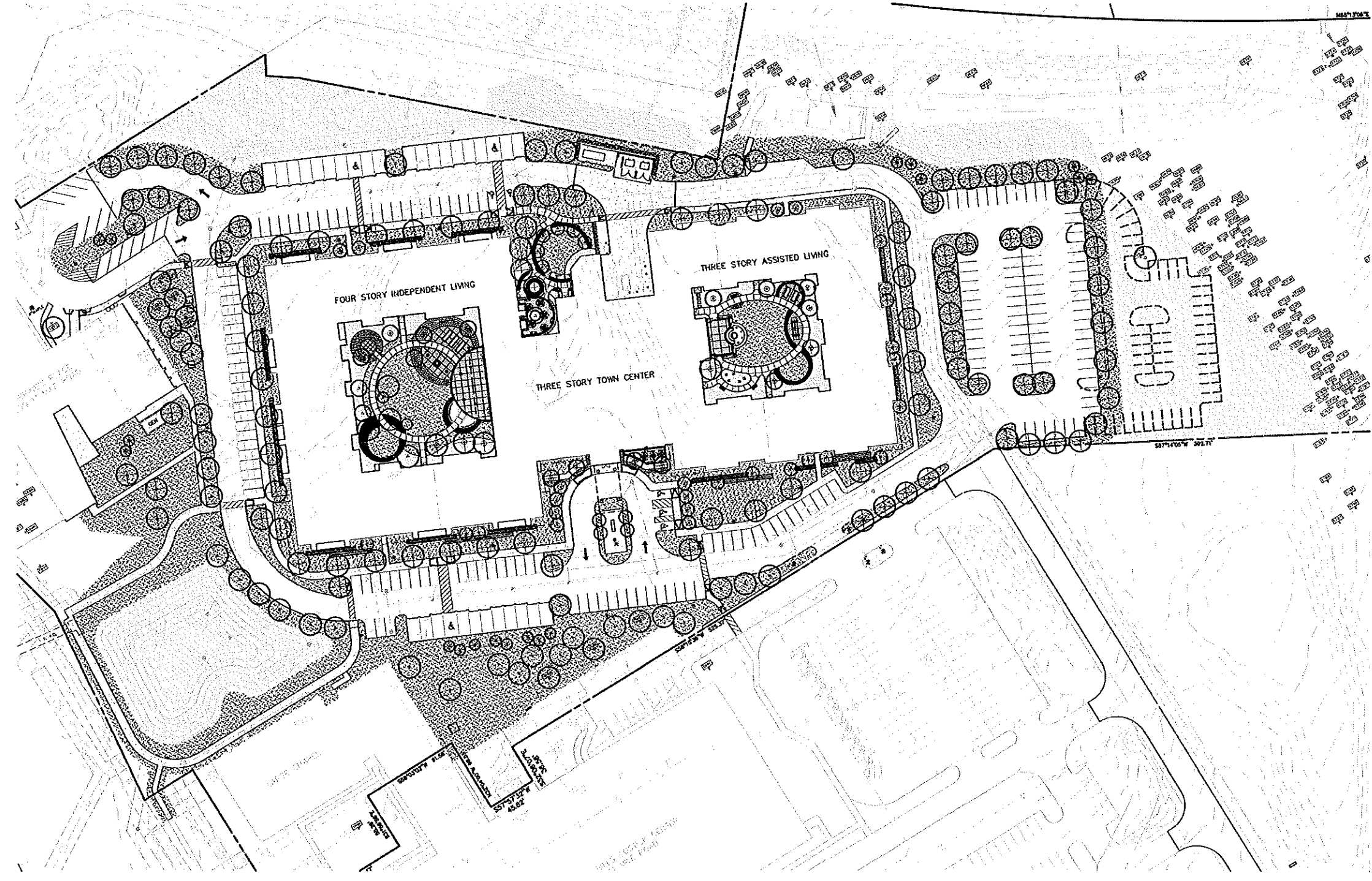
SCALE: 1"=120'

DRAWING NUMBER:  
**C-7**





Key Map  
Scale: Not to Scale



Legend:

- PROPERTY LINE
- IRRIGATED ADOBED OR SEEDED LAWN ON 4" DEPTH TOPSOIL TYP
- SEED WITH LOW PROFILE PRAIRIE SEED MIX ON 4" DEPTH TOPSOIL. CONTRACTOR TO FIELD VERIFY LIMITS TO RESTORE ALL DISTURBED AREAS. PROVIDE ENDS ON MAT ON SLOPES - SEE LANDSCAPE DETAILS SHEET
- SEED WITH STORYLATER SEED MIX. PROVIDE ENDS ON MAT ON SLOPES - SEE LANDSCAPE DETAILS SHEET
- EXISTING LIGHT POLE - SEE LIGHTING PLANS
- EXISTING TREES TO REMAIN
- PARKING LOT TREES - SEE LANDSCAPE DETAILS SHEET FOR PLANT SCHEDULE
- GAS LINE
- LATER MAIN
- SANITARY SEWER
- STORM DRAIN
- ELECTRIC

Note Key:

- 1 NEW SIDEWALK - SEE CIVIL PLANS
- 2 EXISTING PARKING LOT TO BE TO REMAIN
- 3 NEW PARKING LOT DRIVE - SEE CIVIL PLANS
- 4 FUTURE PARKING LOT LAND BANK AREA - SEE CIVIL PLANS
- 5 NEW GARAGE - SEE ARCH PLANS
- 6 DETENTION POND - SEE LANDSCAPE DETAILS SHEET AND CIVIL PLANS
- 7 APPROXIMATE SEEDING RESTORATION LIMIT LINE
- 8 PROVIDE BERTS AS SHOWN - SEE CIVIL PLANS
- 9 TRANSFORMER ON PAD

General Landscape Notes:

1. PROTECT ALL NEW AND EXISTING UTILITIES LIGHTS PAVEMENT POLES TREES VEGETATION ETC. DURING CONSTRUCTION AS NOTICED ON THE PLANS
2. RESTORE ANY DAMAGED LANDSCAPE OR INFRASTRUCTURE TO PRE CONSTRUCTION STATE PER OWNER'S REPRESENTATIVE
3. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITION INFORMATION SHOWN PRIOR TO CONSTRUCTION NOTIFY THE OWNER'S REPRESENTATIVE OF ANY CONCERNS PRIOR TO PROCEEDING
4. PROVIDED UTILITIES SHOWN FOR REFERENCE ONLY. CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UTILITIES PRIOR TO CONSTRUCTION AND NOTIFYING THE OWNER'S REPRESENTATIVE OF ANY CONCERNS PRIOR TO PROCEEDING
5. REFER TO SHEET L501 FOR PLANT LIST PLANTING DETAILS AND SEED MIXES
6. ALL BED LINES AND MOUND EDGES SHALL BE PLANTED OUT BY THE CONTRACTOR FOR APPROVAL BY THE OWNER'S REPRESENTATIVE PRIOR TO CONSTRUCTION
7. PROVIDE MULCH IN ALL SHRUBS AND PERENNIAL BEDS TYP - REFER TO PLANTING DETAILS FOR MULCH DEPTH
8. ALL AREAS DISTURBED OVER THE LIMITS OF WORK SHALL BE RESTORED TO THE ORIGINAL CONDITION AS PART OF THIS PROJECT AT NO ADDITIONAL COST TO THE OWNER
9. VERIFY LIMITS OF NEW IRRIGATIONS SYSTEM WITH OWNER'S REPRESENTATIVE

Landscape Calculations

PARKING LOT LANDSCAPE  
 REQUIRED - 1 TREE FOR EVERY 1000 SF OF PAVED SURFACE  
 61729 SF / 1000 = 61 TREES  
 PROVIDED - 51 TREES  
 REPLACEMENT TREES  
 REQUIRED - 85 STANDARD TREES AND 28 LANDMARK TREE  
 REPLACEMENT TREES - SEE TREE PRESERVATION PLAN  
 PROVIDED - 175 TREES (78 EVERGREEN AND 97 DECIDUOUS)

NO.	DATE	DESCRIPTION
1	06/17/2020	ISSUED FOR PERMITS AND CITY REVIEW
2	06/17/2020	ISSUED FOR PERMITS AND CITY REVIEW
3	06/17/2020	ISSUED FOR PERMITS AND CITY REVIEW
4	06/17/2020	ISSUED FOR PERMITS AND CITY REVIEW
5	06/17/2020	ISSUED FOR PERMITS AND CITY REVIEW
6	06/17/2020	ISSUED FOR PERMITS AND CITY REVIEW
7	06/17/2020	ISSUED FOR PERMITS AND CITY REVIEW
8	06/17/2020	ISSUED FOR PERMITS AND CITY REVIEW
9	06/17/2020	ISSUED FOR PERMITS AND CITY REVIEW
10	06/17/2020	ISSUED FOR PERMITS AND CITY REVIEW
11	06/17/2020	ISSUED FOR PERMITS AND CITY REVIEW
12	06/17/2020	ISSUED FOR PERMITS AND CITY REVIEW
13	06/17/2020	ISSUED FOR PERMITS AND CITY REVIEW
14	06/17/2020	ISSUED FOR PERMITS AND CITY REVIEW
15	06/17/2020	ISSUED FOR PERMITS AND CITY REVIEW
16	06/17/2020	ISSUED FOR PERMITS AND CITY REVIEW
17	06/17/2020	ISSUED FOR PERMITS AND CITY REVIEW
18	06/17/2020	ISSUED FOR PERMITS AND CITY REVIEW
19	06/17/2020	ISSUED FOR PERMITS AND CITY REVIEW
20	06/17/2020	ISSUED FOR PERMITS AND CITY REVIEW

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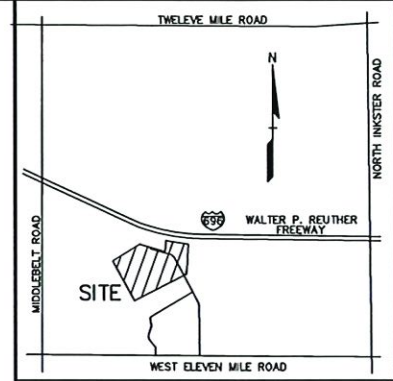
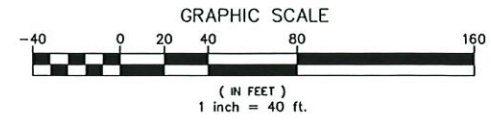


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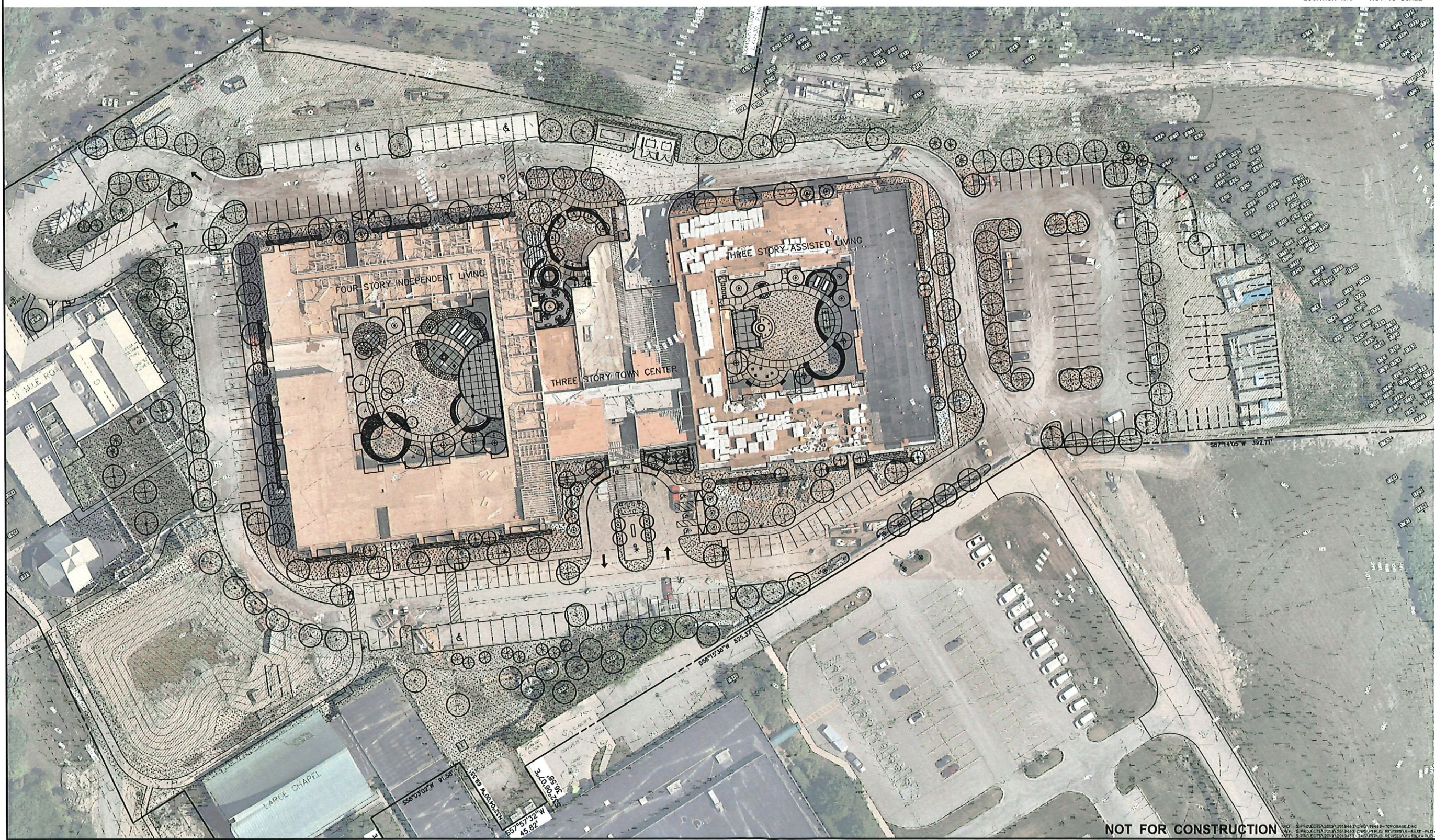
DES.	THK	DN	THK	SUR.	KTR	P.M.
	EDWARD ROSE & SONS	3825 WOODWARD AVENUE	BLOOMFIELD HILLS, MI 48303			
<b>LANDSCAPE PLAN</b>						
<b>ROSE SENIOR LIVING</b>						
PART OF THE SE 1/4 OF SECTION 13, T. 14 N., R. 9 E., CITY OF FARMINGTON, OAKLAND COUNTY, MICHIGAN						

ORIGINAL ISSUE DATE:  
 JUNE 17, 2020  
 PEA JOB NO. 2019-462

DRAWING NUMBER:  
**L-1**



NO.	DATE	BY	CHK	DESCRIPTION
1	10-17-20	JBT		ISSUE FOR PERMITS
2	10-27-20	JBT		REVISIONS PER OFFICIALS
3	11-17-20	JBT		REVISIONS PER OFFICIALS



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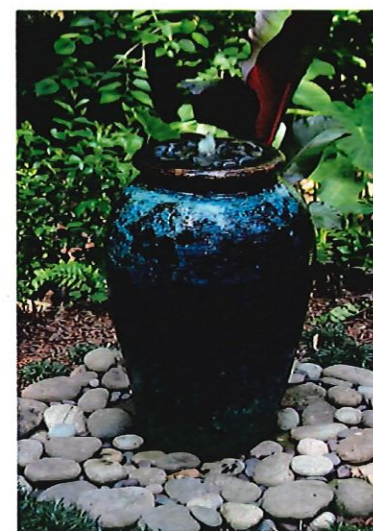
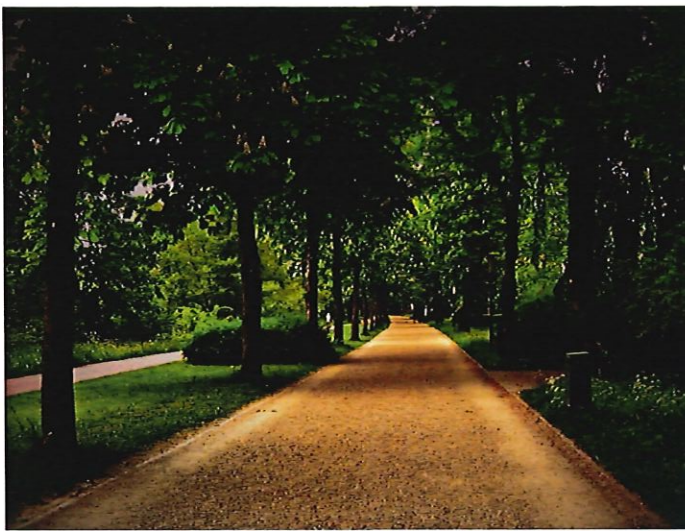
<b>EDWARD ROSE &amp; SONS</b> 3825 WOODWARD AVENUE BLOOMFIELD HILLS, MI 48303	
<b>LANDSCAPE PLAN</b>	
<b>ROSE SENIOR LIVING</b>	
PART OF THE SE 1/4 OF SECTION 13, T.1N., R.9E., CITY OF FARMINGTON, OKLAHOMA COUNTY, MICHIGAN	
DES.	THK
DN.	THK
SUR.	KTR
P.M.	JBT

ORIGINAL ISSUE DATE:  
JUNE 17, 2020

PEA JOB NO. 2019-462

DRAWING NUMBER:  
**L-3**

NOT FOR CONSTRUCTION



NO.	DATE	BY	DESCRIPTION
1	7/20/20	JK	REVISIONS PER GIFFELS WEBSTER AND CITY REVIEWS
2	7/20/20	JK	REVISIONS PER GIFFELS WEBSTER AND CITY REVIEWS



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**CONCEPTUAL AMENITIES**  
**ROSE SENIOR LIVING**  
 PART OF THE SE 1/4 OF SECTION 13, T. 1 N., R. 9 E.,  
 CITY OF FARMINGTON, OAKLAND COUNTY, MICHIGAN

DES. THK DNL TMK SUR. KTR P.M. JBT

ORIGINAL ISSUE DATE:  
 JUNE 17, 2020  
 PEA JOB NO. 2019-462  
 SCALE: N/A  
 DRAWING NUMBER:  
**L-2**

**MINUTES  
CITY OF FARMINGTON HILLS  
PLANNING COMMISSION MEETING  
31555 W ELEVEN MILE ROAD  
FARMINGTON HILLS, MICHIGAN  
NOVEMBER 16, 2023, 7:30 P.M.**

**CALL MEETING TO ORDER**

The Planning Commission Regular Meeting was called to order by Chair Countegan at 7:34 p.m.

**ROLL CALL**

Commissioners present:           Aspinall, Brickner, Countegan, Grant, Mantey, Trafelet, Stimson, Varga, Ware

Commissioners Absent:           None

Others Present:                   City Planner Perdonik, City Attorney Schultz, Planning Consultants Tangari and Upfal, Director of Planning and Community Development Kettler-Schmult

**APPROVAL OF THE AGENDA**

**MOTION by Brickner, support by Trafelet, to approve the agenda as published.**

**Motion passed unanimously by voice vote.**

**PUBLIC HEARING**

**A. 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:                         Redevelopment of shopping center in B-2, Community Business zoning district  
ACTION REQUESTED:             Recommendation to City Council  
APPLICANT:                        Timothy Collier  
OWNER:                             RPT Realty, L.P.

**Applicant presentation**

David Ortner, RPT Realty, was present on behalf of this request for a recommendation to City Council for planned unit development and site plan. Mark Drane, Rogvov Architects, was also present.

Mr. Ortner provided the following information:

- The Meijer proposed for this location is a smaller grocer format, will be located on the north end of the project, and will not impede Marvin's Marvelous Mechanical Museum ("Marvin's"). The two locations are unrelated.
- Hunters Square and RPT Realty have a long standing relationship with Marvin's, and they are in regular communication with Marvin's. RPT Realty will work with Marvin's and look for opportunities to maintain their presence at the center, whether in their current space or in a

different space. RPT has worked with Marvin's as a landlord and partner through a number of setbacks, and appreciates Marvin's presence at the center.

- Hunters Square has almost 200,000sf of vacant space. A major tenant had relocated across Orchard Lake Road because the current building was obsolete; the buildings do not work on a going-forward basis.
- RPT wants to be responsible owners, landlords, and community members, as it develops a center that works into the future and does not turn into a blight in the community.
- RPT is making a significant investment in the center, trying to be thoughtful as it puts together a plan that the city will be proud of that will add to the community. RPT will work with all their tenants including Marvin's, to find a home for those who want to stay and to make sure the redevelopment is a net positive for the community.
- The redevelopment/modernization of Hunters Square includes four new development "boxes", one of which will be the proposed Meijer. There will be four new outlots as well. The plan creates additional walkability, a restaurant, a quick service restaurant, and new retail opportunities.

In response to questions, Mr. Ortner and Mr. Drane provided the following information:

- The lot split had been removed from the plan.
- The architecture will be four sided, with all entrances to the outlot buildings on the parking lot side (west side). However, the buildings will be designed to look like front of building facing Orchard Lake Road, including signs, canopies, and decorative building materials.
- Headlights of cars using the drive-through will be shielded by screen walls, hedgerows, and decorative fencing. These elements will also buffer the sidewalk.

#### Planner's review

Referencing the October 18, 2023 Giffels Webster review, Planning Consultant Tangari highlighted the following:

- The 29-acre Hunter's Square Shopping Center is located in a B-2 Community Business District at the southwest corner of 14 Mile and Orchard Lake Road. The developer is seeking a planned unit development.
- Properties to the north and east, including in West Bloomfield, are zoned commercial. Properties to the south and west have RC-2 multi-family zoning.
- The applicant is seeking to reconfigure a good portion of the existing shopping center, and rebuild some of the large tenant spaces, as well as add some outlots along Orchard Lake Road. The use will remain commercial.
- On August 17, 2023, the Planning Commission had found that the project qualified for a PUD development under Section 34-3.20.2, citing criteria i, ii, v, vi, and viii under Section 34-3.20.2.E. of the Zoning Ordinance.
- A set of criteria – items to be submitted – applied relative to final determination of a planned unit development. All required items had been submitted.

Regarding the site plan:

- Four new major tenant spaces were proposed at approximately 157,000 total square feet, with an additional four new outlots (one of which includes a drive-through).
- Four existing buildings on the site will be maintained in their current location. The total floor area of the site with all the proposed improvements will be about 353,000sf. Most of the uses are consistent with B-2 uses, and almost all zoning standards are met. The shopping center complies with the 2009 Future Land Use Map and Master Plan.

- The 2006 sustainability study included a recommendation to establish a mixed use development area along Orchard Lake between 11 and 14 Mile Roads, with an emphasis on the potential to create a central business district characterized by buildings up to five stories with zero setbacks from the roads.
- The 2002 Orchard Lake Road Corridor Study was a coordinated plan for the area along Orchard Lake extending from Grand River Avenue to Pontiac. The Master Plan cites a quote from the Corridor Study that recommends a coordinated approach to development with common visual linkages, landscaping, traffic calming, pedestrian friendly ways, lighting and signage.
- As part of this PUD request, the applicants are seeking the following relief from ordinance standards:
  - a. Setback relief for front setback (reduction from 75' to 58.49')
  - b. Setback relief for rear setback (reduction from 75' to 69.34')
  - c. Pedestrian connections between ROW and Principal Building for Outlot G
  - d. Drive-in restaurant use (currently not permitted in B-2 Zoning District)
  - e. Stacking/waiting lane for drive-in in front yard
  - f. Excess lighting adjacent to residential
  - g. Insufficient loading spaces
  - h. Dumpster enclosure located in front yard setback
- The Planning Commission might want to discuss whether additional open space should be provided to buffer all the front yard parking areas, whether existing or proposed, and whether additional landscaped areas should be included along Hunters Lane and Orchard Lake Road at the southeast corner of the site.
- Regarding pedestrian access, the project adds significant pedestrian cross connectivity across the site. However, there should be more pedestrian markings on the plan. No pedestrian access or markings across drive-through lanes were provided.
- The lighting plan shows a temperature between 4000k-5000k; a lower color temperature might provide a less intense feeling. Lighting also needs to be adjusted to meet the 1/3 of a footcandle standard along the rear property line.

In response to questions, Planning Consultant Tangari provided the following:

- The applicants have offered what they consider to be additional landscaping and open space. The Planning Commission needs to assess whether or not what the applicant is offering is a fair trade off with the relief that they're requesting from the ordinance.

Commission discussion:

- Bicycle parking should be added to the plan.
- The Commission had discussed the need for common gathering areas on this site, but this was not shown on the plans. Planning Consultant Tangari said this situation should be discussed with the applicant.
- Commissioner Brickner pointed out that the Planning Commission reviews plans for compliance with the zoning ordinance. In the case of a planned unit development, the Planning Commission evaluates whether the plans fit the character of the neighborhood, among other things. The Planning Commission does not make decisions as to tenants nor does it have control on who a landlord wants to have in their in their complex. Such components cannot be used to make a determination regarding zoning compliance.

#### Public comment

63 letters had been received relative to this proposal, specifically in opposition to demolition of Marvin's Marvelous Mechanical Museum, and also to share concerns regarding traffic.

Chair Countegan opened the public hearing at approximately 8:15pm.

65 members of the public spoke regarding this PUD request, with most comments focusing on how the proposed redevelopment of Hunter's Square Shopping Center will impact the future of Marvin's Marvelous Mechanical Museum, which was located within the area of the shopping center that was proposed for demolition. Speakers were concerned about the added traffic a Meijer store might bring to this location. 24 speakers said they lived in Farmington Hills. Other speakers did not give an address, often saying they grew up in the City, had family in Farmington Hills, or that they lived elsewhere. Some speakers said they had been visiting Marvin's since the site was Tally Hall.

Comments regarding Marvin's included:

- Friends from across the country and international visitors state the first place they want to visit is Marvin's Marvelous Mechanical Museum. Marvin's is a unique destination that brings people to the city from all over the world.
- In just 48 hours, a change.org petition drew 27,000 signatures supporting Marvin's.
- Marvin's was written about in various publications, including *Atlas Obscura*, *Curious and Wondrous Travel Destinations*, and other publications. An area blogger that hosts international travelers always takes people to Marvin's, at their request.
- The Ann Arbor rock band Tally Hall's first album was titled *Marvin's Marvelous Mechanical Museum*.
- Many people commented that Marvin's was a "safe place" for them when younger, and today. Marvin's provided several speakers with their first jobs. Commentors referred to Marvin's as magical, unique, one of a kind, culturally significant, a place to have birthday parties, to take dates, a community/historical icon, a whacky place, brings people of all demographics together, life-changing, the opposite of the "epidemic of sameness" and "placelessness", a favorite place, a destination gem, the heart of Farmington Hills, supported by a wide community as evidenced by a successful Go Fund Me effort during the pandemic, an accessible place that welcomes everyone, including groups from Community Work Opportunities in Canton, and student tours from Farmington Public Schools.
- Speakers spoke of going to Marvin's when they were children, then later with adult friends, and then with their own children and grandchildren. Marvin's is an inter-generational attraction.
- Several speakers pointed out that no one had memories of shopping in generic big box stores, but Marvin's creates memories that last a lifetime. Marvin's was a century old, had remained through difficult times, including recessions and COVID, and was the last remaining business from Tally Hall.
- One speaker noted she had written her college admission essay about Marvin's.

Concerns regarding traffic and other issues included:

- A Meijer would bring additional intense traffic to an area where traffic was already difficult.
- Had traffic/noise/parking studies been done?
- There were several grocery stores already in this area; another one was not needed.
- Several speakers wondered why Meijer couldn't be located in the old Sam's Club location on Northwestern Highway.
- Several speakers also supported the renovation of this shopping space, noting that an update was badly needed. Several spoke of the way Meijer supported its local communities and the state, and pointed to the Frederick Meijer Gardens and Sculpture Park in Grand Rapids.
- Other commentors spoke of their desire for smaller, locally owned businesses.

- The rear docks at Meijer meant more semi-trucks/trailers will need to access this site.
- The redevelopment represented a car-centric design, thereby prioritizing people with money for cars. People are trapped unless they have a car. Empathetic and intelligent planning will solve this and similar issues.
- Several people did not support having a drive-through restaurant at this location.

In response to comments, Chair Countegan explained that that planning commissioners were appointed volunteers from the community. When proposals came to the Commission, the Commission heard them. Commissioners had taken an oath to uphold the laws of the community, the state, and the constitution. Some commissioners had also been to Marvin's, and had their own histories there. There was obviously wide community support for this business, and the Commission appreciated the passion people brought to the meeting tonight. However, the Commission needed to base its decisions on the City's Master Plan, and had to follow due process as outlined in the Zoning Ordinance. It was also important to note that the relationship between Marvin's as a tenant and the shopping center as a landlord was a contractual relationship between two private parties, and the City was not part of that contractual relationship.

Chair Countegan closed the public hearing at approximately 10:27 pm.

Chair Countegan invited Mr. Ortner to respond to public comment.

Mr. Ortner said he was "blown away" and appreciated the community's commitment and support of Marvin's. Several people had talked about Marvin's surviving the great recession and the pandemic; this survival was due in no small part to the shopping center's partnership and commitment to Marvin's in the past. RPT will continue to work with Marvin's and any of the impacted tenants in the shopping center who want to move forward. RPT was not closing Marvin's down, and will continue to work with them.

In response to other comments, Mr. Ortner said traffic, parking, and noise studies had been done, and would be presented as the process for the redevelopment of the shopping center moved forward.

Commissioner Ware pointed out that previous tenants of the shopping center had been national names and big box stores. If all the current spaces were filled, or if all the new spaces would be filled, including the small Meijer, the traffic and noise would be the same. The redevelopment of Hunter's Square would not make things worse than if every storefront were filled now.

Mr. Ortner said that was correct. The planned uses so far were the Meijer, the drive-through use, a large form entertainment space, a veterinary and medical space, and others, all totaling about the same square footage as currently exists.

Mr. Ortner emphasized that the new Meijer will not impact Marvin's; it would be located on the opposite end of the redeveloped portion of the center. He wanted to make sure the community was not confused – Meijer was not displacing Marvin's.

In response to a question from Commissioner Brickner, Mr. Ortner said they would work with all their existing tenants, including Marvin's, who wanted to stay within the shopping center complex. RPT was not closing them down or throwing them out.



Chair Countegan summarized that the proposal before the Commission for a planned unit development represented an investment in Farmington Hills relative to a shopping center that had significant vacancies. The owner's representative was stating that they were in discussion with all the tenants that were located in the portion of the center that will be redeveloped. The Planning Commission is considering a PUD plan that has B-2 as the underlying zoning, with some B-3 implications in order to allow a drive-through and some setback deviations.

Tonight's public comments had been very informative and passionate in support of a long-standing business with a long history in the community.

On the positive side, the proposal represented an owner who is making a significant investment in the Farmington Hills community, thereby strengthening the tax base that supports schools, public services, and law enforcement.

Commissioner Grant supported Marvin's remaining in its current location. Was this possible?

Mr. Ortner said he did not know the answer to that question tonight.

In response to questions, City Attorney Schultz explained that:

- The Planning Commission does not have authority to stipulate a contractual condition of tenancy between an owner and a tenant.
- The Planning Commission is looking at the physical redevelopment of a property, and is not considering use, whether that be a grocery store or an amusement center.

For the benefit of the audience present, Chair Countegan further explained that the job of a planner is to evaluate proposals for conformance with what is allowed in the zoning ordinance. Private businesses make arrangements among themselves.

Commissioner Brickner pointed out that as part of an approving motion, the Commission is required to list components of the project that meet requirements of the PUD ordinance, and to add any conditions attached to the approval.

Commissioner Ware asked if RPT was willing to include a common area within the redevelopment so that people could congregate. Walkable areas were important to the city, not just to allow people to walk, but to also to provide spaces to sit and enjoy being with friends in the outdoors.

Mr. Ortner said they were increasing walkability and connectivity throughout the site, including connecting the sidewalk along Orchard Lake Road to the plazas between the outparcels, where there will be potential locations for public art and seating, as well as restaurant and retail spaces. The areas between the outparcels will be common space, not owned by the tenant. Some restaurant tenants might want outdoor space and that would also be accommodated, but the common areas are meant to be areas for the use of all visitors.

In response to a question, City Planner Perdonik explained that outdoor seating in this instance would be a permitted accessory use, as long as there is a building between the outdoor seating and the nearby residential.

In response to a question, Mr. Ortner said Marvin's currently occupied an approximate 5300sf space.

After discussion and amendment, the following motion was offered:

**MOTION by Brickner, support by Trafelet, to recommend to City Council that Planned Unit Development 2, 2023, including Site Plan 67-9-2023, both dated September 15, 2023, submitted by 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, specifically sections i, ii, v, vi, and vii, subject to the following findings and conditions:**

**Finding:**

**The Commission has no objections to the proposed property lines which will be addressed in conjunction with the final PUD Plan and the PUD Agreement.**

**Conditions:**

- 1. Modifications of the Zoning Ordinance as indicated on the proposed plan.**
- 2. That the proponent clarify the distance between the order window and the pickup window in Outlot G, as recommended by Giffels Webster in their review.**
- 3. Compliance with ordinance stacking requirements.**
- 4. That there be less intense lighting as recommended by Giffels Webster, and that the lighting near the residential area be downlit and shielded.**
- 5. That there be a hedge along Orchard Lake Road near the drive-through restaurant to block headlights along Orchard Lake Road.**
- 6. That there be bicycle racks placed as a part of the plan.**
- 7. That all recommendations included in the October 18, 2023 Giffels Webster review letter be included in the PUD agreement, and all outstanding issues as listed in the October 18 letter be resolved.**

Motion discussion:

- Mr. Ortner was on record as saying RPT is still in discussion with Marvin's and with other existing tenants. No lease has been terminated.
- Commissioner Mantey wished there was a way to formally recognize Marvin's as a culturally valuable asset to the City, but what he was hearing was that this desire cannot affect the Planning Commission's decision regarding this proposed PUD and site plan.
- Chair Countegan agreed. The Planning Commission could not dictate the landlord's relationship with Marvin's via the PUD process, as everyone should now be aware.

**Motion passed unanimously by voice vote.**

Chair Countegan thanked everyone who came tonight. This proposal will next go to City Council.

Chair Countegan called a brief break at approximately 10:40pm and reconvened the meeting at approximately 10:55pm.

**REGULAR MEETING**

**B. REVISED SITE PLAN 52-1-2021**

LOCATION:	27745 Orchard Lake Road
PARCEL I.D.:	22-23-15-201-015
PROPOSAL:	Construction of addition to rear of existing gas station

convenience store building in ES, Expressway Service zoning district

ACTION REQUESTED: Site Plan Approval  
APPLICANT: Three Orchards Real Estate, LLC  
OWNER: Three Orchards Real Estate, LLC

Referencing the November 9, 2023 Giffels Webster memorandum, Planning Consultant Tangari gave the background and review for this request for site plan approval for construction of an addition to the rear of an existing gas station/convenience store building at 27745 Orchard Lake Road, located in an ES Expressway Service zoning district.

Planning Consultant Tangari highlighted the following:

- The applicants are requesting an amendment to a site plan that was approved in 2021, which approval included variances from the required rear and south side setbacks to permit 5' setbacks rather than the required 20'. In 2021 the applicant proposed to add a net 1,056sf to the existing building. The addition has since grown in size; the exact difference in new square footage is not provided on the plans. No changes are proposed to the existing parking, pump islands, or site circulation. However, the change in the degree of encroachment requires re-approval of both the site plans and the variances granted in 2021.
- There were other minor notes about other standards in the review memorandum; those things can be corrected and approved administratively.

Ghassan Abdelnour, GAV Associates and architect for this project, explained that the project had been delayed due to work that was done on Orchard Lake Road, resulting in a shared access connection with the new senior living facility and the restaurant. Previously there had been a cooler on the exterior of the building; this will now be inside the building. Previously the back part of the building was almost two stories high; now the building will be at a single elevation. The site itself remained the same, with the same circulation and parking.

Mr. Abdelnour said he had spoken with the Fire Marshal today; they would provide fire suppression inside the building. The clearance for the canopy will be almost 17'.

In response to questions, Mr. Abdelnour said the spruce trees on the west side of the property will be removed; replacement trees were being provided. The little building at the back of the property will be removed.

After discussion and amendment, the following motion was offered:

**MOTION by Brickner, support by Trafelet, that Revised Site Plan 52-1-2021, dated October 18, 2023, submitted by Three Orchards Real Estate, LLC, be approved, because it appears to meet all applicable requirements of the Zoning Chapter, subject to the following conditions:**

- 1. Variance be obtained from the Zoning Board of Appeals for the rear yard and side yard setbacks.**
- 2. Meet all conditions and recommendations of the Fire Department.**
- 3. Due to the change in the degree of encroachment, re-approval of both the site plans and the variances granted in 2021.**
- 4. Resolution of all outstanding issues in the November 9, 2023 Giffels Webster review memorandum.**

**Motion passed unanimously by voice vote.**

**C. ONE-FAMILY CLUSTER OPTION QUALIFICATION 1, 2023**

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, 029, 030, 031, 032, 033, 034, 035, and 036
PROPOSAL:	Qualification of eighteen (18) parcels for construction of single-family homes in RA-3, One Family Residential zoning district via One- Family Cluster Option
ACTION REQUESTED:	Qualification for One-Family Cluster Option
APPLICANT:	Forest at Riverwalk Development, LLC
OWNER:	Forest at Riverwalk Development, LLC

Referencing the Giffels Webster November 9, 2023 memorandum, Planning Consultant Tangari gave the background and review for this request for qualification for one-family cluster option for 18 parcels on the south side of Folsom Road, between Parker Avenue and Lundy Drive, located in a RA-3 single family district.

Planning Consultant Tangari explained that a cluster option allows the same number of units that would typically be distributed over an entire site to be built on a smaller portion of the site with reduced lot sizes, allowing the remaining portion of the site to be set aside as dedicated open space, typically protected by a conservation easement.

Planning Consultant Tangari highlighted the following:

- The site includes 19 parcels, but only 18 are included in the cluster project.
- The total acreage of the site is 16.29 acres. 2.47 acres is right-of-way, leaving 13.83 net acres.
- Qualification for the cluster option requires two findings by the Planning Commission, with final density dependent on whether or not the site qualifies under both findings:
  1. First, the Planning Commission shall find that the parcel will qualify for the cluster development option as defined in Section 34-3.17.2.B.i-viii. Development would be at the single family densities permitted in subsection 34-3.17.3.A. This finding must be made in all cases. Section 34-3.17.3.A permits 2.6 units per acre for a One Family Cluster in the RA-3 district under this item.
  2. Second, the Planning Commission may additionally find that the parcel is located in a transition area or is impacted by nonresidential uses or traffic on major or secondary thoroughfares or other similar conditions. If the Planning Commission makes such a finding, it may permit an increase in density up to the maximum densities established in subsection 34-3.17.3.B. Subsection 34-3.17.3.B. permits up to 3.9 units per acre in the RA-3 district under this item. The parcel is located adjacent to a regional stormwater management basin; it is otherwise surrounded by single family development
- No conceptual plan had been submitted as part of this application. The site contains extensive woodlands and wetlands. If wetlands are to be extensively impacted by development, EGLE (Michigan Department of Environment, Great Lakes, and Energy) permits and off-site mitigation will be required. If this is the case, the Planning Commission may wish to postpone a determination on qualification until EGLE review can be completed.
- In approving a parcel for cluster development, the Planning Commission shall find at least one of 8 standards are met. Planning Consultant Tangari suggested that ii, vi, and viii applied:

- ii. The parcel has frontage on a major or secondary thoroughfare and is of a narrow width, as measured along the thoroughfare, which makes platting difficult.*
- vi. The parcel contains a floodplain or poor soil conditions which result in a substantial portion of the total area of the parcel being unbuildable.*
- viii. The parcel contains natural assets which would be preserved through the use of cluster development. Such assets may include natural stands of large trees, land which serves as a natural habitat for wildlife, unusual topographic features or other natural assets which should be preserved.*

Developer Stuart Michaelson was present on behalf of this application for cluster option qualification. Mr. Michaelson provided the following:

- Gave a brief history of his development experience/history in Farmington Hills.
- Tonight the applicant was asking for cluster option qualification. At the next meeting they will present a detailed site plan; this site plan has already been designed. The development will stay out of the river on the site, which is a regulated wetland. There is an unregulated wetland in the middle of the site.
- EGLE representatives had walked the property with the previous owner.
- The developer had hired Barr Engineering, who specializes in wetlands protection. They had completed a topographical survey and a soil survey, and had taken borings.
- Mr. Michaelson had met in a pre-submission meeting with city staff including the City Manager, City Planner, Police, Fire, Building Official, Planning Director, and City Engineer.
- The project will be back before the Planning Commission on December 14 with a complete site plan submittal.
- The density request will be for 2.58 units per acre. The purpose of using the cluster option is to maintain the allowed density on the property, with minimal impact to the environment.

In response to comments, City Attorney Schultz explained that the cluster option qualification process was very similar to PUD qualification. Density determination did not have to be included this evening.

Chair Countegan summarized that the cluster option gives the City the opportunity to preserve natural features and green space, while serving as an incentive to developers who need the normally allowed density.

After discussion, the following motion was offered:

**MOTION by Mantey, support by Trafelet, to make a preliminary determination that One-Family Cluster Option 1, 2023, dated October 13, 2023, submitted by Forest at Riverwalk Development, LLC, meets the following qualification standard(s) as set forth in Section 34-3.17.2.B. of the Zoning Ordinance:**

- ii. The parcel has frontage on a major or secondary thoroughfare and is of a narrow width, as measured along the thoroughfare, which makes platting difficult,**
- vi. The parcel contains a floodplain or poor soil conditions which result in a substantial portion of the total area of the parcel being unbuildable,**
- viii. The parcel contains natural assets which would be preserved through the use of cluster development. Such assets may include natural stands of large trees, land which serves as a**

**natural habitat for wildlife, unusual topographic features or other natural assets which should be preserved,**

**permitting a maximum density of 2.6 units per acre, and that it be made clear to the applicant that final granting of the One-Family Cluster Option is dependent upon a site plan to be approved by the City Council following review and recommendation by the Planning Commission.**

**Motion passed unanimously by voice vote.**

**D. REZONING REQUEST ZR 2-10-2023**

LOCATION: South side of Nine Mile Road, just west of Farmington Road  
PARCEL I.D.: 22-23-33-227-001, 002, and 003  
PROPOSAL: Rezone three (3) parcels from B-1, Local Business to RA-4, One Family Residential zoning district  
ACTION REQUESTED: Set for Public Hearing  
APPLICANT: Fortesa Homes LLC/Robert Donovic  
OWNER: Tom Dedvukaj

Referencing the October 24, 2023 Giffels Webster memorandum, Planning Consultant Upfal gave the background and review for this application to set for public hearing a proposal to rezone 3 parcels on the south side of Nine Mile Road, just west of Farmington Road, from B-1 Local Business to RA-4 One Family Residential zoning district.

Planning Consultant Upfal highlighted the following:

- The applicant had not submitted an up-to-date survey of the property prior to tonight's meeting; a survey was shown on the overhead screen during the meeting.
- The proposed land to be rezoned includes three parcels. Together, these parcels comprise 17,400 sf, which exceeds the required lot minimum. However, individually, none of the parcels are compliant with the required lot minimum and a rezoning cannot result in a nonconforming lot. The applicant must complete the proposed land combination and boundary adjustment shown in the application, prior to approval of the rezoning.
- Together, the three subject parcels comprise a frontage that extends 145 ft, which exceeds the required lot width. However, individually, only lot -001 is compliant with the required lot width and a rezoning cannot result in a nonconforming lot. The applicant must complete the proposed land combination and boundary adjustment shown in the application, prior to approval of the rezoning.
- The proposed site would be transitioning from a commercial designation to a residential designation which is inherently less intensive. The site is compatible with neighboring residential uses.

In response to questions, City Planner Perdonik said that City Council has final authority over rezoning requests. The applicants could complete the land combination any time between tonight and being heard by City Council.

City Attorney Schultz further explained that the Planning Commission can set the public hearing and hold the public hearing, based on the information provided this evening. However, before City Council acts the applicants will need to complete the land combination, as already stated.

Planning Consultant Tangari reiterated that the Planning Commission cannot create non-conforming lots. If the land is not combined, the final approval cannot be granted.

Chair Countegan invited the applicant to comment.

Robert Donovic, Fortesa Homes, was present on behalf of this application to rezone three properties from B-1 to RA-4 zoning district, as published. The properties had approximately 145' of frontage along Nine Mile Road. The developers wanted to create two home sites, with one site being 74' wide and the second site being 71' wide. To the south directly behind the two properties is an RA-4 district with residential homes, and to the west is also RA-4 district with residential homes. Next door to the east is 65' of trees on property not owned by the applicant, and which will act as a buffer to the medical/commercial use to the east. The two homes will be roughly 1900sf, with 3 bedrooms, two baths, and a basement and attached garage.

The homes will have high-end amenities on the building elevations.

Fortesa Homes is a family-owned company, and they will be on site daily to make sure the site stays clean.

The applicants believed the requested zoning is more harmonious than commercial zoning for this property, and the resulting development will be less intrusive than commercial. The goal is to start construction late 2024.

**MOTION by Mantey, support by Aspinall, that Rezoning Request 2-10-2023, dated October 12, 2023, submitted by Fortesa Homes LLC/Robert Donovic, to rezone property located at Parcel Identification Numbers: 22-23-33-227-001, 002, and 003, Oakland County, Michigan, from B-1, Local Business District to RA-4, One Family Residential District, be set for public hearing for the Planning Commission's next available regular meeting agenda.**

**Motion passed unanimously by voice vote.**

**E. AMEND PLANNED UNIT DEVELOPMENT 1, 2020, INCLUDING REVISED SITE PLAN 56-6-2020**

LOCATION:	28800 Eleven Mile Road
PARCEL I.D.:	22-23-13-351-008
PROPOSAL:	Demolition of small chapel structure for open space in SP-5, Special Purpose zoning district
ACTION REQUESTED:	Set for Public Hearing
APPLICANT:	Edward Rose & Sons – Mark Perkoski, Dir. Of Acquisitions
OWNER:	Farmington Hills Senior Living, L.L.C.

Referencing the October 20, 2023 Giffels Webster letter, Planning Consultant Upfal gave the background and review for this request to set for public hearing an amendment to PUD 1, 2023, including revised site plan, in order to demolish a small chapel structure for open space, located at 28800 Eleven Mile Road.

Planning Consultant Upfal highlighted the following:

- The statement at the top of page 2 that the purpose of this PUD amendment was to permit retail and restaurant uses was in error. As stated by the applicant and elsewhere in the review, the purpose of the proposed amendment is to replace the small chapel with open space.
- After discussion with the City Attorney, and because this proposed PUD amendment includes changes to the development agreement and the exhibits in the development agreement, it has been determined that the proposed change constitutes a major amendment to the original PUD, and must go through the process for a major amendment, which includes setting a public hearing, having the Planning Commission make a recommendation to City Council, as well as the Commission reviewing the original PUD qualification to make sure that the qualification still stands given the proposed changes to the site.
- The applicant is requesting to demolish the small chapel (not the large chapel) which is attached to the Costick Center. The applicants have stated that the small chapel has no functional use. The applicant further states that there are problems with maintaining the building, and there is no adequate parking to access the building or the restrooms.
- The small chapel was included in the original PUD.
- During the original PUD qualification, among other things the applicant noted that retaining some of the existing buildings and structures on the site justified the original PUD. However, some of those historic elements are being impacted by the removal of the small chapel; the applicant is not planning around the structure, but rather is removing it.
- The original PUD resulted in building deviations on both buildings to exceed the building height. Also, the .45 floor area ratio exceeded the maximum floor area ratio that is specific for elder care services. The new application does not significantly reduce the floor area ratio.
- The plan includes a 207-apartment assisted living facility and a 27-apartment memory care facility; construction is near completion.
- The main focus of the Planning Commission's discussion should be whether the PUD qualifications still stand and whether to schedule this requested amendment for a public hearing.

Mark Perkoski, Edward Rose & Sons, 38525 Woodward Avenue, Bloomfield Hills MI, made the following points:

- The small chapel that is proposed to be demolished was associated with Catherine's Place, and was built in the 1980s.
- This proposed demolition would not increase density, but it would reduce floor area ratio. The applicants were asking to demolish a building for which they could not find a purpose, and replace it with green space. Nothing else would change from the original PUD agreement.

Mr. Perkoski responded to questions as follows:

- The building had been tested for asbestos; there may be asbestos in the pipe wrap.
- When this project was presented to City Council there was no expectation of specific use or much discussion regarding the small chapel.

**MOTION by Aspinall, support by Varga, that the application to amend Planned Unit Development 1, 2020, including Revised Site Plan 56-6-2020, dated October 17, 2023, submitted by Edward Rose & Sons – Mark Perkoski, Dir. of Acquisitions, be set for public hearing for the Planning Commission's next available regular meeting agenda.**

**Motion passed unanimously by voice vote.**



**October 26, 2023, Regular meeting**

**MOTION by Stimson, support by Ware, to approve the October 26, 2023 special and regular meeting minutes as submitted.**

**Motion carried unanimously by voice vote.**

**PUBLIC COMMENT**

None.

**COMMISSIONER/STAFF COMMENTS**

Commissioner Brickner noted that the cargo containers and portable toilets were still on the property at Drake and Grand River.

**ADJOURNMENT**

**Motion by Grant, support by Trafelet, to adjourn the meeting at 11:57pm.**

**Motion carried unanimously by voice vote.**

Respectfully Submitted,  
Marisa Varga  
Planning Commission Secretary

/cem