

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION PUBLIC HEARING / REGULAR MEETING
CITY COUNCIL CHAMBER
31555 11 MILE ROAD, FARMINGTON HILLS MI
May 22, 2014**

Chair Topper called the Planning Commission meeting to order at 7:30 p.m. on May 22, 2014

Commissioners Present: Blizman, Fleischhacker, Mantey, McRae, Rae-O'Donnell, Orr, Schwartz, Stimson, Topper

Commissioners Absent: None

Others Present: Planning and Community Development Director Gardiner, Staff Planner Stec; Staff Engineer Gushard, City Attorney Schultz and Planning Consultant Arroyo

APPROVAL OF AGENDA

Commissioner McRae noted the following changes to the Regular Meeting portion of the agenda:

1. Item 5.B (52-1-2014), should also include Revised Site Plan Approval.
2. Discussion regarding Grand River CIA Botsford Focus Area Overlay District should be added as Item 5.D.

MOTION by McRae, support by Fleischhacker, to approve the agenda as amended. Motion carried unanimously.

PUBLIC HEARING

A. REZONING REQUEST 1-3-2014

LOCATION:	21030 Halsted Road
PARCEL I.D.:	22-23-32-301-005
PROPOSAL:	Rezone parcel currently zoned RA-1, One-Family Residential District to SP-1, Special Purpose District
ACTION REQUESTED:	Recommendation to City Council
APPLICANT:	John Maniaci, Property Management Services of Michigan, LLC
OWNER:	Gary and Jennifer Burton / Linda Gresham

Chair Topper introduced this item and invited the Applicant(s) to speak.

Peter Maniaci and John Maniaci, Principals of Property Management Services, 20920 Harper Avenue, Harper Woods, MI 48225, Samantha Thelen, Regional Director of Operations, Leisure Living Management, 3196 Kraft Avenue, Suite 200, Grand Rapids, MI 49512, and Gregory Bator, of Bator Legal, 400 West Maple, Birmingham MI 48009 were present to speak on behalf of this Rezoning Request.

Peter Maniaci introduced himself and the members of his team who were here this evening, as noted above. John Maniaci thanked those residents who had come to hear and speak about this request. He was excited to present this rezoning request for a first class convalescent home in the City. Their

management company, Leisure Living Management, managed and operated over 30 communities in Michigan. Their architect was experienced in building this type of facility in Michigan. Their legal counsel, Gregory Bator, was experienced and highly respected in the field of building and maintaining convalescent facilities.

John Maniaci continued by emphasizing that this would be a first class facility, with an investment of several million dollars. Construction would be complete within 12 months and they were willing to work with the residential neighbors to resolve any issues.

Planning Consultant Arroyo referred to his April 15, 2014 review letter, and to a map showing existing land use in the area of the subject parcel, and a second map showing the Master Plan for the area, which was for a single family use. He pointed out the existing stub streets of Prestwick to the north and Deerfield to the south, and described the property as it exists today. The 5.7 acres parcel was currently developed with four existing structures (a house, workshop, chicken coup and barn). At this time, the Applicant planned to remove all of the structures except for the barn, which might be readapted. The Applicant also owned the parcel directly east of the subject parcel.

Mr. Arroyo showed graphics that compared the RA-1 Zoning District standards with the SP-1 Special Purpose District. He pointed out that the SP-1 District only permitted convalescent homes or orphanages. Other districts within the City that permitted convalescent homes were RC-1, RC-2 and RC-3. The property was currently zoned RA-1, as was the property surrounding the parcel. The City's Residential Densities Map designated this property for low-medium residential density, which was consistent with the surrounding properties. Properties to the north, south, east and west were designated as low-medium residential density as well. Open space site condominiums were located to the north and south and single family cluster units were to the east.

The City's Special Residential Planning Areas Map showed the subject parcel as part of an area designated as a Special Residential Planning Area. The City had singled out this parcel as an area that should be developed under the open space option for one-family residential site condominiums or subdivision plats. The Future Land Use Map designated the subject site as well as surrounding properties as Single Family Residential. At least 20 lots could be developed on the three parcels that made up the Special Residential Planning Area.

Mr. Arroyo reviewed *Issues to Consider for Zoning Map Amendment* (page 4 of the review letter) summarized as follows:

1. *Is the Proposed Zoning Consistent with the Master Plan?* A convalescent home was not consistent with the City's intent for this property.
2. *What impact would the requested zoning have on public services and utilities and natural features?* The impact on utilities and natural features would not be out of the ordinary. The impact on emergency services personnel and services would likely be much higher than traditional single family development.
3. *Has the Applicant provided evidence that the property cannot be developed or used as zoned?* The Applicant provided a letter that said developing this property as a single-family development would be cost prohibitive due to the high water table in the area.
4. *Is the proposed zoning district (and potential land uses) compatible with surrounding uses?* Yes, generally this use was compatible.
5. *Will the proposed zoning place a burden on nearby thoroughfares?* It did not appear that the proposed zoning would place a burden on Halsted; however additional information regarding the operation of the proposed convalescent home was needed.
6. *Is there other land currently available for this use?* Yes. Mr. Arroyo listed four locations in the

- City that were already zoned for this type of use and which were available for development.
7. *Will development of the site under the proposed zoning be able to meet zoning district requirements?* It appeared that dimensional requirements would be met.
 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 proposed use was not allowed in any one-family residential district in the City and it would be inappropriate to amend the RA-1 District to permit the proposed use.
 9. *Has there been a change in circumstances and conditions since adoption of the Master Plan that would support the proposed change?* While the older population continued to grow, there was no real change in circumstances that supported the proposed change in this location.
 10. *Would granting the request result in the creation of an unplanned spot zone?* The Planning Commission should make a finding relative to spot zoning.

Commissioner Orr wondered if the Applicants had specified this convalescent home was specifically for the aged. Mr. Arroyo said the Applicants could answer this question at the appropriate time.

Commissioner Rae-O'Donnell asked how many beds the facility would house. Mr. Arroyo said that he had not reviewed this type of information; he was only looking at the rezoning request.

Commissioner Blizman confirmed that the property to the east was also zoned RA-1.

In reply to a question from Commission Schwartz, Staff Engineer Gushard said that the entire area, including the surrounding area, did have a consistently high water table. Commissioner Orr noted that the water table did not prohibit developing the property as single family residential. There were plenty of homes built on slabs, for instance.

As there were no further questions for Mr. Arroyo, Chair Topper opened the public hearing.

Ken Mac, Aspen Drive, read a letter from Bill and Theresa Milosevski, also from Aspen Drive, who were opposed to this proposed rezoning, as was Mr. Mac and his wife. The Milosevki's letter was given to the Commission Secretary where it would remain part of the record.

John Dillon, Deerfield, said that he was treasurer of his homeowners' association, and was speaking on behalf of the 13 homes in his association. All residents of those homes opposed this rezoning request.

Sharon Zalewski, Wellsley Drive, Secretary-Treasurer of the Applebrooke Homeowners Association, spoke on behalf of the 24 homes in that association, who were all opposed to this rezoning request. She read the May 19, 2014 letter from the Association that had been received by the Commission.

Dilip Dey, Prestwick Drive, strongly opposed this rezoning request. He was concerned about traffic entering and exiting the facility day and night.

Mike Zalewski, Wellsley Drive, opposed the rezoning request, noting that once changed, the zoning would exist into perpetuity, thus creating serious, long-term implications for the area.

Earl Baxstresser, Halsted Road, asked what impact this development would have on the traffic on Halsted Road. Would the City require that Halsted be widened toward this parcel, should this request be approved? He also noted there were many legacy trees on the property.

Milan Belans, Deerfield, said his property was directly adjacent to the subject parcel, and he and his family were strongly opposed to this rezoning request, for the reasons already outlined by the City's Planning Consultant. Additionally, he felt approval and construction of the convalescent home would lower property values in the area. He did not feel the high water table prohibited single family development; other single family homes had been built in the area who also had a high water table, including his own.

Sheldon Levine, Rosedale, said he was the owner of the open lot adjacent to this parcel, and was opposed to this rezoning request. Julianne Levine added that the Applicants' plan was to build deep into the depth of the property; the proposed use did not fit into the surrounding residential neighborhood.

Jackie Primeau, Windwood Drive, opposed this rezoning request. Increased traffic, medical waste, sirens, the commercial nature of this development all would detract from the residential ambiance of the neighborhood.

Steve Powers, Deerfield, opposed this rezoning request. He was the developer of the subdivision next door; he could attest that the high water table was not a reason not to develop as single-family homes. He was sure the site could be developed as single family homes as shown in the Master Plan. A residential neighborhood would allow the stub streets to be continued.

Seeing that no one else desired to speak, Chair Topper closed the public hearing and asked Staff Engineer Gushard to address concerns regarding Halsted Road. Ms. Gushard said there were no current plans to widen Halsted Road. If this facility was constructed, it could potentially impact both sides of Halsted Road and it was possible the City might require extra accel/decel and passing lanes.

Gregory Bator, Bator Legal, spoke on behalf of the Applicants. He noted that he had worked for 30 years on these types of projects. He confirmed that this facility was for elderly care. The SP-1 Zoning District only permitted convalescent facilities or orphanages.

Mr. Orr interjected that should the rezoning be approved, there was no guarantee that this particular facility would be built. Should something happen and the facility not be constructed or should the facility fail as a business, the zoning would be in place for another facility to fill the space, and the Commission would have no control over what facility would build there or occupy an already built space.

Mr. Bator said that he had listened carefully to the neighbors' concerns. He noted that this area had already received special attention from the City in terms of future development. He pointed out that the development of 20 single-family residences, as mentioned in the Clearzoning report, was a more intensive use than the proposed facility.

Commissioner McRae corrected that the 20 units mentioned were inclusive of property to the north and to the east, not just this subject parcel, making this comparison invalid.

Mr. Bator said that his point was that the relative size of their facility compared to the intended use of the property was not significantly different and indeed might be less. Vehicle traffic would also likely be less because 99% of their residents would not have drivers' licenses. They would have three 8 hour shifts, and employees would be coming and going during that time only. They had approximately 10 people for every shift. While they hoped for many visitors to the facility, including family members, he was confident that they could address neighbor concerns, if given the opportunity to do so.

Chair Topper asked how many beds were planned for this facility. Samantha Thelen, Regional Director of Operations, Leisure Living Management, said that they would be licensed for 44 apartments with a total of 60 beds.

Chair Topper addressed the issue of medical needs and the use of emergency services. Mr. Bator explained that this would be licensed as a "home for the aged," with "aged" defined, in Michigan, as people 60 years or older who require assistance for certain aspects of daily living. He further explained that "assisted living" was not a legal term in Michigan. Facilities that were licensed as "home for the aged," were a lesser category in terms of care than a "nursing home." This was not a nursing home, and in the case of this facility, typically residents would be ambulatory, although some might use walkers or wheelchairs. Typically their residents were in reasonably good health. This would be the equivalent of single family residences for individuals who no longer found it possible to stay at home and take care of themselves, for reasons of physical care and/or social needs.

Mr. Bator continued that for him the most interesting thing in the Clearzoning consultant's report was the recognition from SEMCOG that there was going to be an 84% increase in persons of great age by 2040. Facilities such as this one would be needed within the community. He pointed out that while they would pay commercial taxes, thus increasing the City's tax base, the facility would be residential in all other respects. Federal law indicated that municipalities needed to make changes in their rules and procedures so as to allow commercial developers of residences such as this one to exist within communities. Age or disability did not require people to "live in a different part of town or another town." The parcel being discussed this evening was a beautiful, magical site and the proposed use and development would fit well within the framework of the surrounding residential neighborhood.

Mr. Bator said that traffic would not increase in the surrounding neighborhoods as they would not open up the stub streets. Traffic would actually be decreased as compared with a single family subdivision development.

Chair Topper asked Mr. Bator to address concerns about medical waste, noise, and property values. Mr. Bator said that every study across the country that had looked at projects like this abutting a single family residential area showed no impact on property values. Property values continued to increase as if the facility was a single family development. No study in the country showed a diminution of value of neighboring homes.

Regarding noise, they would follow Farmington Hill's noise ordinance. Regarding ambulances, many times ambulances turn off their sirens in the evening and night time hours. Regarding medical waste, they had to follow very strict guidelines that were the same as any medical facility, including doctors' offices.

Mr. Bator again emphasized that this was a bucolic site for individuals who were aging, as all in the room tonight would age. The facility would be part of the overall residential setting of the community; it would blend into, support and form an active part of the community in which it was placed.

Seeing that there were no further questions for the Applicants from the Commission, Chair Topper brought the matter back to the Commission for further discussion or a motion.

Commissioner Blizman said that as the most senior member of the Commission, he thought it appropriate that he offer the following motion:

MOTION by Blizman, support by Fleischhacker, that we recommend to the City Council that Zoning Request No. 1-3, 2014, petitioned by John Maniaci, to rezone land from the RA-1 District to the SP-1 District be denied for the following reasons:

- a. **The proposed district does not conform to the Master Plan for Future Land Use and would be in conflict therewith.**
- b. **Would be incompatible with existing and future uses in the area.**
- c. **Would negatively affect the City's ability to implement or follow the Master Plan in the area.**
- d. **Would negatively affect the objectives, goals or polices of the Master Plan**
- e. **The proposed zoning district is not a logical extension of the existing zoning districts already in the area.**

Noting that the original motion did not include reference to spot zoning, Commissioner Stimson asked if the makers of the motion would include this as a reason to deny. Mr. Blizman and Mr. Fleischhacker agreed.

- f. **Represents a form of spot zoning.**

Mr. Blizman noted that the City already had vacant properties zoned and planned for just this type of development. The development did not have to happen at the location proposed this evening.

Noting that the special planning area involved three parcels, Commissioner Mantey asked the City Attorney to comment on the impact on surrounding vacant parcels should this request be approved. Was it possible the Commission would then hear requests for the same change regarding the vacant properties to the east and north? Attorney Schultz said that if the zoning were changed as requested, numbers 4 and 5 as reflected in the motion would be a concern: the rezoning might negatively affect the City's ability to implement or follow the Master Plan in the area (#4) and it might negatively affect the objectives, goals or polices of the Master Plan (#5). This is what the Planning Commission was being asked to determine this evening.

Mr. Mantey pointed out that one of the goals for the area included in the Master Plan was to extend the stub streets already discussed; this proposed rezoning would negatively impact the City's ability to do that.

Chair Topper noted that the Commission had received several letters from residents, whom she named, all in opposition to the proposed zoning change. Two of these letters had been read this evening. The letters were part of the permanent record for this case.

Chair Topper called the motion.

MOTION carried 9-0.

B. REZONING REQUEST 2-3-2014

LOCATION:	30115 Thirteen Mile Road and easterly adjacent lot
PARCEL I.D.:	22-23-11-201-001, 002 & 021
PROPOSAL:	Rezone parcels currently zoned RA-1, One-Family Residential District to RC-1, Multiple-Family Residential District
ACTION REQUESTED:	Recommendation to City Council
APPLICANT:	Mike Barth of Detroit Baptist Manor

OWNER: Joline Marie Markovich Trust/
Metropolitan Detroit Baptist Manor

Roy Baker, NSA Architects, 23761 Research Drive, Farmington Hills, and Ryan Goleski, Director of the Haworth Center – the assisted living facility at the Baptist Manor – spoke on behalf of this rezoning request.

Mr. Baker said that the existing Baptist Manor, directly west of the parcel in question, occupied 35 acres. They were asking for a logical extension for the 4.9 acres being discussed this evening, located at the northeast corner of the existing site, along 13 Mile Road. He felt that the proposed transition was appropriate between the existing RC-1 Zoning District of the Baptist Manor and the RA-1 area to the east. They were proposing a one-story, 44 unit structure, with a high sloping roof, dimensional shingles, lots of masonry, windows, attractive landscaping with gardens, etc. Their intent was to abide by all City regulations, and to be good neighbors with the surrounding single family neighborhoods. Lighting would end at the property line; storm water would be managed, preferably by a dry pond.

Mr. Baker continued that this facility would represent a “household model.” He described the advantages of this model, which was a person centered approach, and represented a continuation of the high quality that Baptist Manor had been providing for years.

Mr. Goleski said that the Baptist Manor had been in the community for over 60 years and had over 600+ units for independent living. As already noted this evening, there had been and would continue to be significant growth in this age group. Their assisted and independent living facilities were over 94% occupied. The goal of the residents and the Manor was for residents to age in place; the residents were hopefully able to transition from independent living to an assisted living situation right on the campus. However, the Manor was finding it more difficult to provide this critical service as more of their residents aged. They had looked at all the options to provide more assisted living facilities, but the only way to do this on their present site was to take down some of the independent living units and replace them with an assisted living facility, but this would displace perhaps hundreds of their long time residents. They saw tonight’s proposal and the expansion it represented as the only solution for their community in this regard. Mr. Goleski explained that they were not a skilled facility, but rather were licensed as a “home for the aged.” They provided 24 hour a day care staff (not skilled care staff), who were there to help give meds, assist in case of falls or other needs, and provide general supervision to the community.

Planning Consultant Arroyo referred to his May 16, 2014 review letter, and to a map showing existing land use in the area of the subject parcel, and a second map showing the Master Plan for the area, which was for a single family use. The subject parcel was 4.94 acres.

Mr. Arroyo said the intent of the RC-1 multiple family zoning district was to provide sites for multiple-family dwelling structures and related uses, which would generally serve as zones of transition between the nonresidential districts and lower density single-family districts. The multiple-family district was further provided to serve the limited needs for the apartment-type of unit in an otherwise low density, single-family community.

Mr. Arroyo showed graphics that compared the RA-1 Zoning District standards with the RC-1 Zoning District.

Principal permitted uses allowed in the RC-1 district, but not allowed in the RA-1 district included:

- Multiple-family dwellings

- Two-family dwellings
- Rental or management offices and clubrooms accessory to a multiple-dwelling project.
- Convalescent homes or orphanages.
- Accessory buildings and uses customarily incidental to any of the above uses, including home occupations.

The duplexes currently located on the east side of the Baptist Manor complex provided an appropriate transition to single family zoning.

Property to the north across 13 Mile Road was zoned RA-1 and was developed as single-family homes; its density was approximately 1.29 units/acre. Property to the west was zoned RC-1 and was developed with the current Detroit Baptist Manor; its density was approximately 10.4 units/acre. Property to the south (Holly Hill Farms Subdivision) was zoned RA-1 and was developed as single-family homes; its density was approximately 1.56 units/acre. Property to the east was zoned RA-1; its density was approximately 0.49 units/acre.

The City's Residential Densities Map designated the subject property for low-medium residential density, which was consistent with RA-1, RA-2 and RA-2B zoning. The subject parcels were not in an area designated as Special Residential Planning Areas. Property to the west was designated as high density, consistent with multiple-family districts.

Mr. Arroyo continued that the Future Land Use Map designated the subject site as Single Family Residential, with Single Family Residential for property to the north, east, and south, and Multiple Family Residential for property to the west. The Master Plan called for maintaining the one-family residential character of the road frontage on large lots.

The subject parcels had been the subject of a special study, which had listed therein goals and policies for this area.

Goals included:

- Maintain the one-family residential use character of the road frontage on large lots.
- Encourage assembly of parcels and development of one-family lots based on the concept plan.
- Protect the natural features of the area; hillsides, trees.

Policies allowed for creative siting of single-family homes, and included:

- Follow the concept plan under RA-1 zoning for the road network.
- Allow flexibility in application of city standards.
- Encourage flexibility in building setbacks.
- Permit water retention in open space.

Mr. Arroyo reviewed *Issues to Consider for Zoning Map Amendment* (page 4 of the review letter) summarized as follows:

1. *Is the Proposed Zoning Consistent with the Master Plan?* The Master Plan had specific guidance for this sub area that includes maintaining the one-family character.
2. *What impact would the requested zoning have on public services and utilities and natural features?* Under existing RA-1 zoning, up to 3.1 units/acre may be permitted under the cluster option with a density bonus. Without a density bonus, 1.8 units/acre would be permitted. Under the proposed RC-1 zoning, a maximum of 20 two-bedroom (4 units/acre) or 30 one-bedroom dwelling units (6 units/acre) would be permitted. The proposed zoning would also permit an

- institutional use such as a convalescent home.
3. *Has the Applicant provided evidence that the property cannot be developed or used as zoned?* No.
 4. *Is the proposed zoning district (and potential land uses) compatible with surrounding uses?* The intent and uses of the RA-1 and RC-1 districts were different. The re-zoning would essentially extend the RC-1 district eastward along 13 Mile Road.
 5. *Will the proposed zoning place a burden on nearby thoroughfares?* There was reason to believe that the proposed development might place a higher burden on 13 Mile Road than the current maximum allowable number of units. This was dependent upon the actual land use and density that was developed.
 6. *Is there other land currently available for this use?* Depending upon the actual use proposed, there might be other vacant property available in the City with the proper zoning place. If a convalescent home was the desired use, there were several RC-2 properties that were vacant in the City.
 7. *Will development of the site under the proposed zoning be able to meet zoning district requirements?* It appeared likely that dimensional requirements of the RC-1 District would be met.
 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?* Amending a residential district such as RA-1 to allow multi-family residential units was inconsistent with the intent of the district.
 9. *Has there been a change in circumstances and conditions since adoption of the Master Plan that would support the proposed change?* No. While planning for an aging population should be one of the focus areas of the upcoming Master Plan update, this did not suggest that this site in particular was best suited for senior housing or institutional care of the aging population.
 10. *Would granting the request result in the creation of an unplanned spot zone?* Given the presence of the existing RC-1 zone immediately to the west, the proposed zoning district could potentially be considered a logical extension of an existing zoning district in the area. The Commission should consider Master Plan policies and recommendations and determine if this proposed change would be a reasonable extension of an established multiple family area.

Commissioner Schwartz noted that when this area along 13 Mile Road was planned as single family, the road had been narrower, lower volume, and had a more residential – even rural – feel. Northwestern Highway had since had an impact on this area, and 13 Mile now had a high traffic volume. It was no longer a traditional single-family road. Uses on the south side of 13 Mile were actually quite diverse. Did it still make sense to keep the south side of 13 Mile single family? Perhaps the Commission could justify rezoning in this case, though changing the character of this area should not be done in isolation.

Regarding the third, most easterly parcel, Commissioner Orr confirmed that they were looking at only rezoning the back half of this parcel. Additionally, Mr. Orr asked if there was an intermediate zoning classification that would provide a better buffer for the single family parcels to the east of the subject parcels. Was RC-1 the only choice?

Mr. Arroyo said the Cluster Option would possibly meet this criterion.

Commissioner Mantey confirmed with Staff Engineer Gushard that 13 Mile Road had been widened last year in order to provide a center turn lane. This had been a change since the Master Plan had last been updated.

Commissioner McRae noted that the Master Plan did consider a more intense use within the RA-1

Zoning for this area – the Cluster Option with density bonus.

Chair Topper opened the public hearing.

Joline Marie Markovich, 13 Mile Road, supported this proposal. She had lived for 50 years next to the Baptist Manor, and her property was part of tonight's proposal. The Manor had been wonderful neighbors, were stable, cared for the environment, protected trees, etc. She noted that the Master Plan had never been discussed with her, though she was a 50-year resident in the area. She pointed out that the speed limit on 13 Mile Road was now 45 miles per hour and the road carried significant truck traffic. Nine people had 2-acre parcels to her east; selling these parcels had proved very difficult. She supported giving the people living independently at Baptist Manor an opportunity to transition to assisted living within the same area. Senior citizens did much better when they did not have to be uprooted and moved to a completely new environment.

Clarence Seiler, Southbrook, Westgate subdivision, opposed this rezoning request, because the rezoning would potentially allow apartment buildings on these parcels. It was conceivable that the Baptist Manor would have a change of plans and sell the property to a developer after it was rezoned, thus having a major negative impact on the area. If the rezoning did go through, Mr. Seiler had questions regarding the type of construction that was planned – would it preserve the attractiveness of the area?

Craig LaPointe, Woodbrook Street, said this development would have a major impact on his property, which was directly south of the subject parcels. He had lived in Holly Hills Subdivision for 14 years. He was strongly opposed to having a fenced area behind his house and he was opposed to this rezoning request.

Selma Tenenbaum, Woodbrook Street, said that she lived next door to Mr. LaPointe, and her property would also be affected by this development. She would like to see the architectural plans for the proposed development. The woods were very important to all the residents who were facing north, toward 13 Mile.

Christy Luna-LaPorte, Woodbrook Street, said that they had purchased their home six months ago, after studying the zoning in the area. She had worked for 15 years in the hospital environment, and knew what it was like to have sirens frequently sounding, such as would accompany a development of this nature. She opposed this re-zoning request.

Charles Spiess, Woodbrook Street, opposed this rezoning request. He purchased his home 10 months ago after being assured that the RA-1 zoning protected his home and neighborhood from more intensive development nearby. He mentioned that he had called the Baptist Manor this afternoon and was assured that they had plenty of vacancies; he doubted whether the proposed development was really necessary.

Adele Letterman, Richmond Hill, was concerned about making a left turn out of her subdivision – which was north of 13 Mile Road – should this rezoning be granted.

Bob Hodge, Woodbrook Street, opposed this rezoning request, because it would increase traffic noise on 13 Mile Road, and would result in increased stress on infrastructure including the power grid in the area.

As there were no other members of the public who wished to speak, Chair Topper closed the public

hearing.

Referring to the question Mr. Orr asked earlier in the meeting regarding a possible intermediate zoning district for this area, Consultant Arroyo said that RA-3 and RA-4 zoning districts “may allow” two family units on parcels with frontage on a major thoroughfare, and meeting the criteria of Ordinance 34-3.18 *Major Road Frontage Option*, subject to a public hearing of the Planning Commission. Again, under the RA-1 district, the cluster option was available.

Chair Topper invited the Applicants to address the concerns brought out this evening, and answer further questions from the Commission.

Commissioner McRae initiated a discussion regarding appropriate transition to the single-family district to the east. Existing housing – duplexes on the east side of the Baptist Manor, did provide appropriate transition. This rezoning would change this. How did the Applicants justify changing this transition, and where did they think the transition would end? Applicant Goleski said that they had no plans to expand further than their request this evening. They were not seeking to build additional duplexes, although their duplexes had a three-year waiting list. They were seeking to expand their assisted living facility, which currently had only 69 beds. They did not want to build off site because this would uproot residents who were accustomed to living at this facility.

Mr. McRae asked if the Applicants had approached the owners of properties to the west that were already zoned for this type of use. Mr. Goleski said that the Manor already owned the middle parcel that was part of tonight’s request; it made sense to try to develop to the east. They were acquiring Joline Markovich’s parcel, and they would like to expand by constructing a modern facility on their own campus.

Elizabeth Goleski, CEO of the Baptist Manor, further described the parcels owned by Baptist Manor and the rationale behind tonight’s request.

Mr. McRae commented that the L-shape of the proposed rezoning seemed awkward and difficult to support.

Directing her question to the City Attorney, Chair Topper asked if a recommendation for approval could be conditioned on a certain type of use or facility. Attorney Schultz said this was not possible; rezoning would by its nature allow all uses within the proposed zoning district.

Applicant Baker said that they had been meeting with the Planning Department. Their assumption had been that annexing this approximately 5-acre parcel would be best achieved by having the same zoning district as their current facility. However, they would consider the SP-1 zoning district, which would limit the use to a convalescent home or orphanage.

Chair Topper brought the item back to the board for discussion and motion.

MOTION by Rae-O’Donnell, support by Orr, that we recommend to the City Council that Zoning Request No. 2-3, 2014, petitioned by Make Barth of the Baptist Manor, to rezone land from the RA-1 District to the RC-1 District, be denied for the following reasons:

- 1. The proposed district does not conform to the Master Plan for Future Land Use and would be in conflict therewith.**
- ~~**2. May represent a form of spot zoning, and was not a logical extension of an existing use.**~~ (motion amended to remove this reason)

3. **Would be incompatible with existing and future uses in the area.**
4. **Would negatively affect the City's ability to implement or follow the Master Plan in the area.**
5. **Would negatively affect the objectives, goals or policies of the Master Plan.**

Discussion was held regarding removing reason #2 regarding spot zoning. The makers of the motion agreed to remove this reason from the motion.

Mr. Blizman said that he would support the motion to deny. Expanding the RC zoning to the east negatively impacted the Holly Hills subdivision. He agreed with Mr. Schwartz that this section of 13 Mile Road should be reviewed during the upcoming Master Plan review.

Mr. Mantey said he would not support the motion. He was comfortable with the proposed rezoning and the use planned thereon. While the L-shaped rezoning was awkward, the space did provide a good location for a detention basin.

Mr. McRae said that it was often stated that if you liked your view, you needed to own the property that provided that view. However, there was also a covenant relationship between the City and its residents that the people should be able to rely on the zoning map; the City needed a compelling reason to change zoning districts. He did not think a compelling reason had been provided and he would support the motion to deny.

Mr. Fleischhacker said that he appreciated the need for Baptist Manor residents to age in place. Moving and uprooting did have a negative impact on this population. However, rezoning these parcels to RC-1 could have a domino effect. For more than 20 years the cutoff for RC zoning had been defined as the eastern border of the Baptist Manor. There were more large properties to the east – what if they also wanted to rezone to RC-1? This could change the entire character of the neighborhood. He would support the motion to deny.

Chair Topper agreed with Mr. Fleischhacker. While she was sympathetic to the Applicants, she could not support a change to RC-1 Zoning District for these parcels.

Chair Topper called the motion.

Motion carried 7-2 (Mantey, Schwartz opposed).

C. ZONING TEXT AMENDMENT 2, 2014

CHAPTER OF CODE:	34, Zoning Chapter
REQUEST:	Amend the Zoning Ordinance to add definitions and establish provisions applicable to register primary caregivers undertaking a home occupation involving medical use of Marihuana in one-family dwellings.
ACTION REQUESTED:	Recommendation to City Council
SECTIONS:	34-2.2, 34-4.15

City Attorney Schultz introduced this item. He reviewed the history of this text amendment, explaining that the City was attempting to deal with the 2008 initiated law that permitted the medical use of marijuana. Shortly after the law passed in 2008 the City Council started to look at what the law meant for local jurisdictions. Could the use of medical marijuana be regulated within the City? Should the City regulate?

In late 2010 City Council approved a moratorium on medical marijuana land uses in the City pending further study of the issues. During the summer of 2011 the Planning Commission and City Council reviewed and considered a draft zoning ordinance that addressed local issues and impact of the 2008 law.

Mr. Schultz reviewed the *original draft ordinance* that:

- 1) Acknowledged personal medical marijuana use, including the 12 plants allowed in a person's home under the law. This was not considered a land use.
- 2) Acknowledged caregiver status, which permitted someone to be the caregiver and supplier for 5 people plus him or herself, and thus grow 72 plants. This would constitute land use and was suggested to be regulated under the Home Occupation ordinance.
- 3) Added a statement that anything that was a clear violation of federal law was not a permitted use, and federal law prohibited any marijuana possession or use.

However, that ordinance was put on hold and the moratorium extended until July 14, 2014. During this time period, several cases were being heard at the appellate court level and higher that impacted and helped guide how local units could regulate medical marijuana use. Specifically *Ter Beek v City of Wyoming* prohibited statements in ordinances such as (3) above. The Supreme Court ruled that the State was allowing, per the 2008 law, use of medical marijuana, and this could not be denied as a use by local government units, no matter what federal law said. A footnote added to this ruling affirmed the local government's right to regulate, though the local government could not issue a general prohibition.

The draft ordinance before the Planning Commission tonight kept the basic ideas of (1) and (2) above. However, instead of a statement that anything that is illegal under federal law is not a permitted use in the City, there was a statement that nothing in the ordinance was intended to grant or to be construed as granting immunity from or affirmative defenses against criminal or other prosecution under state laws or local ordinances, or federal law.

Tonight's draft ordinance also removed standards regarding medical marijuana caregiving from the Home Occupation Ordinance, and created new Section 34-4.56. Medical Marijuana Caregiving under the "Use Standards" in the Ordinance. This would be considered an accessory use in single family residential districts only. Thus this use would not be allowed in other zoning districts, such as light industrial or business districts.

Commissioner McRae clarified that tonight's requested action was to vote on whether or not to recommend this draft ordinance to City Council.

Commissioner Orr said he supported this ordinance generally. He thought it very important that users and caregivers had to live in the home where the plants were grown. For the further protection of the City, Mr. Orr suggested an addition to the end of paragraph F: *and for any improvements to the structure related to the use;*

After brief discussion, the change was approved by motion:

MOTION by Orr, support by McRae, that paragraph F be amended to read:

- F. All required building, electrical, plumbing and mechanical permits shall be obtained for any portion of the residential structure in which electrical wiring,**

lighting and/or watering devices that support the cultivation, growing or harvesting of marihuana are located, and for any improvements to the structure related to the use;

Motion carried 8-0 (Mantey abstained).

Commissioner Rae-O'Donnell expressed support for the proposed ordinance. She clarified that medical marijuana use and transfer would be prohibited except as described in residential neighborhoods. There would be no large dispensaries in other zoning districts. Mr. Schultz reviewed court cases that dealt with this issue; he affirmed that the ordinance would only allow personal use and caregiving activities in residential neighborhoods.

Commissioner Blizman addressed the broad nature of the definition for *Debilitating medical condition*. Mr. Schultz agreed that the definition was broad, and directed the Commission's attention to the question as to whether or not the definitions were needed in the actual final ordinance.

Commissioner Stimson wondered if Paragraph H, regarding storage of chemicals such as herbicides, pesticides and fertilizers, was too vague and would apply to many residents, whether or not they were medical marijuana users. Mr. Schultz explained the rationale behind Paragraph H., and said it would only apply to known medical marijuana caregivers.

Commissioner Schwartz initiated a discussion regarding the confusion and uncertainty surrounding this law. He did not understand how the State Supreme Court could rule that State and Local law was not pre-empted by Federal Law. In spite of this, he thought it important to get an ordinance on the books in order to prevent blight and regulate the growing and use of medical marijuana, especially in caregiving situations. It was likely the ordinance would need to be amended in the future as more case law was decided.

Chair Topper clarified that plants had to be grown in the principal residential structure; they could not be grown in an accessory structure such as a shed.

Chair Topper asked about Paragraph B, which stated that a registered primary caregiver had to be 1,000 feet from any school, including child care of day care facility. How did this relate to home day cares located in residential neighborhoods? This needed to be clarified.

Chair Topper opened the public hearing. As no one came forward to speak, Chair Topper closed the public hearing and brought this item back to the Commission.

MOTION by Orr, support by Schwartz, that the Planning Commission recommend to the City Council that Zoning Text Amendment No. 2, 2014, sections 34-2.2, 34-4.15 which proposes to add definitions and establish provisions applicable to registered primary caregivers undertaking a home occupation involving medical use of marijuana in one-family dwellings, be approved as amended.

Mr. Blizman said he would oppose this motion. He thought the ordinance itself, along with the state law, "bordered on the absurd." Mr. McRae agreed.

Chair Topper called the motion.

Motion carried 5-4 (Blizman, Mantey, McRae, Stimson opposed.)

At 9:41 p.m. Chair Topper called a brief recess. Mr. Schwartz left the meeting due to illness.

At 9:48 p.m. Chair Topper reconvened the meeting.

REGULAR MEETING

A. REVISED SITE PLAN 51-1-2014

LOCATION:	29775 and 29709 Grand River Ave.
PARCEL I.D.:	22-23-35-281-001, 002
PROPOSAL:	Outdoor space for sale of motor vehicles in B-3, General Business District
ACTION REQUESTED:	Approval of Site Plan
APPLICANT:	Behrouz Oskui
OWNER:	Behrouz Oskui

Planning Consultant Arroyo referred to his May 15, 2014 review letter as he described the requested site plan approval for an outdoor space for sale or rental of new or used motor vehicles and a 900 square foot expansion of an existing building. This was his fifth review for this site plan, and the Planning Commission had adjourned the application at its February 13, 2014 meeting to allow the Applicant to review the site plan to address several deficiencies and discuss modifications to the wall with the neighbor located on the other side of the alley.

The Applicant was proposing to remove the building on the western parcel, and construct a 900 square foot addition on the east side of the Lube Center building.

The property abutted a B-3 zoned property to the north, east, and west, and RA-3, One family residential district to the south.

Mr. Arroyo listed remaining concerns as follows:

- Review letter item 5: According to Section 34-4.36, outdoor space for sale or rental of new or used motor vehicles was a principal use permitted subject to three special conditions in the B-3 District. The proposal met two of the three conditions, but would need to seek a Zoning Board of Appeals variance for the third: *Access to the outdoor sales shall be at least 60 feet from the intersection of any two streets.* This standard was not met as the westernmost access drive was only about 30 feet from the intersection of Purdue Street and Grand River right-of way. Additionally, the standard was not met for the Colgate access drive which was located about 10 feet from the intersection of Colgate Street and Grand River.
- Review letter item 7: A landscaped area was noted in front of the service bays, but there was no clear delineation of where it started or stopped.
- Review letter item 7, continued: In previous reviews, Mr. Arroyo had recommended that the Applicant remove the access drive on Purdue Street and provide a 10 foot greenbelt along the full extent of the west property line. The Applicant had since met with the Engineering Department regarding the access drives and should speak to those meetings this evening.
- Review letter item 8: The Applicant should clarify whether the 10-foot greenbelt along Grand River will extend the full length of the property. This was not clear on the Site Plan and was important to know for the purpose of calculating the front yard landscape area.
- Review letter item 9: Per 34-5.14.3.C.iv., all landscape areas adjacent to traffic areas shall be protected with curbing. No curbs were proposed along the Grand River landscape area.

- Review letter item 10: The plan proposed 21 parking spaces, which was one less space than proposed on the previous site plan. Of these, 14 spaces were for vehicle display, not customer or employee parking. At the February 13, 2014 meeting, the Planning Commission determined that 22 parking spaces were sufficient for the proposed use. The Planning Commission should determine if this was still true for the proposed 21 spaces.
- Review letter item 12: While the Applicant had improved the proposed on-site circulation, signage was still needed for all one-way driveways on the site.
- Review letter item 13: At the February 13, 2014 meeting the Planning Commission discussed the issue of screening for the residential properties to the rear. There was currently an existing wooden fence and landscaped area that screened the subject property from the adjacent residential districts. Normally a 6-foot wall would be required along the full length of the property (from Purdue Street to Colgate Street). Deciduous trees were required on the non-residential side. There were existing evergreens on the adjacent residential side that provided significant screening. At the February 13 meeting, the Commission asked the Applicant to come to an agreement with the abutting residential neighbors regarding whether the screening should be a wall or fence. The City had received letters from the residents indicating that they were comfortable with the existing screening and landscaping. The Commissioners needed to determine if they also were comfortable with the existing screening and that it met the intent of the ordinance.
- Review letter item 14: The loading area was proposed at 800 square feet; the ordinance required 890 square feet; there was room to correct this.

Mr. Arroyo concluded by noting that compliance with signs and screening of rooftop equipment would be determined at a later review (review letter item 18), the Planning Commission should verify that no new lighting was proposed (review letter item 19), and a full landscape review would take place after site plan review (review letter item 20).

Commissioner Fleischhacker asked if the approval of the existing wall would require Zoning Board of Appeals approval. The funeral home across the street from this site had to get ZBA approval for a similar situation, and was required by the ZBA to accept maintenance of the fence across the alley from that property. Attorney Schwartz pointed out that the ZBA could impose conditions, such as who was responsible for maintaining the fence.

Behrouz Oskui, 38 South Deeplands, Grosse Pointe Shores, MI, Rouzbeh Oskui, 41 Warner, Grosse Pointe Farms, MI, and Ziad El-Baba, of Ziad El-Baba Engineering, 674 Gauthier, Tecumseh ON spoke on behalf of this proposal.

Mr. El-Baba said that they had met with City Engineer Cubera. At that meeting they had agreed to close two approaches on Grand River and keep the side streets open. As a result they only had one curb cut on Grand River. He further explained other agreements that had been made with the City Engineer, including paving the entire alley and providing a 10-foot easement along Grand River. Regarding the fence, if the Applicants had to put a wall along their own property line, they would have no use for the alley. By agreeing to pave the alley, it was hoped that the fence on the residents' property line would meet the needs for screening, as explained by Mr. Arroyo. Mr. El-Baba further pointed out that the site drained through the landscaping onto Grand River. Curbs would trap the water and hinder this drainage. They had no problem installing curbs but the curbs would have this effect. Mr. El-Baba said that they could not install landscaping directly in front of the Lube because they needed this space for stacking. He noted that the owner did combine the lots being discussed this evening.

In reply to a question from Chair Topper, Rouzbeh Oskui said they were able to talk with the residents and had included letters from them indicating that the existing fence was sufficient for screening.

Commissioner Fleischhacker asked Staff Engineer Gushard about landscaping being installed on the easement, over the water main. Ms. Gushard explained that when the City wanted to extend the water main, they could utilize directional drilling, not open cutting, in this instance.

Rouzbeh Oskui emphasized that the building proposed to be demolished was currently an open, operating repair business. Tonight's site plan represented a reduction in impact on the site.

Chair Topper noted that the Applicants had provided pictures of the fences now existing on the abutting residential properties, and that both neighbors – Vivian Thomas and Ryan Snabes – had written in support of this proposal.

Mr. Arroyo noted that if the Applicants did not provide landscaping in front of the Lube shop, they would need to install a 2-foot wall or hedgerow there. However, the Ordinance did require a 10-foot landscape area adjacent to the street. The Applicants would need to seek a variance from this requirement.

Mr. Orr said that this site plan was a great improvement over the original site plan first seen by the Planning Commission.

Chair Topper brought the item back to the Board for discussion and possible motion.

MOTION by McRae, support by Blizman, that Site Plan No. 51-1-2014, dated March 25, 2014, submitted by Behrouz Oskui be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the following conditions:

- 1. ZBA approval to allow existing screen fence on residential side of rear alley**
- 2. A 10' greenbelt be added along the Grand River right of way in front of the building or a variance be received for waiver of this requirement**
- 3. A variance from the requirement that access to the outdoor sales area shall be at least sixty feet from the intersection of any two streets for the Purdue and Colgate entrances**
- 4. All landscape islands must be provided with curbs.**
- 5. Directional signs for traffic flow shall be added throughout the site**
- 6. The size of the loading zone be increased to comply with the minimum square footage requirement**
- 7. A landscape plan be submitted to the Planning Commission for review**
- 8. A lighting plan be submitted to the Planning Commission for review**

Further, the Planning Commission determines that 21 parking spaces are sufficient for the site, as described on the plan, with 14 spaces being available for vehicle display.

Motion carried unanimously (8-0, Mr. Schwartz absent).

B. LANDSCAPE PLAN AND REVISED SITE PLAN 52-1-2014

LOCATION: 32769 and 32729 Northwestern Highway
PARCEL I.D.: 22-23-02-178-001, 002
PROPOSAL: Hotel (Holiday Inn Express) in a B-3, General Business District

ACTION REQUESTED:	Approval of Landscape Plan
APPLICANT:	Jimmy Asmar of NWH Holdings, LLC
OWNER:	NWH Holdings, LLC

Planning Consultant Arroyo referred to his May 15, 2014 review letter as he described the landscape plan and revised site plan being requested this evening. At the February 13, 2014 meeting, the Planning Commission approved the site plan subject to the following revisions:

- Show vegetative screening along the wall separating the site from the adjoining RA District.
- Include required shrubs along Northwestern Highway to provide screening from the parking area.
- Provide a tree replacement plan.
- Expand shared loading zone.
- Correct all clerical errors on the site plan.
- Address all deficiencies identified in the February 5, 2014 Clearzoning review letter.

Further, the Planning Commission determined the following: a variance was required for the height of the building; the existing 4-foot wall separating the site from the adjoining RA District was adequate; a parking and cross access easement was needed; and a single shared loading zone would adequately serve both the hotel and the restaurant.

Since the February meeting the Applicant had made some changes to the site plan which required further Planning Commission approval; therefore tonight's requested action was for approval of the landscape plan and the revised site plan.

Changes to the site plan included a slightly smaller building. Additionally the Applicants had successfully acquired a height variance as determined necessary at the February meeting.

Regarding the revised site plan, the only area of remaining concern was:

- Review letter item 16. Appropriate one-way traffic signage should be added to the canopy area.

Mr. Arroyo concluded by noting that 6-foot high shrubs were being provided along the wall separating the subject property from the adjoining RA District (review letter item 18), the screening of rooftop equipment should be provided on future site plan submissions (review letter item 19), compliance with exterior lighting requirements would be determined at a later review (review letter item 20), and compliance with signs would be determined at a later review (review letter item 21).

Regarding the landscape plan, areas of remaining concern were:

- Review letter item 26. A note indicating all landscape areas should be provided with an automatic underground irrigation system. This included the existing lawn within right of way areas.
- Review letter item 27. A landscape cost estimate must be provided.
- Foundation plantings adjacent to Hellas and the Holiday Inn Express must be identified.

Jim Butler, Professional Engineering Associates, Inc., 2430 Rochester Court, Suite 100, Troy MI 48083, spoke on behalf of this application. He said they had reviewed Mr. Arroyo's comments and would comply with all outstanding items.

Commissioner McRae noted that his company had completed the lighting plans for this site, and he would be abstaining from voting on this item.

Chair Topper brought the item back to the Commission for discussion and motion.

MOTION by Rae-O'Donnell, support by Stimson, that Landscape Plan No. 52-1-2014, dated April 8, 2014, submitted by Jimmy Asmar of NWH Holdings, LLC, be approved because it appears to meet all applicable Zoning Chapter requirements, subject to the following conditions:

- 1. An automatic underground irrigation system be shown on the plan, including the existing lawn within right of way areas.**
- 2. A landscape cost estimate be provided.**
- 3. Foundation plantings adjacent to Hellas and the Holiday Inn Express be identified.**

Motion carried 7-0-1 (McRae abstain, Schwartz absent).

MOTION by Rae-O'Donnell, support by Orr, that Revised Site Plan No. 52-1-2014, dated April 8, 2014, submitted by Jimmy Asmar of NWH Holdings, LLC, be approved because it appears to meet all applicable Zoning Chapter requirements, subject to the following condition:

- 1. Directional striping be included beneath the front canopy.**

Motion carried 7-0-1 (McRae abstain, Schwartz absent).

C. SITE PLAN 56-4-2014

LOCATION:	28968 Orchard Lake Road
PARCEL I.D.:	22-23-11-101-013
PROPOSAL:	Addition to existing building for existing restaurant (Marhaba), in B-4, Planned General Business District
ACTION REQUESTED:	Approval of Site Plan
APPLICANT:	Adnan Asmar, Manager for OKA, LLC
OWNER:	OKA, LLC

Planning Consultant Arroyo referred to his May 15, 2014 review letter as he described the request for approval of the site plan, which was for a rear addition at an existing restaurant. He noted that the rear of the building provided an extra wide aisle that made this addition possible. Regarding lighting, since the review letter had been written a new light fixture had been submitted which met ordinance requirements. Lighting would be at 0 or .01 foot candles at the property line.

Items of remaining concern included:

1. City Planner Stec pointed out that because the southern boundary line directly abutted this parcel, with zero setback, the 10-foot setback requirements were not met. A variance from the Zoning Board of Appeals was required for the southern side yard deficiency. This item had not been noted in the review letter.
2. Review letter item 6. Final administrative review of the lighting plan was still needed.

Commissioner Fleischhacker asked about trucks, including 18-wheelers, being able to access the rear of this building. Originally the wider lane in the rear was built to accommodate such vehicles. Had the Fire Marshal reviewed this proposal?

Mr. Stec referred to the May 16, 2014 Fire Marshal review, which required that 1) fire lane signs be posted around the entire building, 2) the fire lane be no less than 20 feet, 3) the building be maintained in accordance with the minimum Fire Prevention Code requirements.

Peter Tzilos, Architect Planner, 18277 Filmore, Livonia, MI 48152, spoke on behalf of this application. He said that the fire lane signs were already posted. He noted that the drive space to the north of the building was narrow; semi trucks already could not access this site. Traffic was not being restricted any more than it already was. Regarding the zero setback on the southern property line, this application was not changing that nonconformity. Attorney Schultz said that by increasing the length of the building the nonconformity was being increased. ZBA approval had to be obtained.

MOTION by Orr, support by Fleischhacker, that Site Plan No. 56-4-2014, dated April 16, 2014 submitted by Adnan Asmar, Manager of OKA, LLC, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the following conditions:

- 1. A variance be obtained for the southern side yard setback deficiency.**
- 2. Final lighting plan be subject to administrative review.**

Motion carried unanimously (8-0, Schwartz absent).

D. GRAND RIVER CIA BOTFORD FOCUS AREA OVERLAY DISTRICT

Commissioner McRae suggested that addressing this item at the public hearing in June might be premature; he felt the item needed further discussion. He would like to pull the item from the June public hearing and instead utilize the June 12 meeting for further study. He understood that some changes had been made in the proposed district since the Commission had met, and he would like the Commission to have sufficient time to review those changes and any other concerns they might have.

MOTION by McRae to re-set the public hearing regarding this item to July, to allow for additional study session(s) prior to the public hearing.

Motion carried unanimously (8-0, Schwartz absent)

APPROVAL OF MINUTES **April 24, 2014**

Motion by Orr, support by Blizman, to approve the minutes of April 24, 2014, as published.

Motion carried unanimously (8-0, Schwartz absent)

PUBLIC COMMENT

None.

COMMISSIONER'S COMMENTS

Mr. Stimson asked about activity at the Kroger on Middlebelt. Staff explained that remodeling as going on there.

Regarding the roadwork being done on Farmington Road, Mr. McRae noted the difficulty for travelers on Farmington Road from 11 Mile to 12 Mile Roads, when construction had not actually occurred there yet.

Mr. Stec said that future meeting dates would be planned via email.

Chair Topper thanked Mr. McRae for his service as Chair for the past two years.

ADJOURNMENT

There being no further comments, Chair Topper adjourned the meeting at 10:43 p.m.

Respectfully submitted,

Steven Schwartz
Planning Commission Secretary

cem