

**AGENDA**  
**PLANNING COMMISSION SPECIAL MEETING**  
**CITY OF FARMINGTON HILLS**  
**JUNE 19, 2025 @ 6:00 P.M.**  
**FARMINGTON HILLS CITY HALL – COMMUNITY ROOM**  
**31555 W. ELEVEN MILE ROAD, FARMINGTON HILLS, MICHIGAN 48336**  
[www.fhgov.com](http://www.fhgov.com)  
**(248) 871-2540**

1. Call Meeting to Order
2. Roll Call
3. Approval of Agenda
4. Special Meeting

**A. CONTINUED DISCUSSION OF DRAFT ZONING TEXT AMENDMENT 6, 2024, TO ADD PROVISIONS REGARDING PUBLIC ART**

5. Public Comment
6. Commissioner Comments
7. Adjournment

Respectfully Submitted,

**Kristen Aspinall, Planning Commission Secretary**

**Staff Contact:**

**Erik Perdonik, AICP**  
**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.

# Memorandum

**DATE:** April 9, 2025  
**TO:** Farmington Hills City Council  
**FROM:** Jill Bahm, AICP, Partner - Giffels Webster  
**SUBJECT:** Draft Arts Ordinance

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This memo introduces a proposed Public Art in Private Development Ordinance for the City of Farmington Hills. The ordinance is intended to integrate visual art into the built environment by requiring the inclusion of public art in significant private development projects. By encouraging creative expression in new construction and site improvements, the ordinance aims to enhance the community's identity, support local artists, and contribute to a more vibrant and engaging public realm.

The proposed ordinance outlines thresholds for applicability, which are based on City Council direction, and procedures for review and approval. It reflects best practices from other communities and aligns with the City's goals to promote cultural vitality, quality design, and placemaking as articulated in the 2024 Master Plan. This draft aims to work within the existing structures available within the City, including the Farmington Area Arts Commission, and related zoning code site standards and processes. Should the structure require modification and/or refinement, those steps may be taken at any time.

The draft takes inspiration from public art in private development ordinances from around the US. Similar to the arts ordinance in the City of Southfield, provisions to require public art in private development is proposed to be added to the City's Zoning Ordinance. As such, the following sections are proposed:

- **Definitions.** The amendment includes terms that should be clearly defined by the ordinance and are proposed for Article 2.2
- **Site Standards.** Similar to landscaping, parking, lighting, and other zoning requirements related to the development of a site, a new section is proposed to be added to Article 5 as a new section. This is structured in a manner consistent with other site standards:
  - **Intent:** it is important to provide the intent and purpose of the arts requirement. Here, we speak to the relationship between the ordinance and the Master Plan, as well as for the justification for the inclusion of art in projects.
  - **Public Art Required:** This section places the threshold for projects and provides a rate at which that threshold will escalate over time. This provision will eliminate the need to amend the ordinance to change this threshold.
  - **Public Art Requirement:** This section sets forward the art requirement and structure for process.
  - **Placement:** This section regulates the placement of art such that it is visible to the public, without causing any conflicts or safety issues.
  - **Guidelines:** These guidelines are the minimum needed to establish the framework for the art, without being overly regulatory. The idea is to provide enough guidance to what the city expects (e.g., high quality workmanship, appropriate scale, artistic diversity, placemaking, etc.). In addition, it refers to Public Art guidelines, which we intend to be a separate document that provides examples, recommendations, and strategies for public art. This may be created as a next step following the adoption of this ordinance.
  - **Exemptions:** This section is to permit Planning Commission to waive the arts requirement under certain, very limited, situations.

- **Installation and Maintenance:** This section is similar to the landscaping ordinance (34-5.14) with respect to the performance guarantee and maintenance requirements.
- The final amendment is to Division 8 of the City's municipal code that creates the Farmington Area Arts Commission, to enable this body as the approving authority for public art. This falls in line with having the approving authority as the "arts experts," similar to how a historic district commission would be an approving authority where historic guidelines are required as part of a development project.

## Next Steps

The zoning amendments may need some refinement and will require a review and a public hearing with the Planning Commission before returning to City Council for final approval and adoption. The amendment to Division 8 can be handled by City Council at any time.

## Percentage for Art – Draft Zoning Amendments

### **Amend Section 2.2 Definitions to add the following defined terms:**

**Artist** means an individual generally recognized by critics and peers as a professional practitioner of the visual arts, as judged by the quality of that professional practitioner's body of work, educational background, experience, past public commissions, exhibition record, publications, receipt of honors and awards, training in the arts, and production of artwork.

**Construction Cost** means the total cost of a construction or renovation project, as determined by the Building Official for purposes of issuing a building permit for such construction or renovation.

**Public Art** means a tangible creation by an artist that is located within or highly visible from a public area and that exhibits the highest quality of skill and aesthetic principles, including paintings, sculptures, stained glass, projections, light pieces, statues, bas reliefs, engravings, carvings, frescoes, mobiles, collages, mosaics, tapestries, photographs, drawings, monuments, and fountains or combinations thereof, and that are one-of-a-kind or part of an original, numbered series. Public art does not include items manufactured in large quantities by means of industrial machines and/or reproductions. Architectural enhancements and design elements may be considered public art, when it is determined by the Farmington Area Arts Commission that it is demonstrably conveying ideas, meaning, cultural significance, or conceptual complexity with extremely high artistic merit. It should be more expressive than mere utilitarian architecture and quality building materials.

### **Add Section 34-5.20 Public Art Requirement**

1. **Intent.** The City of Farmington Hills finds that the visual and aesthetic quality of development projects has a significant positive impact on property values, the local economy, and the character and vitality of the city. The meaningful and intentional inclusion of public art throughout the city can illuminate, nurture, and celebrate the diversity and history of the city, as well as foster the economic development of the community. To achieve these goals, public art should be integrated into development projects citywide.

As envisioned in the 2024 Farmington Hills Master Plan, public art is a placemaking strategy that provides benefits to the developed property on which it is located and the public, including, without limitation, enhancement of the character and aesthetics of developed property, surrounding properties, and the community in general. The purpose of this section is to enhance the City's livability by encouraging works of art throughout the city and requiring the use and incorporation of publicly accessible art into significant development projects.

2. **Public Art Required.** The installation of public art in accordance with this Section is required for any non-public construction or renovation project with a construction cost of two million dollars (\$2,000,000.00) or more, except residential construction projects with fewer than four dwelling units and projects completely funded by legally established non-profit entities shall be required to meet the standards herein. For each year subsequent to the effective date of the Zoning Ordinance amendment adding this Section, the applicable construction cost threshold stated in the preceding sentence shall be increased in accordance with the Consumer Price Index (CPI) to reflect the rising costs of goods and materials.
3. **Public Art Requirements.** When public art is required per subsection 2 above, the subject site shall be designed and developed to include public art, as defined in Section 34-2.2, for placement in a public

place, publicly accessible private space, and/or integrated into the underlying architecture, landscape design or site, which shall be included as part of the site plan, and such public art shall comply with this Section and the following requirements:

- A. An applicant for site plan approval shall establish and submit to the City a budget for the public art required by this section based on the allocation of one-half (0.5) percent of the total project construction cost up to fifty thousand dollars (\$50,000.00) for applicable projects as provided in subsection 34-5.20.2, to be committed to the procurement and display of public art on the site. For each year subsequent to the effective date of the Zoning Ordinance amendment adding this Section, the maximum allocation amount in the preceding sentence shall be increased in accordance with the Consumer Price Index (CPI) to reflect the rising costs of goods and materials.
- B. The public art shall be submitted for approval to the Farmington Area Arts Commission (established under Chapter 2, Article IV, Division 8 of the City Code) prior to site plan approval. The Farmington Area Arts Commission shall not unreasonably withhold approval.

**4. Placement.**

- A. In addition to other placement and locational requirements in this ordinance, public art shall be placed:
  - (1) In locations that are visible from public streets, rights-of-ways, parks, or plazas, taking into consideration the circulation patterns for vehicles and pedestrians on-site and on adjacent public streets and sidewalks; and
  - (2) Out of the corner clearance area as provided in Section 34-5.10.
- B. Public art may be permitted in required front setbacks, if the Planning Commission finds that no other location meeting the requirements of this ordinance is feasible and such placement is approved by the Public Services Department Director.
- C. At the time of installation, the final location, installation, footings, and related details shall be subject to review and approval by the City Planner and Building Official.

**5. Guidelines.** At a minimum, works of public art shall:

- A. Be created by an artist, as defined in Section 2.2;
- B. Demonstrate excellence in aesthetic quality, workmanship, innovation and creativity;
- C. Be appropriate in size, scale, and form, and of materials or a media suitable for the site;
- D. Demonstrate feasibility in terms of budget, timeline, safety, durability, operation, maintenance, conservation, security, storage, and siting;
- E. Bring diversity to the existing collection of public art in the City, in terms of media, artistic discipline, or artistic approach;
- F. Reinforce the City's placemaking goals by reflecting and promoting the City's identity or the identity of individual neighborhoods or business districts within the City; and
- G. Be consistent with public art guidelines as may be adopted by the City of Farmington Hills.

**6. Exemptions.** The Planning Commission may waive, or partially waive, the public art requirement upon finding one or more of the following conditions apply:

- A. There is no feasible location on the subject property from which a work of art can be plainly and wholly seen by the public;
- B. The present or any planned land use of the subject property is such that placement of a work of art, in any media, on the property would be destructive to the work of art due to the activities related to the land use;
- C. The property is already fully developed in such a way that there is no location on the site for public art;
- D. Projects where the applicant donates funds equivalent to the amount required in Section 34-5.20.3 to a public art fund established by City Council;
- E. Projects where the applicant chooses to partially exempt a project from the public art requirement of this section to the extent the applicant chooses to donate funds less than the amount required in Section 34-5.20.3 to a public art fund established by City Council, in which case the budget required for public art shall be reduced by a corresponding amount; or
- F. Projects where the application of this requirement would constitute a governmental taking or otherwise be contrary to law under the particular facts and circumstances of that case, as determined by the Planning Commission, under the particular facts and circumstances of that case as explained in detail by the applicant as part of its application for site plan approval. The Planning Commission may request additional information from the applicant or property owner, if it determines that insufficient information is provided by them to make a determination. The applicant and property owner have all appeal rights as would otherwise be applicable to the determination of the Planning Commission.

## **7. Installation and Maintenance.**

- A. The total allocation as established pursuant to subsection in Section 34-5.2.3.A. may be held as a Guarantee for Improvements as provided in Section 34-7.2. In addition:
  - i. Maintenance shall be the responsibility of the owner of the property in addition to the established allocation.
  - ii. Failure to install the public art as required by this subparagraph and in accordance with the approved site plan shall result in denial of a certificate of occupancy.
  - iii. In instances where circumstances beyond the reasonable control of the property owner or developer impede timely installment of the public art (including, without limitation, weather, delay in creation or fabrication of the public art, or delivery of the public art), the guarantee for improvements referenced above shall be deposited with the City and held to ensure installation and compliance with this section in accordance with a schedule established by the City Planner.
  - iv. In the event the public art is not fully installed within the period of time as established by the City Planner, the public art guarantee shall be forfeited to the City.
  - v. Failure to properly maintain the public art in accordance with the approved site plan is a violation of the zoning code and subject to enforcement pursuant to provisions of section 7.13 of this chapter.
- B. Public art required by this section shall be kept in good repair, free from refuse and debris. If public art becomes damaged or falls into disrepair, it shall be cleaned, repaired, or replaced with public art that complies with this section and is approved as an amendment to the site plan, within thirty (30) days after written notice from the city or within an extended reasonable

time period as specified on such notice if necessary to accommodate replacement of the public art.

## FAAC – Draft City Code Amendment

### **Amend City Code Chapter 2, Article IV, Division 8. – Farmington Area Arts Commission to add the following underlined sentence at the end of Section 2-222:**

#### **Article IV. Section 2-222 – Purposes, authority and duties**

The FAAC is charged with the authority and responsibility of supporting the cities of Farmington and Farmington Hills in efforts to ensure the arts and cultural heritage are integral components of daily life in our communities. FAAC is committed to arts advocacy by serving as a conduit between local government and arts organizations, artists, educators, and the community at large. The FAAC shall also be responsible for reviewing and approving public art under and in accordance with Section 34-5.20 of the City Zoning Ordinance.

**AGENDA**  
**PLANNING COMMISSION PUBLIC HEARING/REGULAR MEETING**  
**CITY OF FARMINGTON HILLS**  
**JUNE 19, 2025 @ 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. [ZONING TEXT AMENDMENT 5, 2024](#)**

CHAPTER OF CODE:	34, Zoning Ordinance
PROPOSED AMENDMENT:	Add design standards
ACTION REQUESTED:	Recommendation to City Council
SECTION:	new Section 34-5.20

- 5. Regular Meeting**
- 6. Approval of Minutes** [May 15, 2025, Regular and Special Meetings](#)
- 7. Public Comment**
- 8. Commissioner/Staff Comments**
- 9. Adjournment**

**Respectfully Submitted,**

**Kristen Aspinall, Planning Commission Secretary**

**Staff Contact:**

**Erik Perdonik, AICP**  
**City Planner**  
**Planning and Community Development Department**  
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**ORDINANCE NO. C-\_\_\_\_\_-2025**

**CITY OF FARMINGTON HILLS  
OAKLAND COUNTY, MICHIGAN**

**AN ORDINANCE TO AMEND THE FARMINGTON HILLS CODE OF ORDINANCES, CHAPTER 34, "ZONING," ARTICLE 5.0, "SITE STANDARDS," TO ADD A NEW SECTION 34-5.20, "DESIGN STANDARDS" IN ORDER TO ESTABLISH STANDARDS REGARDING BUILDING MATERIALS, ARCHITECTURAL SCALING, AND ROOFING, WINDOW, AND BUILDING ENTRANCE DESIGN REQUIREMENTS FOR NEW CONSTRUCTION AND FOR CERTAIN EXPANSIONS, ADDITIONS, AND CHANGES IN USE.**

**THE CITY OF FARMINGTON HILLS ORDAINS:**

**Section 1 of Ordinance. Ordinance Amendment.**

The Farmington Hills City Code, Chapter 34, "Zoning," Article 5.0, "Site Standards," is amended to add a new Section 34-5.20, "Design Standards," to read as follows:

**Sec. 34-520 Design Standards**

1. Purpose. The purpose of these design standards is to promote harmonious use of design elements and achieve visually appealing and functionally efficient development that is compatible with surrounding land uses. These standards serve as a framework for new developments that strengthen and enhance the city's overall character, while allowing for creativity and innovation in design. Specifically, these standards are intended to:
  - a. Enhance aesthetic quality.
  - b. Promote the use of building materials that are durable and resilient.
  - c. Support economic development.
  - d. Maintain a harmonious relationship between adjacent land uses.
  - e. Encourage pedestrian-friendly design elements.
2. Applicability.
  - a. All new construction shall comply with the design standards in this section.
  - b. For building expansions, additions, and changes in use, the following shall apply
    - i. When a building expansion or change of use results in an increase of 50% or more in terms of total gross floor area or indoor seating capacity, all façades that are oriented toward a public right-of-way shall comply with the design standards in this section.

- ii. When a building expansion or change proposes to increase the total gross floor area or indoor seating capacity by less than 50%, only new or modified design elements are required to be compliant with this section.

3. Exceptions.

- a. The following exceptions from this section shall apply:
  - i. Single and two-family dwellings are not required to comply with the design standards of this section.
  - ii. In the LI-1 Zoning District, only properties with frontage on a major thoroughfare are required to comply with the design standards of this section.

4. Building Materials.

- a. The following may be permitted as primary materials on any building façade that is oriented toward a public right-of-way. At least 60% of façades, excluding windows and doors, shall be comprised of primary building materials:

<b>Permitted Primary Materials</b>
Brick, cut stone, field stone, manufactured stone, or decorative CMU block
Timber or dimensional wood or engineered equivalent
Fiber cement siding or panels.

- b. The following may be permitted as accent materials on any building façade:

<b>Permitted Accent Materials</b>
Glass block
Metal and metal paneling
Decorative masonry veneer
Polymer plastic (e.g. Wyton, Azek)
Stucco
Plain or painted masonry block
Exterior Insulation and Finishing Systems (EFIS) <sup>1</sup>
<sup>1</sup> Exterior Insulation and Finishing Systems may only be permitted when located at least 8 ft above grade.

- c. All building materials and colors shall be clearly labeled on the proposed building elevations.
- d. Samples of building materials may be requested by the Zoning Administrator or approving body.
- e. Engineered building materials should match the appearance and durability of natural building materials.

- f. Prohibited materials. The following materials shall be prohibited: vinyl, mirrored glass, scorched block, except when permitted under Article 34-5.5.
  - g. A waiver from the required building materials in this section may be granted when the Planning Commission finds both of the following:
    - i. The waiver will achieve a specific architectural objective or purpose.
    - ii. The proposed building materials are compatible with surrounding development.
5. Architectural Scaling.
- a. There are to be no blank or unarticulated façades. All façades oriented toward a public right-of-way must provide windows and architectural scaling elements (such as vertical pilasters, columns, or other architectural elements) to break up the scale of the building. Distance between breaks shall be consistent with the scale and rhythm of adjacent buildings.
  - b. Building façades shall include no less than two of the following elements:
    - i. Building color change.
    - ii. Building material or texture change.
    - iii. Projections or recesses extending along at least 20% of the façade.
    - iv. Recessed entranceways or projecting vestibules.
    - v. A horizontal expression line, such as a molding or reveal, shall define the transition between the ground floor and upper stories. If a one-story building is proposed, the horizontal expression line is not required
6. Roofs.
- a. Roofs shall meet the following standards:
    - i. Flat roofs. Parapets concealing flat roofs and rooftop equipment such as HVAC units from public view are required. Parapets shall not exceed one-third of the height of the supporting wall at any point.
    - ii. Pitched roofs. Pitched roofs shall have an average slope between 1:4 and 1:1. The Planning Commission may grant a waiver from the required average slope upon a finding that it achieves a specific architectural purpose.
  - b. Rooftop patios and terraces may be permitted on structures three stories or greater and are prohibited in the rear 35% of lot depth to protect the privacy of neighboring properties.

7. Fenestration.

- a. Fenestration shall be provided along all façades oriented toward a public right-of-way in accordance with the table below:

<b>Fenestration requirements by Façade Orientation</b>		
<b>Façade Orientation</b>	<b>Minimum Ground Floor Fenestration</b>	<b>Minimum Upper Floor Fenestration</b>
Facing a Major Thoroughfare	60%	35%
Facing a Public ROW that is not a Major Thoroughfare	50%	20%

- b. Multiple-family dwellings, places of worship, hospitals, public schools, and public utility buildings shall only be required to comply with the upper floor fenestration requirements described above; ground floor fenestration may be discretionary for these uses.
- c. Upper floor windows shall be vertical in proportion.
- d. Accordion, roll-up, or folding doors and sliding windows may be permitted for ground floor uses to provide indoor-outdoor service, providing adequate sidewalk clearance is provided.
- e. Doorways and window surrounds shall be articulated by sills, lintels, pilasters or mullions through a change in plane of at least two inches.
- f. A waiver from the fenestration requirements in this section may be granted when the Planning Commission finds one of the following:
- i. The waiver will achieve a specific architectural objective or purpose.
  - ii. The proposed building materials are compatible with surrounding development.
  - iii. Compliance with the standard will result in a practical difficulty.
8. Building entrances shall be clearly defined and visually prominent. This may be achieved through the use of architectural elements such as recesses, canopies, lintels, pediments, pilasters, columns, awnings, overhangs, or other distinguishing features. Any such element shall be architecturally compatible with the style, materials, and colors of the building.
- a. A pathway to the entrance shall be provided as described in Section 5.19.

- b. Entrances shall be well-lit with decorative or functional lighting that enhances visibility and security. Entrance lighting must comply with Section 5.16 Exterior Lighting.
- c. Entrance features shall be proportional to the building façade.
- d. When practical, service entrances and overhead doors that are not articulated or clearly defined shall be obscured from view of a public right-of-way.
- e. Entryway features, such as planters, benches, or other pedestrian-friendly amenities, are encouraged.

**Section 2 of Ordinance. Repealer.**

All ordinances, parts of ordinances, or sections of the City Code in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect, and the Farmington Hills Ordinance Code shall remain in full force and effect, amended only as specified above.

**Section 3 of Ordinance. Savings.**

The amendments of the Farmington Hills Code of Ordinances set forth in this ordinance do not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendments of the Farmington Hills Code of Ordinances set forth in this ordinance.

**Section 4 of Ordinance. Severability.**

If any section, clause or provision of this ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any court of competent jurisdiction, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated, and such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this ordinance shall stand and be in full force and effect.

**Section 5 of Ordinance. Effective Date.**

The provisions of this ordinance are ordered to take effect twenty-one (21) days after enactment.

**Section 6 of Ordinance. Date and Publication.**

This ordinance is declared to have been enacted by the City Council of the City of Farmington Hills at a meeting called and held on the \_\_\_\_ day of \_\_\_\_\_, 2025, and ordered to be given publication in the manner prescribed by law.

Ayes:  
Nays:  
Abstentions:  
Absent:

STATE OF MICHIGAN     )  
  ) ss.  
COUNTY OF OAKLAND    )

I, the undersigned, the qualified and acting City Clerk of the City of Farmington Hills, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the Ordinance adopted by the City Council of the City of Farmington Hills at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2025, the original of which is on file in my office.

\_\_\_\_\_  
CARLY LINDAHL, City Clerk  
City of Farmington Hills

**MINUTES  
PLANNING COMMISSION SPECIAL MEETING  
CITY OF FARMINGTON HILLS  
COMMUNITY ROOM  
May 15, 2025, 6:00 P.M.**

**CALL MEETING TO ORDER**

The Planning Commission Special Meeting was called to order by Chair Trafelet at 6:05pm.

**ROLL CALL**

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

Commissioners Absent:           None

Others Present:                   City Planner Perdonik, City Attorney Schultz, Planning Consultants Bahm, Tangari, and Upfal

**APPROVAL OF AGENDA**

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

**Motion passed unanimously by voice vote.**

**SPECIAL MEETING**

**A. DISCUSSION OF DRAFT ZONING TEXT AMENDMENT 6, 2024, TO INTRODUCE PROVISIONS REGARDING PUBLIC ART**

**Background**

Planning Consultant Bahm led this discussion of draft Zoning Text Amendment 6, 2024, based on her April 9, 2025 memorandum *Draft Arts Ordinance*, and utilizing a PowerPoint presentation *2025 Public Art Ordinance Introduction*. The information in the PowerPoint had originally been presented to City Council, and included the following topics:

- Benefits of Percent for Art Programs – provides a stream of funding, assures public arts projects will be planned each year, leverages private investment
- Provided examples in Michigan of diverse ways for public funding of art, including funding from general fund, percentage of CIP, percentage of development costs, use of trust funds, TIF funds, grants, donations, and tiered systems using multiple sources of funds.
- Provided nationwide examples of public percent for art programs, including at the state and city levels.
- Provided examples of zoning districts and ordinances that encourage public art – overlay districts, ordinance incentives (density, reduced parking requirements, updated home occupation standards), “artist relocation” programs, artisan manufacturing amendments.

**Master Plan visioning**

- Create an identity for Farmington Hills, making it more welcoming, attractive and interesting.
- City Hall showcases a vibrant collection of art, but there is nothing outside in the City that follows through with what is inside City Hall.
- Developers are willing to include public art but need direction.

- Getting the participation of the development community is critical to a public arts program's success. Expectations and requirements must be applied consistently across the business community.

### **City Council direction**

Direction from City Council includes:

- Be a leader in placemaking through public art
- Pursue development of a Public Art in Private Development ordinance
  - Integrate visual art into the built environment by requiring the inclusion of public art in significant private development projects
  - Encourage creative expression in new construction and site improvements: enhance the community's identity, support local artists, and contribute to a more vibrant and engaging public realm
  - Prioritize redevelopment areas for public art installations, such as the Grand River Corridor, 12 Mile Corridor, and Orchard Lake Corridor.

### **Draft amendment**

The draft amendment has been reviewed by City Council, and they have asked for the Planning Commission to review the amendment and follow the process for potential adoption.

- The draft takes inspiration from public art in private development ordinances from around the US.
- Similar to the arts ordinance in the City of Southfield
- Provisions to require public art in private development.
- Start within existing ordinance frameworks, including similar standards on landscaping.

Zoning Amendment to add Section 34-5.20 Public Art Requirement, which includes the following:

1. Intent
2. Public Art Required
3. Public Art Requirements
4. Placement
5. Guidelines
6. Exemptions
7. Installation and Maintenance

### **Commission discussion focused on:**

#### **Policy Framework and Implementation Process**

- General support for the concept of extending the City's internal art culture to external spaces across the City.
- A public art fund could be established, following the model of the tree fund, to correspond to the requirement in 6.E.
- Fairness in enforcing the ordinance is critical. By establishing a consistent policy, developers can be assured they are being treated the same as others making significant investments in the community.
- Will requiring art approval before site plan approval delay project timelines? Current language requires approval prior to final site plan approval, but this could be adjusted to requiring



installation before issuance of a certificate of occupancy. Public art approvals could take place concurrent with engineering reviews.

- Regarding process, it was important to communicate early with applicants, such as during the pre-app meeting.
- The Arts Commission (under the Department of Special Services) will be responsible for reviewing the merit and appropriateness of proposed art installations (see draft definition of Public Art under Section 2.2).
- Another community used a 20-page best-practices guide regarding public art.

#### **Scope, Thresholds, and Applicability**

- New projects often exceed the \$2M investment threshold proposed in the ordinance. For projects below the \$2M threshold, participation in the public art ordinance could be voluntary. Some developers might choose to participate because they find public art to be worthwhile.
- The ordinance would apply to some new residential development. Cluster housing and PUDs often contain shared open space appropriate for art installations. Some developers have included art near entrances.
- High architectural quality and uniquely designed commercial and industrial buildings might sometimes meet the intent of the ordinance.

#### **Artistic Criteria and Definitions**

- How will public art be defined as opposed to commercial branding, such as the Mercedes-Benz emblem? Public art is generally defined as one-of-a-kind work, and the Mercedes-Benz emblem—though attractive—is primarily a branding element. It is important to apply standards equally, regardless of how visually appealing the brand image might be.
- Diverse forms of public art should be encouraged – sculptures, murals, fountains, light installations, etc.
- Commissioners suggested finding a way to highlight indoor art installations in commercial buildings that might be available for public viewing.
- Decorated bike racks are a low cost, but impactful, form of public art. Medians and rights-of-way are potential public art sites.

#### **Safety, Liability, and Practical Concerns**

- There were safety concerns about including public art in public/shared residential spaces where children play. In such cases the art would need to be child-targeted, with safety top of mind. Insurance liability would need to be considered.
- Who will assess the monetary value of public art? Staff suggested that developers could provide valuations through insurance documentation or appraisals, and that this would likely be handled administratively rather than codified in the ordinance.

#### **Equity, Artist Selection, and Oversight**

- Commissioners questioned whether the ordinance should include credits or incentives for using local artists. While some favored promoting local talent, others cautioned that it could unintentionally limit artistic diversity.
- Questions were raised about the scope of the ordinance and whether developers could install artwork that would not be required and therefore not reviewed. (Currently outdoor art is treated as signage.) While zoning regulations such as height and location would apply, the lack

of a review process could potentially create unintended consequences, depending on the art involved.

- This raised the broader question of how art in general should be regulated – whether through the zoning ordinance, the Arts Commission, or some other mechanism.

As discussion wound down, staff said the next step would be to set a public hearing for the zoning amendment and then make a recommendation to City Council. However, the draft text amendment might first be discussed at the Joint City Council/Planning Commission meeting scheduled for July 21.

**PUBLIC COMMENT**

None.

**COMMISSIONER COMMENTS**

None.

**ADJOURNMENT**

**MOTION by Aspinall, support by Stimson, to adjourn.**

**Motion carried unanimously by voice vote.**

The meeting adjourned at 7:07pm.

Respectfully Submitted,  
Kristen Aspinall  
Planning Commission Secretary

/cem

**CITY OF FARMINGTON HILLS  
PLANNING COMMISSION MEETING  
31555 W ELEVEN MILE ROAD  
FARMINGTON HILLS, MICHIGAN  
MAY 15, 2025, 7:30 P.M.**

**CALL MEETING TO ORDER**

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

**ROLL CALL**

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

Commissioners Absent: None

Others Present: City Planner Perdonik, Staff Planner II Mulville-Friel, Staff Engineer Sonck, Planning Consultants Tangari and Upfal (Giffels Webster), City Attorney Schultz

**APPROVAL OF THE AGENDA**

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

**Motion passed unanimously by voice vote.**

**PUBLIC HEARING**

**A. PLANNED UNIT DEVELOPMENT PLAN 1, 2025**

**LOCATION:** 29150 Twelve Mile Road

**PARCEL I.D.:** 22-23-12-376-035

**PROPOSAL:** Construction of multiple-family dwelling units within RA-1A One Family Residential District

**ACTION REQUESTED:** Recommendation to City Council

**APPLICANT:** Steven Schafer

**OWNER:** Mike H. Yousif

**Applicant presentation**

Aaron Schafer, Spencer Schafer, and Steven Schafer were present on behalf of this PUD request.

Aaron Schafer introduced the project, noting the intent to build a premier for-sale townhouse community targeting first-time homebuyers, professionals, and active adults. The 4.55-acre site is zoned RA-1A and is situated in a transition location between intense uses to the west and low-density neighborhoods to the east. The plan includes 28 townhome units for a density of 6.15 units per acre; the density aligns with RC-1/RC-2 range depending on bedroom selection.

**Neighborhood outreach:**

The applicants engaged with neighboring HOAs and residents:

- Wood Creek Civic Association submitted a letter of support, which Mr. Schafer read into the record, and which is included in tonight's packet.

- AIM High School agreed to emergency drive access with a Knox box.
- Mr. Levy (eastern neighbor) requested a deeper setback and evergreen trees, both of which were incorporated in the plans.
- Timbercrest and Greencastle HOAs were introduced to the plan; follow-up is pending

**Traffic, Access, and Site Plan Revisions:**

The applicant's traffic study indicated no further improvements were needed after recent 12 Mile Road upgrades (a dedicated left turn lane from Inkster to Middlebelt Road). Secondary access to AIM Academy is included for emergency use only. The revised site layout increases the northern setback 57-61 feet, for a total of roughly 217-221 feet, and boosts open space to 62.8%. All building setbacks were increased, with the exception of the eastern building along the frontage road, which decreased to approximately 14-15 feet.

**Site Features and Engineering:**

Two townhouse layouts are proposed: 24' wide interior units and 28' wide end units. Some rear-facing northern buildings include basements. The building height is 26'6", under ordinance limits.

Additional evergreens and screening plantings have been added, particularly along the eastern property line near the Levy residence. Pebble Creek will be stabilized, with erosion control provided and debris removed. Extensive screening is also planned around the stormwater basin and the Pebble Creek topography. Landscaping along the 12 Mile frontage and near AIM Academy is designed to enhance site aesthetics and neighbor buffering.

In order to preserve open space, no internal sidewalks are planned, although the applicants were open to discussing this further. Lighting will be provided by garage-mounted photocell fixtures that operate from dusk to dawn. Waste collection will be curbside. Room count ranges from 96-112 based on buyer options. Relief for lot coverage (approx. 2%) will be sought through the PUD process.

A 10-foot-wide maintenance path is proposed to access the stormwater basin, which may include bench seating, although the area would not be ADA accessible. An updated tree inventory has been submitted. In response to engineering comments, the applicant proposes a future access easement to the east instead of a permanent road stub. Fencing around the basin remains under review and may be added.

Visuals were presented for both four-plex and five-plex units. Northern units backing to the creek will have three-story elevations due to walk-out basements; units elsewhere will be two stories and slab-on-grade. Renderings also included modern, open-plan interiors and layouts for both four-plex and five-plex models.

The applicants were seeking relief from lot coverage standards, from 35% to 37.2%.

**Commission questions and comments**

Commissioner Mantey cautioned against excessive clearing of Pebble Creek, warning it could worsen erosion, and recommended allowing the stream to meander naturally unless a thorough evaluation suggests otherwise.

Commissioner Grant questioned why the applicant had not provided feedback from the Timbercrest and Greencastle subdivisions, as they had for Wood Creek and AIM Academy. Mr. Schafer responded that while plans were shared with both HOAs, formal meetings were deferred until after receiving Planning Commission approval. He emphasized their intention to engage those communities further if the project moved forward.

#### **Planning Consultant Review**

Planning Consultant Tangari summarized his April 1, 2025 memorandum. He reiterated that the plan is for 28 units on a 4.55-acre parcel. The site is zoned RA-1A, with RA-2 to the south. The Planning Commission had granted PUD qualification at their October 17, 2024 meeting based on criteria of Section 34-3-20.2.E.i, ii, iii, and iv. The applicant has submitted the information necessary for final PUD determination but has not yet submitted for full site plan review.

Planning Consultant Tangari reviewed the potential density range, noting that the projected 96 to 112 rooms would span densities permissible in both RC-1 and RC-2 districts. If room counts remain under 105, the project aligns with RC-1 density; if higher, it falls within RC-2 density. He confirmed that the applicant's open space figure of 62.8% implies a 37.2% lot coverage, slightly exceeding the 35% maximum allowed in RA-1A. As already noted, this minor deviation would require relief as part of the PUD approval.

While the applicant stated internal sidewalks were omitted to preserve setbacks and open space, they should be aware that City Council has required internal sidewalks in PUD developments where they have not been provided.

Planning Consultant Tangari recommended addressing any tree-related relief requests now to avoid future noncompliance.

#### **Public comment**

Chair Trafelet opened the meeting to public comment.

Don Payne, Westbrook Road, said he lives directly north of the proposed development. He had no objections to the project itself but requested the installation of a permanent barrier, such as a fence, along the northern property line. His land along the property line has been intentionally left in a natural, undeveloped state, and with the introduction of 28 new units, he wished to avoid potential liability issues associated with residents or children entering his property.

As no other public indicated they wished to speak, Chair Trafelet closed the public hearing and invited the applicant to speak to Mr. Payne's concern.

Mr. Schafer responded that they would consider the request for a barrier, although they preferred a natural landscaping buffer rather than a fence. He committed to working with Mr. Payne directly to reach a mutually acceptable solution.

Mr. Earls of AIM Academy noted that a wall exists along the western boundary between the school and the project site, and a fence is located along the northern school property line.

**MOTION by Brickner, support by Mantey, to RECOMMEND TO CITY COUNCIL that the application for approval of Planned Unit Development Plan 1, 2025, dated March 7, 2025, as revised, submitted by Steven Schafer, BE APPROVED, because the plans are consistent with the goals, objectives, and policies of the Master Plan and applicable provisions of the Planned Unit Development Option in Section 34-3.20 of the Zoning Ordinance, SUBJECT TO:**

- 1. Modifications of Zoning Ordinance requirements as identified in Giffels Webster’s April 1, 2025, review; and**
- 2. The following conditions:**
  - A. All outstanding issues identified in Giffels Webster’s April 1, 2025, review shall be addressed to the reasonable satisfaction of the City Planner;**
  - B. All outstanding issues identified in the City Engineer’s March 26, 2025, interoffice correspondence shall be addressed to the reasonable satisfaction of the City Engineer; and**
  - C. All outstanding issues identified in the Fire Marshal’s March 25, 2025, interoffice correspondence shall be addressed to the reasonable satisfaction of the Fire Marshal.**

**And with the following further recommendation:**

- Deviation from the 35% maximum lot coverage to allow 37.2% lot coverage be granted.**

Motion discussion:

Commissioner Mantey expressed support for the motion but emphasized that several unresolved elements—such as riprap along the creek, fencing along the northern property line, and fencing around the detention basin—should be resolved in a manner that upholds the PUD’s core purpose of preserving open space and natural features.

**Roll call vote:**

**Ayes - Aspinall, Brickner, Countegan, Grant, Mantey, Stimson, Trafelet, Varga, Ware**

**Nays – None**

**Motion passed 9-0.**

**B. AMEND PLANNED UNIT DEVELOPMENT PLAN 2, 2021, INCLUDING REVISED SITE PLAN 59-5-2022**

<b>LOCATION:</b>	<b>27400 Twelve Mile Road</b>
<b>PARCEL I.D.:</b>	<b>22-23-12-476-008</b>
<b>PROPOSAL:</b>	<b>Construct site-built one-family detached dwelling units within RA-1B One Family Residential District</b>
<b>ACTION REQUESTED:</b>	<b>Recommendation to City Council</b>
<b>APPLICANT:</b>	<b>Robertson Brothers Homes</b>
<b>OWNER:</b>	<b>Evangelical Homes of Michigan</b>

**Presentation by applicant**

Tim Loughrin of Robertson Brothers Homes was present on behalf of this application for PUD Amendment.

The amendment includes replacing a previously removed roadway with one additional detached condominium unit, increasing the total from 75 to 76 units as shown. The removal of the roadway was approved by City Council on March 3, 2025, after determining that a secondary access point was not needed. The proposed change would not alter any other aspects of the plan, including open space, density, or site layout.

Overall, the units were age-targeted housing to support aging residents wishing to remain in the community and to create housing turnover for younger families. Traffic and utility impacts were significantly lower than standard single-family housing, and the proposed change had no measurable effect.

The plan retains the chapel as part of the community's historic preservation goals and includes approximately 40% open space. Engineering plans are nearly finalized, and the developer is ready to move forward with demolition, grading, and closing on the site by the end of 2025.

Commissioner Brickner supported the project and welcomed progress on this long-vacant site. He acknowledged the site's long history of redevelopment proposals and pointed out that environmental issues, including solvent contamination and asbestos, will be discussed further by the Brownfield Redevelopment Authority.

Mr. Loughrin confirmed their commitment to the project, noting that final engineering plans are ready to be submitted and cleanup efforts around the chapel are already underway.

Planning Consultant Tangari summarized his April 9, 2025 review memorandum, confirming that the only change to the plan was the addition of one unit and stating that this change had no meaningful impact on density or site calculations. The density metrics remained unchanged due to rounding and did not require adjustments.

In response to a question from Commissioner Grant regarding the nearby community in Southfield named Villas of Pebble Creek, Mr. Loughrin said that no official designation or recording for that name could be found.

Chair Trafelet opened the public hearing. No members of the public came forward to speak, Chair Trafelet closed the public hearing and brought the matter back to the Commission.

**MOTION by Countegan, support by Aspinall, to RECOMMEND TO CITY COUNCIL that the applications to amend Planned Unit Development Plan 2, 2021 and revised Site Plan 59-5-2022, both dated March 14, 2025, as revised, submitted by Robertson Brothers Homes, BE APPROVED, because the plans are consistent with the goals, objectives, and policies of the Master Plan and applicable provisions of the Planned Unit Development Option in Section 34-3.20 of the Zoning Ordinance, SUBJECT TO:**

1. **Modifications of Zoning Ordinance requirements as identified in Giffels Webster's April 9, 2025, review; and**
2. **The following conditions:**
  - 1) **All outstanding issues identified in Giffels Webster's April 9, 2025, review shall be**

- addressed to the reasonable satisfaction of the City Planner;
- 2) All outstanding issues identified in the City Engineer's November 12, 2024, and February 26, 2025, interoffice correspondence shall be addressed to the reasonable satisfaction of the City Engineer; and
  - 3) All outstanding issues identified in the Fire Marshal's April 8, 2025, interoffice correspondence shall be addressed to the reasonable satisfaction of the Fire Marshal.

**Motion passed unanimously by voice vote.**

**C. SPECIAL APPROVAL 50-1-2025**

**LOCATION:** 29615 Nine Mile Road  
**PARCEL I.D.:** 22-23-35-226-003  
**PROPOSAL:** Construct multiple-tenant commercial building within B-3 General Business District  
**ACTION REQUESTED:** Special approval  
**APPLICANT:** Pinnacle Car Wash LLC  
**OWNER:** Pinnacle Car Wash LLC

**Applicant presentation**

Mr. Greg Bono, PEA Group, representing the applicant, presented the proposal to construct a 6,086 square foot multi-tenant commercial building at 29615 Nine Mile Road. The building would include three lease spaces, one of which would house a drive-through use, such as a coffee shop or casual restaurant. An outdoor seating area is also planned. Mr. Bono stated that while the plan accommodates shared access with the western adjacent property, a similar connection to the east was not included due to the number of parking spaces that would be lost. Minor comments from the planning consultant had been received and would be addressed.

**Planning Consultant review**

Planning Consultant Tangari summarized his April 22, 2025 review memorandum, noting that the proposed drive-through triggered the special land use review. The site, zoned B-3, includes one two-way driveway onto Nine Mile Road and one-way connections (inbound and outbound) to the adjacent property to the west, which is also owned by the applicant. No buildings currently exist on the site. A utility line running through the center of the lot would require relocation. The applicant should clarify building height and rooftop screening. Comments also addressed the need to remove the word 'approximately' from the outdoor seating note (there are six outdoor seating spaces), confirm the hedge for parking lot screening, and revision of minor items relating to lighting and parapet details.

**Public comment**

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

**Commission action**

Commissioner Mantey expressed general opposition to drive-throughs but noted that the proposed location was reasonable and the outdoor seating location was properly separated from the drive-through queuing line, avoiding exposure to vehicle exhaust.



**MOTION by Brickner, support by Countegan, that the application for Special Approval 50-1-2025, dated January 31, 2025, as revised, submitted by Pinnacle Car Wash, LLC, BE APPROVED, SUBJECT TO all applicable provisions of the Zoning Chapter, for the following reasons:**

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

**Motion passed unanimously by voice vote.**

**MOTION by Countegan, support by Brickner, that the application for Site Plan Approval 50-1-2025, dated January 31, 2025, submitted by Pinnacle Car Wash, LLC, be approved, because it appears to meet all applicable requirements of the Zoning Chapter, subject to the following conditions:**

- 1) All outstanding issues identified in Giffels Webster's April 17, 2025, review shall be addressed to the reasonable satisfaction of the City Planner;**
- 2) All outstanding issues identified in the City Engineer's April 17, 2025, interoffice correspondence shall be addressed to the reasonable satisfaction of the City Engineer; and**
- 3) All outstanding issues identified in the Fire Marshal's April 8, 2025, interoffice correspondence shall be addressed to the reasonable satisfaction of the Fire Marshal**

**Motion passed unanimously by voice vote.**

**D. SPECIAL APPROVAL 55-4-2025**

**LOCATION:** 24300 Drake Road  
**PARCEL I.D.:** 22-23-21-351-032  
**PROPOSAL:** Use subject property for temporary aggregate yard within B-3 General Business District  
**ACTION REQUESTED:** Special approval  
**APPLICANT:** Consumers Energy/ Amy Gilpin, permit agent  
**OWNER:** Box Office Theaters LLC

**Applicant presentation**

Amy Gilpin, permit agent for Consumers Energy, introduced this request for a temporary aggregate yard at 24300 Drake Road to support ongoing gas main replacement projects. The yard would store only aggregate material and a backhoe, with no personnel stationed on site. Operations would occur Monday through Saturday, 7:00 a.m. to 6:00 p.m., with an estimated 10 truck loads per day. Trucks would enter and exit from the middle driveway, and Consumers Energy would block access from the south driveway to control movement on the site. The temporary use is proposed through December 31, 2025.

Joe Taylor, gas construction supervisor, explained the location was selected to improve operational efficiency and reduce impacts on residential neighborhoods. Current operations are based in Livonia, and this local yard would shorten transport distances and minimize disruption to the public.

### **Commission Discussion**

Commissioner Mantey raised concerns about dust control due to prior complaints from similar temporary uses at this location. He emphasized the area is densely populated and includes residents who frequently walk outdoors. The applicant agreed to take necessary dust mitigation steps, including active monitoring and use of water trucks or other dust suppression methods as needed.

Chair Trafelet also raised concerns regarding early noise from diesel engines. Mr. Taylor clarified that although workers begin their day at 6:30 a.m., actual truck movement and site activity would not commence until 7:30–8:00 a.m. Discussion focused on setting clear limits on operational hours and duration.

Planning Consultant Tangari confirmed that hours of operation and duration can be set as conditions. He also recommended clarifying circulation on site, particularly limiting access from the south and ensuring no mixing of truck traffic with unrelated off-road users. Access via a gate on the north side was discussed but was not part of the applicant's parcel.

Commissioner Mantey suggested that similar operations in the future should be directed to more suitable locations, such as the large parking area at OCC, which is isolated and generates fewer residential impacts.

Mr. Taylor explained that gravel trucks can damage finished parking lots, making vacant dirt lots preferable.

Commissioner Grant asked about Saturday operations. Mr. Taylor stated that, for now, work is scheduled for alternating Saturdays in June, with future plans dependent on company scheduling.

### **Public hearing**

Chair Trafelet opened the public hearing.

A letter from RS Grand River LLC, authored by Anthony Rhea, expressing concern about cross-traffic through adjacent property, would be entered into the record.

No public indicated they wished to speak, and Chair Trafelet closed the public hearing and brought the matter back to the Commission for discussion and/or a motion.

**MOTION BY Countegan, support by Varga, that Application for Special Approval 55-4-2025, dated April 22, 2025, as revised, submitted by Consumers Energy/Amy Gilpin, permit agent, BE APPROVED, SUBJECT TO all applicable provisions of the Zoning Chapter, and subject to the approval being as requested by Consumers Energy in their May 5, 2025 letter, with the activities concluding by December 31, 2025, and with the condition that there should be stringent dust control, for the following reasons:**

1. The use would not be injurious to the district and environs;
2. The effects of the use would not be contrary to the spirit and intent of the Zoning Chapter;
3. The use would be compatible with existing uses in the area;
4. The use will not interfere with orderly development of the area; and

**5. The use will not be detrimental to the safety or convenience of vehicular or pedestrian traffic.**

**MOTION passed by voice vote 8-1 (Mantey opposed)**

Commissioner Mantey said that future proposals of this nature should be required to present alternative locations and rationale. Commissioner Countegan responded that the Commission's role is to evaluate requests as submitted, ensuring compliance and encouraging good neighbor practices.

**REGULAR MEETING**

**A. LOT SPLIT 1, 2025 (FINAL)**

**LOCATION:** 30749 Grand River Avenue  
**PARCEL I.D.:** 22-23-35-105-027  
**PROPOSAL:** Split one (1) lot into two (2) lots within B-3 General Business District  
**ACTION REQUESTED:** Lot split approval (final)  
**APPLICANT:** Fun Way Real Estate LLC  
**OWNER:** Fun Way Real Estate LLC

**Planning Consultant review**

Planning Consultant Tangari introduced the proposed lot split at the northeast corner of the Fun Way complex, involving a previously approved but unfinalized split. The request is to create two parcels: a 5.4-acre parcel retaining the recreational use, and a 0.26-acre parcel containing an existing daycare. Both parcels are accessed from Grand River Avenue, and the smaller parcel is self-contained with no cross-access to the larger lot.

The dimensional standards of the B-3 district would be met by existing development on both parcels. While there were no marked parking spaces visible on the smaller parcel, the split would not alter current site conditions.

The applicant's representative Jim Allen was present to answer questions.

**Commission discussion and action**

After clarifying parcel identification and legal descriptions, the following motions was offered:

**MOTION by Aspinall, support by Stimson, that application for Lot Split 1, 2025 (Final), dated January 23, 2025, as revised, submitted by Fun Way Real Estate, LLC, BE APPROVED, because it appears to meet the applicable provisions of Chapter 34, "Zoning," and Chapter 27, "Subdivision of Land," of the City Code and will result in land parcels generally compatible with surrounding parcels in the vicinity; and that the City Assessor be so notified.**

**Motion passed unanimously by voice vote.**

**B. LOT SPLIT 2, 2025 (FINAL) (PUD 6, 1993)**

**LOCATION:** 27614 Middlebelt Road  
**PARCEL I.D.:** 22-23-13-101-003  
**PROPOSAL:** Split one (1) lot into two (2) lots within OS-1 Office Service District  
**ACTION REQUESTED:** Lot split approval (final)

**APPLICANT:** Jacob Khotoveli  
**OWNER:** Merchants Marketplace LLC

**Planning Consultant review**

Planning Consultant Upfal introduced the request, noting that the lot is part of an existing Planned Unit Development (PUD 6, 1993) that includes a shopping center and a residential component. The proposed split concerns an outlot area previously reviewed by the Planning Commission in 2023 and 2024 for a drive-through application, which has since been withdrawn. The request involves dividing a 7.5-acre parcel into two lots: 6.8 acres and 0.655 acres. The lots meet dimensional requirements. It appeared that only a minor PUD amendment is required; this should be confirmed with the City Attorney.

Commissioner Stimson asked about cross-access easements and parking agreements. City Planner Perdonik noted those items will be addressed as part of the engineering review process prior to administrative approval and recording of the split.

Dylan Kama, legal counsel for the applicant, confirmed that easement and other agreements were being finalized for execution.

**MOTION by Stimson, support by Ware, that application for Lot Split 2, 2025 (Final), dated March 13, 2025, as revised, submitted by Jacob Khotoveli, BE APPROVED, because it appears to meet the applicable provisions of Chapter 34, "Zoning," and Chapter 27, "Subdivision of Land," of the City Code and will result in land parcels generally compatible with surrounding parcels in the vicinity; and that the City Assessor be so notified.**

**Motion passed unanimously by voice vote.**

**C. SITE PLAN 58-9-2024**

**LOCATION:** 29510 Orchard Lake Road  
**PARCEL I.D.:** 22-23-02-351-005  
**PROPOSAL:** Redevelop gasoline service station within B-3 General Business District  
**ACTION REQUESTED:** Site plan approval  
**APPLICANT:** Fadi Naserdean  
**OWNER:** Fadi Naserdean

**Planning Consultant review**

Referencing the April 17, 2025 review memorandum, Planning Consultant Upfal explained that the applicant is seeking to expand an existing gas station and convenience store by reconfiguring pump islands and upgrading the canopy. The site currently includes four fueling positions under a canopy and two uncovered diesel pumps; the new layout would place all fueling positions under the canopy, increasing efficiency and circulation. However, the proposed canopy and drive aisles do not meet required setback and dimensional standards, including insufficient distances for maneuvering lanes and parking space clearances. Additional concerns include insufficient fenestration percentages (60% required on any façade facing a pump island, 35% provided as an existing condition), and discrepancies in photometric plans. All outstanding issues are listed on pages 2-3 of the review letter. The applicant intends to seek variances where necessary.

Staff recommends that approval should not proceed unless variances are granted or the plan is revised to comply with ordinance standards.

City Attorney Schultz noted the Commission could alternatively conditionally approve the plan subject to ZBA variance approval.

**Applicant presentation**

Alex Raichouni, MA Designer Group, was present on behalf of this application for site plan approval. Owner Fadi Naserdean was also present.

Mr. Raichouni stated the building had already been renovated with permits. He described efforts to enhance the property's appearance and performance, including new landscaping and wall features, reduced curb cuts, and compliance with city requirements. He compared this project favorably to neighboring gas stations and asserted that the proposed layout would improve operational efficiency.

Mr. Raichouni further explained the rationale for the canopy redesign, emphasizing that the proposed changes would enhance circulation, aesthetics, and business viability. He acknowledged minor plan discrepancies, including employee parking spaces that would be eliminated in compliance with staff recommendations. They will resolve photometric discrepancies and ensure alignment between site and landscape plans.

Commissioner Countegan inquired about the status of the building permit and certificate of occupancy. Mr. Naserdean confirmed that final inspections were scheduled and that the building work was nearly complete.

City Planner Perdonik explained that the proposed canopy modifications triggered Planning Commission review due to new dimensional nonconformities, including maneuvering and setback violations, that were not previously present.

Commission discussion acknowledged the applicant's substantial investment and intent to improve the property. However, the modifications required variances due to noncompliance with current zoning standards. Staff affirmed that the building could continue under existing conditions without Planning Commission approval if the canopy and pump layout remained unchanged. Proposed improvements must either be brought into compliance or proceed to the Zoning Board of Appeals (ZBA) for variances.

Commissioner Countegan acknowledged the challenges of redeveloping older sites under modern ordinance standards. He expressed support for the applicant's investment in upgrading the property and noted that while the dimensional standards were not fully met, the project represents a visual and functional improvement. He encouraged the applicant to proceed to the Zoning Board of Appeals (ZBA) to request variances where necessary.

**MOTION by Countegan, support by Aspinall, that the application for Site Plan Approval 58-9-2024, dated September 13, 2024, as revised, submitted by Fadi Naserdean, BE APPROVED, because it appears**

to meet all applicable requirements of the Zoning Chapter, **SUBJECT TO THE FOLLOWING CONDITONS:**

- 1) All outstanding issues identified in Giffels Webster's April 17, 2025, review shall be addressed to the reasonable satisfaction of the City Planner;
- 2) All outstanding issues identified in the City Engineer's April 17, 2025, interoffice correspondence shall be addressed to the reasonable satisfaction of the City Engineer; and
- 3) All outstanding issues identified in the Fire Marshal's April 8, 2025, interoffice correspondence shall be addressed to the reasonable satisfaction of the Fire Marshal.
- 4) That city staff identify for the applicant all zoning deficiencies that require variance relief, and that all such variances be formally requested before the Zoning Board of Appeals. This site plan approval shall be contingent upon the Zoning Board of Appeals granting all required variances.

**Motion passed unanimously by voice vote.**

**D. ZONING TEXT AMENDMENT 5, 2024**

**CHAPTER OF CODE:** 34, Zoning Ordinance  
**PROPOSED AMENDMENT:** Add design standards  
**ACTION REQUESTED:** Set for public hearing  
**SECTION:** Article 5.0 (new section)

After brief discussion, the following motion was offered:

**MOTION by Mantey, support by Varga, that draft Zoning Text Amendment 5, 2024, BE SET FOR PUBLIC HEARING for the Planning Commission's next available regular meeting agenda.**

**Motion passed unanimously by voice vote.**

**APPROVAL OF MINUTES** April 17, 2025, Regular and Special Meetings

**MOTION by Varga, support by Grant, to approve the April 17, 2025 Regular and Special Meeting minutes as submitted.**

**Motion passed unanimously by voice vote.**

**PUBLIC COMMENT**

None

**COMMISSIONER/STAFF COMMENTS**

City Planner Perdonik introduced new Staff Planner II Diane Mulville-Friel.

**ADJOURNMENT**

The meeting was adjourned at 9:42 pm.

Respectfully submitted,  
Kristen Aspinall,  
Planning Commission Secretary