

**MINUTES  
CITY OF FARMINGTON HILLS  
PLANNING COMMISSION PUBLIC HEARING / REGULAR MEETING  
FARMINGTON HILLS CITY HALL – COUNCIL CHAMBERS  
October 15, 2015, 7:30 P.M.**

Chair Topper called the Planning Commission meeting to order at 7:30 p.m. on October 15, 2015.

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

Commissioners Absent: Mantey

Others Present: Staff Planner Stec, Staff Engineers Darnall and Nelson, City Attorney Schultz, Planning Consultant Arroyo

**APPROVAL OF AGENDA**

Chair Topper said that Case D had been withdrawn at the request of the applicant.

**MOTION by McRae, support by Orr, to approve the agenda as amended, with Case D withdrawn.**

**Motion carried 8-0 (Mantey absent).**

**PUBLIC HEARING**

**A. CLUSTER SITE PLAN 69-8-2015**

LOCATION: East side of Orchard Lake Rd and south of Springland St.  
PARCEL I.D.: 22-23-14-302-001, 002, 003 & 004  
PROPOSAL: Eight (8) one-family units in a RA-2, One-Family Residential District  
ACTION REQUESTED: Recommendation to City Council  
APPLICANT: Ben Lockhart of S & L Associates Inc.  
OWNER: S & L Associates Inc.

Damon Thomas, Centric Design Studio, 440 Burroughs Street, Detroit MI 48202, was present on behalf of this application. Ben Lockhart of S & L Associates, 28300 10 Mile Road, Southfield MI was also present.

Utilizing overhead slides, Mr. Thomas explained that this proposed cluster option was on Orchard Lake Road south of Springland, on the east side. The existing parcels were going to be combined and used for residential structures. These would be single-family homes. In initial planning reviews with the City it was apparent that it was most feasible to move to a cluster option. These would be duplex structures comprised of four similar units: A, B, C and D. Unit C, which was to the south, was just like unit B except it had a walk-out basement. This was the only unit that would have a basement, due to the steep slope at the back of the unit. The rest of the units would be on slabs.

Mr. Thomas pointed out the access drive that allowed the units to be utilized by the tenants. These were two-bedroom, two full-bath one story homes. Materials would be 75-80% brick all the way around the structures. The rest would probably be a mixture of vinyl siding and decorative stone. The elevations shown were preliminary, to give an idea to the City and owner as to how the final structures might look, but the elevations did not represent the finished product.

Mr. Thomas showed a rendering of the rear of the structures, emphasizing that Unit C was not a two-story home, but rather it had a walkout basement with a deck on the first story above. All the rest of the units would have a

deck as well. Unit D was a little more unique. He had not had elevations to submit regarding Unit D prior to the meeting, as they were working on site plan and setback issues. He did have updated elevations now and distributed those to the Commission. Unit D would be smaller and there would be a deck off the side of the home.

Staff Planner Stec explained that the appearance of the homes was not under consideration this evening; rather the Commission was looking at site layout.

Utilizing overhead slides and referring to the ClearZoning review letter dated October 7, 2015, Planning Consultant Arroyo gave the consultant's review of this project. The primary reason for looking at the most recent elevations and plans was to inform the Commission on their decision that the use of the cluster option provided appropriate buffering to neighboring residential homes.

Outstanding items included some items that should be cleaned up on the plan as noted on paragraph 2 (page 1) of the review letter; these issues were mainly addressed with the information provided this evening.

Regarding the tree survey, Planning Consultant Arroyo noted that the majority of the trees were in the low water area, and the majority of the screening trees shown at the back of the property were actually on adjacent properties. The issues called out in the review letter had also been addressed with the information provided this evening.

A landscape plan had been provided as requested. However, the site plan associated with the landscape plan had not been updated. Planning Consultant Arroyo noted that the applicant had only had a few days to submit new information after the last meeting. While this was not a major concern for the Commission this evening, it should be addressed as a supplemental submittal prior to the application going to Council, should the Commission choose to move it forward. Corner clearances should be shown on the landscape plan.

Planning Consultant Arroyo said that this plan was within the permitted density and was located within Special Residential Planning Area #12, designated in the 1996 Master Plan for the cluster option. The site had been previously qualified for the cluster option in 1986. The applicants were here with their site plan attempting to demonstrate compliance with the ordinance.

Planning Consultant Arroyo explained process, saying that after tonight's public hearing and – if applicable – a recommendation to City Council, the Council had the final determination on approval of a cluster option for a residential plan.

Planning Consultant Arroyo said the applicants had provided floor plans and they did appear to be in compliance with the common party wall requirements that were part of the cluster option, along with providing for appropriate drive areas. The spacing between buildings had been corrected from the plan seen by the Commission on September 17 and now met ordinance requirements. The applicant was proposing a private road with one access to Orchard Lake Road and one access to Springland. The eight residential units would be a low traffic generator. There appeared to be no issue with height requirements; however this needed to be verified. The plan also appeared to meet open space requirements but this also needed to be documented on the plans.

Planning Consultant Arroyo addressed the requirement for orderly transition from this site to the adjacent single-family homes. According to ordinance, the Planning Commission should determine whether the abutting one-family district was effectively buffered by one of 7 criteria listed in the ordinance. The plan appeared to meet 5 of these criteria as follows:

34-3.17.E:

- iii. Open or recreation space;
- iv. Changes in topography which provide an effective buffer;
- v. A major or secondary thoroughfare;
- vi. Some other similar means of providing a transition;
- vii. In those instances where the parcel has been qualified for the cluster option under subparagraph 34-3.17.2.B.i. or where the adjoining land may be used for purposes other than detached one-family dwellings, the planning commission may approve a plan in which the units are attached if the parcel is too small to provide the transition and the greatest setback possible is provided.

Planning Consultant Arroyo said the Planning Commission should determine whether the one-family district to the east was sufficiently buffered from the proposed cluster development. Most of the vegetation to the east appeared to be on the adjacent properties. If this caused concern one option might be to have some additional trees in the rear of this parcel to supplement what was currently existing off-site along the rear property line.

Commissioner Orr said the plan appeared to show a relocation of the telephone poles into the trees that they were trying to conserve at the rear property line. Was it possible to move the utilities underground or further forward from the rear property line?

Planning Consultant Arroyo said this would come under the purview of working with DTE in order to get the poles appropriately located. Whether or not the lines could be moved underground would be a question to ask the applicant. Any trees removed would need a tree removal permit.

Commissioner Rae-O'Donnell asked if Planning Consultant Arroyo could make any recommendations regarding adding additional buffering to the east, and could buffering requirements be approved administratively?

Planning Consultant Arroyo said he thought additional plantings could be approved administratively. There was a reasonably significant buffer to the east. He would recommend supplemental plantings so that if something were to happen off-site that removed the existing buffer, other screening would be in place so that the parcel was not dependent upon 100% off-site screening. This could be incorporated into the landscape plan, as well as resolving the utility pole issue.

Commissioner Blizman confirmed with Planning Consultant Arroyo that the only issue with height (Paragraph 10, page 3) was that this needed to be included appropriately on the elevations documents.

Chair Topper opened the Public Hearing.

Jim Downing, Springland Street, referred to Site Utility Plan CO3. He was concerned about water retention and drainage for this project. Was most of the storm sewer water going into the pond area or was it heading to the street and ditch? Staff Engineer Darnall said the storm water would be directed to underground retention under the parking lot.

In response to a question from Chair Topper, Mr. Downing said the water had traditionally drained to a pond/wetlands area. If the area was going to stay wet, some of the water would need to go there. His greater concern was that the storm water not be directed to the Springland Street ditch that ended up between his and his neighbor's property. Mr. Downing confirmed with Staff Engineer Darnall that the storm water was going to a retention area and not the Springland ditch.

Mr. Downing asked about the landscaping between this development and the properties on Springland. Would a berm be required as part of the landscape buffer? Chair Topper indicated that this question would be answered after public comment ended.

Emilie King said that she was on the corner of Orchard Lake and Springland Roads, directly across the street from this development. She was concerned with the location off of Springland, which appeared to be directly opposite her driveway. Staff Planner Stec confirmed that the plan showed the access drive utilizing an existing curb cut, which was opposite her driveway. Ms. King said she saw this as a problem, as it was already difficult to back out of her driveway due to the traffic on Springland.

John Barkach, Springland, said he wanted to echo the comments regarding the access road on Springland. He was concerned because the homeowners there had just paid to have the roads re-done. He was also concerned about drainage issues. They would like to keep the wet area as it had always been. He would also like to see a berm to block the view from Springland. Also, had there been a wetland survey? During construction, could construction trucks be prohibited from using Springland? There were other developments on Orchard Lake Road where either one or two entrances were off of Orchard Lake Road. Could this development contain its access to Orchard Lake Road and avoid the entrance to Springland?

Eileen Hugelier, Springland, asked if landscaping was required between the buildings, where a 20-foot space was required. She was concerned that weeds would grow between the buildings.

Mr. Barkach asked if the units were rental or for sale.

Seeing that there was no further comment, Chair Topper closed the public hearing.

In response to an earlier question from Commissioner Orr, Planning Consultant Arroyo said that if the City Council approved this cluster option, they would also approve the site plan. However, the landscape plan would return to the Planning Commission for additional review prior to action. The utility placement could be reviewed as part of landscape plan approval. City Attorney Schultz suggested including this requirement in any approving motion.

Mr. Thomas said that some units would be for rent and some for sale. In response to a further question from Chair Topper, Mr. Thomas said the ratio would be about 50/50.

Commissioner McRae initiated a discussion regarding the access drives. He referred to the Engineering Memo dated August 24, 2015, which stated that acceleration and deceleration tapers would be necessary for the Orchard Lake curb cut. Additionally, Engineering would like the Orchard Lake curb cut moved south.

Mr. Thomas said they could move it a little south. However, this was actually an Oakland County road, and the County's recommendation was to move the access north.

Commissioner McRae pointed out that there was a note on the plan that said the Orchard Lake Road access was for emergency access only. Mr. Thomas said that originally, when they had first brought the plans to the City, they had wanted only one access to the development and that would have been off of Springland. However the Fire Department said their fire trucks did not have enough room to turn around so they recommended another curb cut, off of Orchard Lake Road. The applicants thought the Springland entrance would be the primary entrance.

Commissioner McRae said he would prefer both accesses be off Orchard Lake Road and no access off of Springland. Mr. Thomas said this was a possibility. Commissioner McRae would like to see a traffic study regarding this and would hope for two accesses off Orchard Lake Road.

Commissioner Blizman wondered if Oakland County would allow two curb cuts on Orchard Lake Road. Mr. Thomas said they had not that conversation with the County. The current plans came about through conversations with the City. Commissioner Blizman said that he would like to have both curb cuts on Orchard Lake and no access on Springland, unless a Springland access was needed for emergency vehicles.

Staff Engineer Darnall said that the curb cuts on Orchard Lake Road would be up to the County.

In response to a question from Commissioner Schwartz, Staff Engineer Darnall said the Fire Department was requiring two entrances.

In response to a question from Commissioner Schwartz, City Attorney Schultz said neither the Planning Department nor City Council could require that the proposed units be owner-occupied.

Commissioner Orr addressed the question raised regarding requiring a berm between unit D and Springland. He pointed out that a berm would trap water. Additionally there was only space for a 2.5-foot tall berm, which would not be tall enough to make a significant difference. He was not opposed to a berm, but the residents should not think they could get a tall berm that would obscure the view.

Mr. Thomas said they had no plans for a berm; they would depend on the expertise of their landscape architect to landscape that area with trees, shrubs, etc.

Regarding curb cuts on Orchard Lake Road, Commissioner Stimson pointed out that the land could be developed as four separate residential parcels, and each one would then have a separate curb cut.

Commissioner Rae-O'Donnell reviewed the curb cut situation, saying the City had no control over the curb cuts on Orchard Lake Road. There was an existing curb cut on Springland; this was a City road.

In response to a question from Commissioner Orr, Mr. Thomas said that utility placement as shown on the plan reflected preliminary conversations with DTE. He thought placing the utility lines in the ground would be a good solution but this resolution would also depend on DTE.

Chair Topper asked the applicant to address retention issues.

Michael E. Lowicki, Alfred Benesh & Company, 615 Griswold Street, Suite 600, Detroit MI said that he was the engineer for this project. He said that per ordinance they were required to design detention for a "10 year event." They would initially retain water on site and then it would trick to the wetland as it had always done. This would all be shown in the final engineering design.

In response to Chair Topper, Mr. Lowicki said they were not planning on touching the wetland area.

In response to a question from the audience regarding the retaining wall, Mr. Lowicki explained the requirements for a retaining wall in the plan as presented, providing a maximum permitted slope for residents' access. The retaining wall would help protect the pond.

Commissioner Blizman asked Mr. Lowicki to address the curb cut issue as discussed this evening. Mr. Lowicki said the original plan as submitted showed one entrance off of Springland. While going through the review process, the only department that responded to the curb cut situation was the Fire Department, who needed emergency access off of Orchard Lake Road because there was no turn around for emergency vehicles. In preliminary talks with Engineer Manager Cubera they had planned for the Orchard Lake access to be only for emergency vehicles. He understood that during tonight's conversation things had taken a different direction.

Commissioner Blizman supported two curb cuts on Orchard Lake Road, thus avoiding congested traffic on Springland right at the intersection.

Commissioner McRae asked if the sizing of the underground retention area was to be able to capture the amount of water that would fall on the new hardscape and building areas.

Mr. Lowicki said the sizing was for building, paved area, and soft area. The water would be collected by catch basins, and eventually drain through the retention pipes: gravity in and gravity out. It would trickle out to the pond area. Once the pipes filled up they would take a couple of days to drain. Mr. Lowicki said that he and Mr. Thomas had met with Engineer Manager Cubera who felt they were on the right track. Final details were yet to come.

In response to a question from Commissioner Rae-O'Donnell, Mr. Thomas said that the two curb cuts on Orchard Lake Road had not yet been discussed with the County. Tonight was the first time the issue had been raised.

Chair Topper asked about construction traffic on Springland. Mr. Lowicki said that they were planning on using the Springland access to get construction traffic in and off the site. If they had an access point on Springland, that is how it would be used.

In response to a question from Chair Topper, City Attorney Schultz said the Planning Commission could require construction traffic use Orchard Lake Road, after first getting approval for that from the Engineering Department. Commissioner McRae said it might not be physically possible to use Orchard Lake Road until the grading allowed this.

Commissioner Orr indicated he was ready to make a motion.

**MOTION by Orr, support by Fleischhacker, that the Planning Commission recommend to the City Council that Cluster Site Plan No. 69-8-2015, dated September 21, 2015, submitted by Ben Lockhart of S & L Associates, be approved for the following reasons:**

- 1. The plan conforms to the objectives of the One-Family Cluster Option section of the Zoning Chapter.**
- 2. The plan provides a sound relationship to adjoining properties that will not interfere with the policies of the Master Plan.**

**With the following conditions:**

- 1. A revised landscape plan be submitted for Planning Commission review showing how the relocation of the power lines along the rear property line and the impact that the lines will have on the existing tree buffer is reconciled.**
- 2. The Springland ingress/egress point be relocated to Orchard Lake Road. If Oakland County Road Commission does not approve the second curb cut, then the Springland cut is identified as the emergency fire truck access point and the Orchard Lake entrance is the primary ingress/egress point.**

3. **The site plan is revised to address the items identified in the 10/7/15 ClearZoning review report.**
4. **A traffic impact study is submitted and reviewed by the Engineering Division prior to the plans going before City Council, and that the traffic study assess the potential to prohibit construction traffic on Springland as well as having both curb cuts on Orchard Lake Road, thus eliminating the Springland access.**
5. **All entranceway structure signs are to be reviewed under separate permit process.**

**Regarding condition 1, the motion acknowledges that the applicant has agreed to consider underground power lines.**

Discussion was held regarding requiring construction traffic to be required to be off Orchard Lake Road. Some Commissioners felt that this determination should be left to City Council after they received the traffic impact study, as the traffic impact study would help determine whether two curb cuts could be placed on Orchard Lake Road.

Commissioner Fleischhacker disagreed, as he felt the motion should include a condition to prohibit construction traffic on Springland.

City Attorney Schultz said it was problematic to prohibit construction traffic on Springland prior to having the traffic impact study completed and getting a recommendation from the Engineering Department.

Commissioner Fleischhacker said that while he agreed with City Attorney Schultz' comments, he felt that the applicant should come back to the Planning Commission with more information regarding the curb cuts, traffic study and conversation with Oakland County Road Commission before the Planning Commission should move this forward with a recommendation to City Council. He felt that this was becoming a de facto policy for the Commission to move things forward too quickly without having seen all necessary components of a plan, and thus leaving too much for administrative approval.

Chair Topper recognized Mr. Thomas, who said that one issue with the County was that there were turn-arounds on Orchard Lake Road very close to this development.

Commissioner McRae reminded Mr. Thomas and the Commission that had four separate parcels been developed, there would be four curb cuts on Orchard Lake Road.

In response to a question from Chair Topper, City Attorney Schultz said that the Engineering Division would address the recent road improvements on Springland as that pertained to this development.

Chair Topper called the motion.

**Motion carried 7-1 (Fleischhacker opposed; Mantey absent.)**

## **REGULAR MEETING**

### **A. HISTORIC DISTRICT #603**

LOCATION:	26291 Pillsbury
PARCEL I.D.:	22-23-15-351-020
PROPOSAL:	Ordinance amendment to Chapter 15, Article II, to include the home at 26291 Pillsbury as Historic District #603, The Carl Licht House

**ACTION REQUESTED:** Review and recommendation of approval to City Council  
**APPLICANT:** William R. Nichols  
**OWNER:** William R. Nichols

Staff Planner Stec gave the background for this agenda item. He explained that this request was coming through the Historic District Commission as well as the Historic District Study Committee. Periodically the HDC did community surveys to try and identify homes as potentially historic. The last time the HDC had been before the Planning Commission, in 2013, they had mentioned they wanted to focus on Mid Century Modern architecture, as many of these homes were just moving into qualification by being over 50 years old. They identified 13 homes and reached out to the owners of those homes to see if there was interest in being placed in the Historic District. Tonight's application was a result of that activity.

Staff Planner Stec explained the process of designating a home Historic, including the efforts of the local Study Committee, who would research the unique aspects of the home and its historic characteristics. The Study Committee would then send the home to the Planning Commission for review and recommendation to City Council, and also to several bodies of SHPO (State Historic Preservation Office).

Kenneth Klemmer, member of the Historic District Commission and the Historic District Study Committee, and William Nichols, owner and resident for 18 years of 26291 Pillsbury, were present this evening.

Mr. Nichols said that they had purchased the home based to a large degree on the architecture of the home and they were maintaining its historic aspect.

Commissioner Rae-O'Donnell asked about the benefits to the homeowner for receiving historic district designation. Staff Planner Stec said the homeowners were passionate about their home, and by taking this step, the homeowners were ensuring that the historic nature of the home would be preserved. In historic districts, homeowners were stewards as well as owners of their homes.

**MOTION by Blizman, support by McRae, that the Planning Commission recommend approval to City Council of an amendment to the City Code of Farmington Hills, Chapter 15, Historical Preservation, Article II, Historic Districts and Historic District Commission, Section 15-29, to include Historic District #603, the Carl Licht House. It is the determination of the Planning Commission that, based on the information provided in the preliminary Historic District Study Committee report, the home located at 26291 Pillsbury, Farmington Hills, MI 48334, represents a significant historic resource.**

Commissioner Schwartz wondered whether 50 years was a reasonable period of time for a home to be designated historic, as many homes in the City were from around this time period.

Mr. Klemmer, Bond Boulevard, explained that this was a unique home with a beautiful siting and unique structural characteristics. Jack Weston Yops, architect, had designed primarily ecclesiastical structures. The house being discussed tonight used products from the steel industry including steel re-enforced floors, pre cast concrete, etc.

In response to a question from Commissioner Orr, Mr. Klemmer said that generally speaking the interior was not part of the Historic Commission process. In this case much of the original interior had been preserved but the historic district designation was based on the home's exterior.

**Motion carried 7-1 (Schwartz opposed; Mantey absent.)**

**B. LOT SPLIT 3, 2015 (Final)**

LOCATION: 37655 Interchange Dr.  
PARCEL I.D.: 22-23-19-252-020  
PROPOSAL: Split existing parcel into two (2) parcels in IRO,  
Industrial Research Office District  
ACTION REQUESTED: Final Land Division approval  
APPLICANT: S. Frankel of K-F Land Co., LLC  
OWNER: K-F Land Co., LLC

Utilizing overhead slides and referring to the ClearZoning review letter dated August 13, 2015 as well as a memo to the Commission from Staff Planner Stec dated October 14, 2015, Planning Consultant Arroyo gave the background for this application. He explained that this matter had been denied by the Planning Commission on August 27, 2015, because proposed Parcel A would not meet setback requirements. On October 13, 2015 the Zoning Board of Appeals granted the variances that would make this lot split possible. The application before the Commission assumed that the variances would be granted. Essentially this was the same application that the Commission had seen on August 27, 2015.

Parking easements were in order, and parking issues as well as other issues in the August 13, 2015 letter had been addressed.

Stuart Frankel, 1334 Maplelawn, Troy, MI. said that they had addressed the concerns from the August 27 meeting as well as concerns noted in the August 13 review letter. The new owner was excited about moving to Farmington Hills and would be bringing 20-25 employees to this location.

**MOTION by Fleischhacker, support by Stimson, that Final Lot Split No. 3, 2015, submitted by S. Frankel of K & F Land Co., LLC be approved because it appears to meet applicable provision of the Zoning Chapter and of Chapter 27, Subdivision of Land, of the City Code and will result in land parcels which are generally compatible with surrounding lots in the area; and that the City Assessor be so notified. The motion specifically calls out the last condition to the ZBA variance granted October 13, 2015: *If the footprint of the building is modified, the variances will be voided.***

**Motion carried 8-0 (Mantey absent).**

**C. LOT SPLIT 4, 2015 (Preliminary)**

LOCATION: East side of Yonge St., south of Eleven Mile Rd.  
PARCEL I.D.: 22-23-23-127-004  
PROPOSAL: Split one (1) existing parcel into four (4) parcels in RA-1,  
One-Family Residential District  
ACTION REQUESTED: Preliminary Land Division approval  
APPLICANT: Salvatore Pellerito  
OWNER: Salvatore Pellerito

Utilizing overhead slides and referring to the ClearZoning review letter of October 7, 2015, Planning Consultant Arroyo gave the background for this application, describing the location of the property and the surrounding area. The property contained roughly 3.6 acres, currently undeveloped. The Master Plan designated the property as single family. This area was encouraged to follow the density of 1.8 units to 3.1 units per acre. The proposed land divisions would result in a density of approximately 1.1 units per acre.

Planning Consultant Arroyo noted that access was on a private, unpaved street. Requirements for the division of land were that every parcel should abut a public street. In 2002 the City received an application for a similar lot split on this same site and a variance was granted by the Zoning Board of Appeals on April 9, 2002. The ZBA approved the lot split with the following conditions:

1. That the property comply with the Fire, Engineering, Building, and Police Department requirements; obtain necessary approvals from the Planning Commission; obtain approvals of City Council, provided that the number of lots not be greater than the lots proposed (four), and to meet any conditions the Planning Commission or City Council may impose
2. If the request is granted and the matter goes before the Planning Commission, that the proponent/owner maintain a good rapport with existing neighbors and keep area residents informed of development
3. Evidence provided by public comment at the night's meeting be given to the Engineering Department for information.
4. If the ZBA granted approval for the lot split on a private road in past for the same number of lots on the same site, the Planning Commission should take this into consideration in a possible exemption of the public street provision.

Planning Consultant Arroyo explained that the Engineering Division would prefer that the gravel road itself be widened to 20-22 feet in order to provide for two-way access. The Engineering Division had also included comments regarding public sewer extension, easements, etc. in a memo dated September 24, 2015.

Minimum lot size and width requirements were met, and seemed to be compatible with other parcels in the District. There were specific requirements in the Subdivision of Land Ordinance regarding compatibility (page 3 of the review letter). While the applicant needed to address these requirements it did appear that compatibility requirements were met. Outstanding issues mainly related to Engineering Division concerns. Additionally there was a concern that there was no emergency vehicle turnaround on this street.

Commissioner Stimson asked if the Engineering Division was asking to have the road widened to the southern end of the road or just to the southernmost lot of this proposed land division. Staff Engineer thought that they were only asking for the widening to the end of the lot split. Again there needed to be a turnaround at some point for emergency vehicles.

In respond to a question from Commissioner Rae-O'Donnell, City Attorney said that he believed the original variances were still in place, though he had not taken a look at that specifically.

Commissioner Schwartz addressed the issue of the private street. All the issues about the road and the inability to turn a fire truck around would exist whether or not the lot split was approved.

Staff Engineer Darnell said that there would be increased traffic. In terms of emergency vehicle access, that would be for the Fire Department to address.

Commissioner Orr asked about the surrounding properties that were evaluated for the compatibility standard. Planning Consultant Arroyo directed his attention to page 5 of the review letter, which showed a map of the included parcels, including some in the closest subdivision.

Commissioner McRae noted that the earlier ZBA variance required that the applicant comply with Engineering, Fire and Police Department standards. The Planning Commission could not circumvent that.

City Attorney Schultz explained that the Planning Commission was approving a lot split. Engineering issues were not a part of Planning Commission approval.

Commissioner Schwartz said it was not the lot split that created the private road or turnaround issues. Those issues already existed. If the lot split were denied, those issues would still exist. He did not think splitting the lots would make that much difference on the private road.

Commissioner Fleischhacker referred to the review letter from the Fire Marshal dated October 7, 2015 which stated that the Fire Department had no objection to approval of this lot split.

Tom Kellogg, Lehner Associates, 17001 Nineteen mile Road, Suite 3, Clinton Township, MI was present on behalf of this application. Salvatore Pellerito, owner, was also present.

The Commission had no questions for the applicant.

**MOTION by Fleischhacker, support by Blizman, that Preliminary Lot Split No. 4, 2015, submitted by Salvatore Pellerito, be approved because it appears to meet applicable provisions of the Zoning Chapter and of Chapter 27, Subdivision of Land, of the City Code and will result in land parcels which are generally compatible with surrounding lots in the area; and that the City Assessor be so notified.**

**Motion carried 8-0 (Mantey absent).**

**D. SITE AND LANDSCAPE PLAN 70-9-2015**

LOCATION: 29036 & 29024 Grand River Ave.  
PARCEL I.D.: 22-23-36-304-016 & 022  
PROPOSAL: Convenience store and gas station in a B-3, General Business District.  
ACTION REQUESTED: Approval of Site and Landscape Plan  
APPLICANT: Mohamed Nassar of MDN Real Estate Investment, LLC  
OWNER: MDN Real Estate Investment, LLC; Mohamed Nassar

This application was removed from the agenda at the request of the applicant.

**E. PUD QUALIFICATION 3, 2015**

LOCATION: 27400 Twelve Mile Rd.  
PARCEL I.D.: 22-23-12-476-008  
PROPOSAL: Planned Unit Development Qualification for assisted senior living in a RA-1B, One-Family Residential District  
ACTION REQUESTED: Approval of Plan Unit Development (PUD) Qualification  
APPLICANT: Sarah Fisher Holding, LLC  
OWNER: St. John Health, DBA St. John Providence Health Systems

Utilizing overhead slides and referring to the ClearZoning review letter of October 6, 2015, Planning Consultant Arroyo gave the background for this application, describing the location of the property and the surrounding area.

The property was zoned RA-1B, One Family Residential. The commission had been provided information regarding preserving the historic nature of the site. The applicant had been before the Historic District Commission and had received a Notification to Proceed. Some historic buildings would be preserved; others would be removed. Further review by the Historic District Commission was required to receive approval specific to retaining cottages #6 and #8.

The applicant was proposing to redevelop this site with both independent living and assisted living options. There would be 336 total units. 212 would be assisted living and 124 independent living residential units. The applicant was proposing a phased construction. The breakdown of this was provided on page 2 and 3 of the review letter.

The units that were closest to the abutting single-family residential neighborhood were one-story. Buildings went up to three stories as they got closer to Inkster Road, so there was a nice transition provided in that way, in terms of PUD qualification.

Specific findings that needed to be made regarding this qualification were listed on page 3 of the review letter. The Planning Commission should review the letter of qualification and determine if the proposal resulted in "an improvement to the public health, safety and welfare." Further, the Planning Commission might wish to discuss with the application community benefits associated with this project.

The applicant had indicated that there were considerable improvements to the infrastructure would be required to handle the anticipated load on the sanitary sewer. They proposed incorporating pervious pavements, rain gardens, bioswale(s) and drought tolerant landscaping in conjunction with a smart irrigation system. Details for these would be shown on later plans, as tonight's request was only for qualification approval.

Page 4 of the review letter noted that the Planned Unit Development must meet, at a minimum, one of 7 objectives. Those were listed, along with a note that the Planning Commission should discuss traffic and infrastructure impacts with the Engineering Division. In addition, the applicant should be prepared to discuss the provision of public improvements with the Planning Commission.

The proposed drives on Inkster did not appear to align as well as they could with driveways on the opposite side of Inkster. This should be reviewed at final determination, including possibly limiting curb cuts on Inkster. There was potential to provide access from a side street. These issues were raised by the Engineering Division and could be resolved as the plan moved through the P.U.D. process.

The Master Plan identified this property as a Special Planning Area. Pages 5 and 6 of the review letter quoted the Master Plan for the area, including goals and policies. The plan presented this evening did seem to do a good job of meeting Master Plan concerns, including preserving some of the historic buildings, protecting drainage, etc. The plan was attempting to be sensitive to the site design as well as recognizing there was a need for more work as they went through the process.

The P.U.D. was not to be used solely as a means of increasing density or as a substitute for a variance request. The schematic plan presented did not provide sufficient detail to prepare a comprehensive list of deviations required to build the project as proposed. Still, due to the historic designation of the site, its previous use as a residential campus, and the mix of housing options being prepared, the planned unit development option did appear to be a reasonable option for consideration by the City.

Planning Consultant Arroyo concluded his review.

Staff Planner Stec said that the applicant had to receive a Notice to Proceed from the Historic District Commission. As a result of that process, the Historic District Commission had identified properties that they preferred to see preserved. However, the two properties identified to be preserved along Inkster Road were being changed to two properties more interior to the project. The applicant had been in close contact with Staff Planner Stec and the chair of the Historic District Commission. The HDC had notified Mr. Stec that there were

no preliminary objections to making the change. If the applicant was granted preliminary P.U.D. qualification, he would appear before the HDC again in November to get approval for the change. Again, preliminary communications indicated there was no objection to the change.

In response to a question from Commissioner Schwartz, Staff Planner Stec said the property had been vacant at least 10 years.

In response to a question from Commissioner Blizman, Planning Consultant Arroyo said that after P.U.D. qualification, the applicant would have to submit for final P.U.D. determination as well as site plan approval. A public hearing would be held at that time, and the applicant would come before the Planning Commission as well as City Council.

Jim Pappas, Fusco, Schaffer & Pappas Architects, 550 E. Nine Mile Road, Ferndale MI, was present on behalf of this application. He explained that this was a 31-acre site, with 6 points of access currently. They were proposing to preserve the main building as well as two cottages as part of the historical process. There would be a ring road through the property to provide for easy access in and out. They had reduced the number of curb cuts to three. Their engineer was working with the Engineering Division regarding the location of the access drives and they were working to get better alignment along Inkster Road.

Phase 1 of the project would include independent living units and a portion of the assisted living units as well. What they were calling Brownstones at the corner of 12 and Inkster would be even more independent. 178 units would be completed as part of Phase 1.

Mr. Pappas addressed the community benefit to this proposal. Studies showed that the majority of residents in the proposed community would come from a 5-mile radius. Additionally this would be a redevelopment of a vacant property, saving portions of it and developing the remainder of the parcel. The original buildings were built around 1929. They were saving the main building where the chapel was located, as well as two of the cottages. This was based on discussions the developer had with the Historic District Commission; they were saving what they thought were some of the most decorative buildings on the site.

As he had mentioned, they were six access points. They were working with Engineering to get those reduced to three access points. Additional improvements (noted in the letter in the Commissioners' packets dated September 18, 2015 to Planning Director Gardiner) included:

- Preservation of historic buildings
- Improvements to vehicle and pedestrian circulation on the site
- Improvements on Inkster Road
- Improvements to the infrastructure including the sanitary system and water lines
- Storm water management improvements including detention, rain gardens and bioswales and other features on the site
- There was a possibility of expanding the existing pond that was serving the abutting single-family homes.
- Leave some areas undisturbed as a natural setting along with additional landscaping

Mr. Pappas said that this was a very conceptual plan. They had just begun working with City departments. He asked for approval of this first step.

Commissioner McRae said that he was encouraged there was activity on this long-dormant property. He asked about the repurposing of the main administration building. Would there be offices in that building? How would the historic cottages be used?

Mr. Pappas said the administration building and the cottages would all be used for some office but also common areas. They were looking at using one of the cottages for resident therapy. The second cottage could be a common activity area. The original central building had a lovely chapel – they would save that in its existing condition. They would be constructing a new dining space and kitchen that would serve the campus. The existing spaces would be repurposed for commons areas rather than dwelling units.

Mr. Pappas spoke to the challenge of developing this plan while preserving historic buildings on this unique site.

Commissioner McRae asked about the 8 senior villas off of 12 Mile Road. Essentially these would be 8 duplex buildings with a single access on 12 Mile Road without a turnaround for the Fire Department. Mr. Pappas said they were still working the Fire Department. Regarding connecting those units with the rest of the development, Mr. Pappas said they would have to work with the MDEQ regarding that; it might not be possible to construct a connecting walkway.

Commissioner Blizman asked if ownership was changing for this project. Mr. Pappas said the ownership was changing.

**MOTION by McRae, support by Fleischhacker, that the Planning Commission make a preliminary finding that P.U.D. No. 3, 2015 submitted by Sarah Fisher Holding, LLC, qualifies for the Planned Unit Development Option under Section 34-3.20.2.A thru E. It is further determined that the proposal meets at least one of the objectives as outlined in Section 34-3.20.2.E.i through viii, specifically i., iii., v., and vi., and that it be made clear to the petitioner that final granting of the P.U.D. Plan and Contract requires approval by the City Council, after recommendation by the Planning Commission.**

Chair Topper recognized audience member Jeff Dawkins, while also noting that a public hearing would be scheduled for this project later in the process.

Jeff Dawkins, Broadmoor Court, which was part of the adjacent subdivision, said that they wanted to make sure the privacy and integrity of their neighborhood was protected. They would love to see all the trees remain that divided the two properties. They also wanted to make sure that Cheswick, the street that led into the subdivision, remained intact. They wanted a separation of their residential neighborhood from this new development.

Commissioner Fleischhacker explained that the P.U.D. process allowed the City to offer special protections. A regular development only had to meet ordinance requirements, with no special protections.

Mr. Dawkins said he was in general support of the plan as presented.

Chair Topper recognized Scott Griffin, who lived in the first house off the development on Cheswick in the Hickory Oaks subdivision. He said the developer had been very proactive in dealing with the adjacent neighbors and had shared information regarding the development. They were in favor of the development as proposed as well as this particular developer. One concern was parking, which the developer had addressed so far. Their only other concern was that the traffic engineer was recommending access off Cheswick Drive. He felt that the homeowners would be passionately opposed to such an access.

Chair Topper recognized Tom Morris, Weymouth Drive, Woodcreek Subdivision. Mr. Morris said the topic they'd been discussing in Woodcreek was the four buildings off 12 Mile Road that would be close to the Woodcreek subdivision. These buildings seemed like an island apart from the general development, and they felt compatibility with RA-1A zoning should be assessed.

Chair Topper acknowledged the comments, and encouraged continued communication and also encouraged the public to follow the city's website for upcoming meetings on this issue.

Chair Topper called the motion.

**Motion carried 8-0 (Mantey absent).**

**APPROVAL OF MINUTES                      August 6, 2015 and September 17, 2015**

**MOTION by Orr, support by Schwartz, to approve the minutes of August 6, 2015 and September 17, 2015 as published.**

**Motion carried 8-0 (Mantey absent).**

**PUBLIC COMMENT:** None.

**COMMISSIONER'S COMMENTS**

Commissioner Orr asked about progress toward resolving the issue of cross access and illegal parking by Enterprise Car Rental at Drake and Grand River. Was it possible to require the completion of cross access agreements?

City Attorney Schultz said he would research this matter.

Commissioner McRae asked about the new policy of actively going into subdivisions to make assessments for street improvements based on the road conditions.

Staff Planner Stec said this new policy was put into effect in August and took into consideration several factors including road quality, complaints, etc. Based on this Council could move forward with assessments for road improvements without waiting for action by the residents. There would be a public hearing before anything moved forward in a neighborhood.

Commissioner McRae mentioned the staging area at 13 Mile Road and Middlebelt for improvements in the area. He wondered if a sidewalk was going to be installed there. Staff Engineer Darnall said that as a result of this project a landing floor would be constructed that would allow for the possible future construction of a sidewalk.

Commissioner McRae asked about future work on 1-275. Staff Planner Stec said this would be accomplished in 2016 by re-milling the top layer.

Commissioner McRae asked that the trend on retail buildings to have LED lights completely surrounding windows be addressed at a future study session.

Commissioner Blizman addressed the signs in front of the International School on Middlebelt, which represented a public charter school, but which were unsightly.

Commissioner Blizman asked that landscaping at both gas stations at 10 Mile Road and Middlebelt be assessed for site plan and ordinance conformance.

The Commission held a general discussion regarding the new roundabout at 14 Mile and Northwestern, which seemed to be working well.

Future Planning Commission meetings were scheduled for November 12 (study session), November 19 and December 17.

**ADJOURNMENT**

Seeing that there was no further discussion, Chair Topper adjourned the meeting at 9:40 p.m.

Respectfully submitted,

Steven Schwartz  
Planning Commission Secretary

/cem