

**MINUTES  
CITY OF FARMINGTON HILLS  
PLANNING COMMISSION MEETING  
31555 W ELEVEN MILE ROAD  
FARMINGTON HILLS, MICHIGAN  
October 26, 2023, 7:30 P.M.**

**CALL MEETING TO ORDER**

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

**ROLL CALL**

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

Commissioners Absent:           None

Others Present:                   City Planner Perdonik, City Attorney Schultz, Planning Consultant Bahm

**APPROVAL OF THE AGENDA**

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

**Motion passed unanimously by voice vote.**

**PUBLIC HEARING**

**A. SITE PLAN 52-4-2023**

LOCATION:                           30691 Grand River Avenue  
PARCEL I.D.:                       22-23-35-105-017  
PROPOSAL:                         Construction of cellular tower in B-3, General Business zoning district  
ACTION REQUESTED:           Recommendation to City Council  
APPLICANT:                       Atlas Tower Group, Bill Williams, Territory Manager  
OWNER:                             Motel Rainbow

**Applicant presentation**

Bill Williams, Atlas Tower Group, Boulder CO, was present on behalf of this application to construct a cellular tower in a B-3 General Business zoning district.

The tower will be located at 30691 Grand River Avenue, with T Mobile as the primary anchor tenant. The tower will replace the T Mobile tower currently located on the smokestack at the Farmington Junction building.

In response to questions, Mr. Williams provided the following information:

- As the project moves forward, other providers will be encouraged to co-locate on this tower. AT&T has already expressed interest; this would be an important location for AT&T's First Responder system.
- The nearest tower to this location is over 2 miles away.

- Security will be provided by a 6-foot fence. Barbed wire was not allowed in the City. Atlas Tower Group has not had much malicious activity at their sites.
- The tower will be a monopole. The fall zone is no longer calculated because the pole is built to crumble.
- The tower will not need an FAA light. The access road off Freedom Road will not change. Atlas Tower will trim back the overgrowth near the tower.
- It came out in discussion that without a co-locator the tower could only be 100' tall. Mr. Williams said they would have a co-locator.

Planners review

Referencing the June 27, 2023 Giffels Webster memorandum, Planning Consultant Bahm gave the background and review for this application for a new, 120' cellular tower on the site of an existing motel. The installation will include a fenced, 50'x50' equipment enclosure. Cellular towers are a permitted use in the B-3 district, although they do require public hearings before both the Planning Commission and City Council.

There were no outstanding issues. A 120' tall pole must have up to 4 colocation opportunities.

Public Hearing

No public indicated they wished to speak.

Commission discussion and/or action

**MOTION by Brickner, support by Trafelet, that the Planning Commission recommend to City Council that Site Plan 54-2-2023, dated April 14, 2023, submitted by Atlas Tower Group, Bill Williams, Territory Manager, be approved, because it appears to meet all applicable requirements of the Zoning Chapter, with the following condition:**

- **This approval is for 100' for a sole location, or 120' feet for colocation(s).**

**Motion passed unanimously by voice vote.**

**REGULAR MEETING**

**A. PLANNED UNIT DEVELOPMENT 1, 2023**

**LOCATION:** 29905, 29915, and 29845 Thirteen Mile Road  
**PARCEL I.D.:** 22-23-11-201-004, 005, and 006  
**PROPOSAL:** Construction of multiple-family housing in RA-1, One Family Residential zoning district  
**ACTION REQUESTED:** Recommendation to City Council  
**APPLICANT:** Martin Manna  
**OWNER:** Chaldean Community Foundation

Planner's review

Referencing the July 31, 2023 Giffels Webster memorandum, and noting that the PUD request had been reviewed in a prior Planning Commission meeting, Planning Consultant Bahm gave a brief overview and review of this application for PUD approval.

This application was first heard by the Planning Commission June 15, 2023, when the Commission made a determination of preliminary qualification for a planned unit development. A public hearing was held on August 17, 2023 with continuing public discussion on September 21, 2023.

The proposal was for 100 multi-family units, including 60 one-bedroom and 40 two-bedroom units. The resulting density is consistent with the RC-3 district. The applicants were seeking 3 deviations from the zoning ordinance:

- a. Permit multi-family at RC-3 density.
- b. Permit reduction in parking from 200 spaces to 169 spaces.
- c. Permit additional building height of 30'5.5", vs. the 30' requirement.

#### Planning Commission deliberation

Chair Countegan advised that the Planning Commission held a public hearing in August, and took public comments and questions in September as well. The process had been fair and open. No further public comment would be taken this evening; this was the Planning Commission's opportunity to deliberate regarding this request.

Commissioner Brickner wondered if the buildings could be reduced to 2-stories, so that they would fit within the zoning ordinance requirements, and perhaps be more palatable to the neighbors.

Commissioner Mantey said that a PUD application must show a compelling reason to develop under the PUD option. He suggested that dedicating an 85' naturally preserved greenspace buffer between this development and the neighboring residential use would help provide that reason.

Commissioner Mantey said he had visited the site, and knew that if the property were developed under straight zoning, almost all the trees would be lost. Under a PUD requiring an 85' buffer, at least 50 of the trees could be saved.

Commissioner Stimson argued that this proposal was going against the Master Plan. By introducing an RC use in this location, the entire corridor would eventually be built under RC zoning. This is not what the Master Plan envisions. While Mr. Mantey's suggestion of an 85' buffer made more sense than what was being offered, the proposal was too dense for this location.

Chair Countegan summarized that the Planning Commission was in the process of reviewing the Master Plan; the Master Plan evolves and changes with time. The PUD process gives the most flexibility in terms of creative development and offering protections to neighbors. This project did carry with it the major issue of additional density.

Commissioner Stimson said that even with the Master Plan undergoing review, this area would never have been envisioned as RC-3 zoning if it were not for this project. If this project was not approved, the Planning Commission would not then seek to rezone the site to RC zoning.

Commissioner Trafelet agreed.

Commissioner Ware noted that the Commission had discussed this area as part of its Master Plan review. This area did need revitalization, but the Commission had not come up with a conclusion as to how that revitalization should take place.

Commissioner Grant agreed that this location was not appropriate for this type of development, although she strongly supported the idea of having affordable housing.

Commissioner Brickner supported this PUD proposal. There were multi-family developments on either end of this stretch of 13 Mile Road, with vacant homes in between that were basically “rotting on the spot.” He did not think constructing new single family homes on these lots was ever going to be a viable option, and most likely the entire area will end up being more dense than RA-1 zoning. The current Master Plan was over 10 years old, and any revision should reflect that single family housing in this area is not sustainable. He supported a larger buffer as suggested by Commissioner Mantey, but he did not support RA-1 zoning as the only option for the area.

In response to the public present at tonight’s meeting, and in response to comments from the Chair, City Attorney Schultz advised that the Commission must allow everyone to comment, or no one to comment. The Commission was not obligated to take public comment this evening.

Noting that extensive public comment had been heard at two Planning Commission meetings, Chair Countegan reiterated that no further public comment would be taken this evening.

Commissioner Brickner cautioned that this type of project requires funding sources that have stipulations and a time schedule. Perhaps the applicant would like to offer modifications to the plan this evening.

After Commission discussion, and with Commissioners noting the number of times this application had been before them, Chair Countegan said that tonight’s deliberation would be limited to the plan presented by the applicant. The developer could always come back with a new plan for consideration.

**MOTION by Stimson, support by Trafelet, that the Planning Commission recommend to City Council that PUD Plan 1, 2023, received June 19, 2023, submitted by Martin Manna, be denied, because:**

- 1. The proposed development does not meet the applicable regulations of Section 34-3.20.1, because:**
  - a. The development is not in accordance with the goals and objectives of the master plan for land use, which calls for single family use of the property.**
  - b. The significant increase in density does not further the objectives of the zoning ordinance or the master plan for land use and will not result in a development that promotes the public health, safety and welfare, given the adjacency to existing single family uses.**
  - c. The proposed development will not be compatible with and will materially adversely impact adjacent single family uses.**
- 2. The proposed development does not clearly meet any of the objectives of Section 34-3.20.E because a dense multiple-family use is not compatible with existing or planned uses in the area and does not serve as an appropriate transition buffer to the existing single-family residential areas. The applicant has not established that the redevelopment of the property with permitted uses cannot be accomplished.**

Motion discussion:

Commissioner Mantey thought that an 85’ transition landscape buffer such as he had suggested would justify a PUD development in this case. He would not support the motion as stated, but would also not support any motion recommending approval that did not include such a buffer.

Chair Countegan said that in his opinion, a realistic look at 13 Mile Road and specifically the lots being discussed this evening shows an evolution regarding the expectation of single family development there; it seemed unlikely that single family homes would be built. While it was true the Master Plan does not allow for anything except single family, the PUD was the correct tool for a compromise proposal, whether for tonight's application or for a future application. He would not support the motion, because he felt a future revision of the Master Plan will reflect the reality of what was occurring in this area. A PUD development could provide a rebirth of the area, while also providing a buffer to its residential neighbors. He looked forward to a development that will embrace some of the goals for the area.

**Motion to recommend denial passed 6-3 (Brickner, Countegan, Mantey opposed).**

City Planner Perdonik said the proposal and the Planning Commission's recommendation will go to City Council on November 27.

Michael Sarafa, Attorney to the Chaldean Community Foundation, said that tonight was their 5<sup>th</sup> appearance before the Planning Commission. They were open to modifying the plan and expressed frustration with the process.

City Attorney Schultz advised that correct process had been followed throughout all the meetings relative to this application. He would be happy to talk with the applicant regarding how they could present a different application to the Planning Commission.

**B. PLANNED UNIT DEVELOPMENT 2, 2023, INCLUDING SITE PLAN 67-9-2023**

**LOCATION:** 30825 and 31361 Orchard Lake Road  
**PARCEL I.D.:** 22-23-03-226-027 and 028  
**PROPOSAL:** Redevelopment of shopping center in B-2, Community Business zoning district  
**ACTION REQUESTED:** Set for public hearing  
**APPLICANT:** Timothy Collier  
**OWNER:** RPT Realty, L.P.

Planner's Review

Referencing the October 18, 2023 Giffels Webster memorandum, Planning Consultant Bahm gave the background and review for this request for a Planned Unit Development including site plan, for the redevelopment of the existing Hunters Square Shopping Center.

The applicants were seeking to reconfigure the site, including demolition of part of the shopping center and adding outlot buildings.

Requested relief from ordinance standards included:

- a. Setback relief for front setback (reduction from 75' to 58.49')
- b. Setback relief for rear setback (reduction from 75' to 69.34')
- c. Pedestrian connections between ROW and Principal Building for Outlot G
- d. Drive-in restaurant use (currently not permitted in B-2 Zoning District)
- e. Stacking/waiting lane for drive-in in front yard
- f. Excess lighting adjacent to residential
- g. Insufficient loading spaces

h. Dumpster enclosure located in front yard setback

A lot split request was also associated with this PUD request, and the lot split review was included in tonight's packet. The lot split could only be approved if exceptions from side setback requirements are granted by the Planning Commission as part of the PUD application review.

The purpose of the lot split is to allow consideration of a drive-in business as a part of the PUD request. There were deficiencies associated with the drive in as outlined on page 2 of the PUD review.

Applicant presentation

David Ortner, RPT Realty, was present on behalf of this request for PUD approval. Applicant engineer Rachel Smith, PEA Group, was also present, as was architect Mark Drane, Colliers. The team was available to answer questions.

Commission questions and discussion:

- Commissioner Trafelet hesitated to consider allowing a deviation for stacking at the drive through; this should be discussed further at the public hearing. He was also not comfortable with the dumpsters facing Orchard Lake Road.
- Commissioner Mantey said that he would be looking for more of an open space buffer around all front yard parking areas, as suggested in the planner's review. This was something that would affect the greater Farmington Hills community, and needed to be done right. He was also concerned about how the lighting would affect the neighboring properties.
- Commissioner Mantey emphasized that the Commission needed a reason to approve a PUD development. Significant community benefits should be offered, such as a covered bus stop.

City Planner Perdonik said that staff had suggested constructing a bus stop, only to discover that SMART was discontinuing the route to this location. Perhaps the requirement could be to construct a bus stop, should the bus route resume.

- The Commission expressed concern over the loss of Marvelous Marvin's, which is a unique historical destination in the City.

Mr. Ortner said they were open to discussing another location with the owners of Marvelous Marvin's.

- In response to questions, Mr. Ortner provided the following further information:
  - Everything from Marvelous Marvin's through what is currently Bed Bath and Beyond will be demolished.
  - They were actively negotiating with Meijer to put a "small Meijer" in this location.
  - The outbuildings will provide for a mix of tenants, including a drive through restaurant and soft goods retail.
  - The applicants were in active lease negotiations with tenants, contingent on approvals going through.
  - Retailers are adjusting to the current climate; brick and mortar retail stores are not going away.
  - The lot split will allow for flexibility of development. They were not planning on selling portions of the shopping center. In any event there will be cross access agreements so that the center will continue to function as a unified center as it does today.

After further discussion of the proposed changes to the shopping center, the following motion was offered:

**MOTION by Brickner, support by Aspinall, that Planned Unit Development 2, 2023, including Site Plan 67-9-2023, both dated September 15, 2023, submitted by Timothy Collier, be set for public hearing on November 16, 2023.**

**Motion passed unanimously by voice vote.**

**C. SITE PLAN 65-8-2023 (PLANNED UNIT DEVELOPMENT 3, 2021)**

**LOCATION:** 32680 Northwestern Highway  
**PARCEL I.D.:** 22-23-02-126-130  
**PROPOSAL:** Construction of multiple-family housing in B-2, Community Business, and B-3, General Business zoning districts  
**ACTION REQUESTED:** Approval of site plan  
**APPLICANT:** NWH Holdings, LLC (Robert Asmar)  
**OWNER:** NWH Holdings, LLC (Robert Asmar)

Planner's review

Referencing the September 14, 2023 Giffels Webster memorandum, Planning Consultant Bahm gave the background and review for this request for site plan approval of construction of multiple-family housing in B-2 Community Business and B-3 General Business zoning districts, at 32680 Northwestern Highway.

This site has an approved Planned Unit Development; the PUD Agreement was still in the draft phase. The proposed site plan is largely consistent with the approved PUD. Any site plan approved tonight will be subject to confirmation that it does match what is in the final PUD.

The proposed project is a 217-unit apartment building constructed around a courtyard commons. The ground floor of the building is indoor parking with living units on the floors above. There were four deviations that were approved through the PUD:

1. Maximum height of 55' where 50' is permitted.
2. On the east side, a 52' setback to residential where 75' is required.
3. 543 rooms were permitted, representing a deviation of 313 rooms (not units) from the standards of the R-3 district.
4. 365 parking spaces were approved, where 436 were required.

For the most part, tonight's plan is consistent with the approved PUD.

Commissioner Brickner asked where the 72 bicycle parking spots were located, as well as the charging stations. These things did not appear on tonight's plans.

Planning Consultant Bahm said these things were part of the PUD approval, and had to be on the site plan.

Applicant presentation

Jim Butler, PEA Group, 1849 Pond Run, Auburn Hills, was present on behalf of this application for site plan approval.

Utilizing a slide presentation, Mr. Butler reviewed the project, which was located on 5.53 acres, and was proposed to be a 4-story 217-unit luxury apartment complex, including 112 one-bedroom units and 101 two-bedroom units, with 4 three-bedroom units. As noted, the building height is 55'. 365 parking spaces are proposed, with 264 spaces to be located underneath the building.

Mr. Butler provided the following information:

- Elevations showed high end building materials of quarried stone, glass, board and batten siding, along with balconies with glass rails. A large courtyard will be at the center of the complex. All apartments either look outside of the complex, or inside to the courtyard.
- Renderings represented the development from various viewpoints. Renderings also showed apartment amenities, including underground parking, a clubhouse, a landscape plaza with pool, a first floor strength and fitness center, and EV charging stations. The development will be professionally managed with full time staff.
- Mr. Butler reviewed the four deviations as already listed: height, east side setback, density, and parking.
- The plan showed an art area and a bus shelter at the southeast corner of the site along Northwestern Highway. The plan is to commission a local artist to create something for that area including at the bus stop.
- Exterior bike parking was provided, and EV stations will be provided within the parking area.
- A lighting plan had been submitted that is in compliance with City ordinance.
- Shrubbery will be added along Northwestern Highway; they had to be careful with existing utility lines and storm water management as well as water and sewer in that area.
- Underground detention will be designed in accordance with City standards.
- A traffic study has been submitted but not yet reviewed by the City.
- The Fire Department recommended approval.
- All access will come from a driveway off Northwestern Highway shared with the self-storage building that is located behind the senior facility; a gate will separate the apartments from the self-storage.

In response to questions, Mr. Butler gave the following further information:

- The Edison line will be relocated so as to allow access as described.
- Commissioner Trafelet was concerned as to where the construction equipment would be located on this very tight site. Where would construction employees park? Also, the Fire Department is averaging a trip a day into Anthology, the senior living center. During construction there would have to be a clear path available for Fire Department emergency vehicles. Last, how would mowers and lawn equipment get to the pool area? How would the Fire Department access the pool if someone had a swim emergency? All these things would need to be thought out in advance.
- Commissioner Mantey noted that the original idea was to put bicycle parking in the parking garage, in order to discourage bicycle theft. Young professionals will want to ride their bikes to work, and they needed a safe place to store them.

**MOTION by Stimson, support by Brickner, that Site Plan 65-8-2023, dated August 18, 2023, submitted by NWH Holdings, LLC, (Robert Asmar), be approved, because it appears to meet all applicable requirements of the Zoning Chapter, subject to the following condition:**

- **All outstanding items identified in the Giffels Webster September 14, 2023 review shall be addressed by the applicant to the satisfaction of the Planning and Community Development Department.**

**Motion passed unanimously by voice vote.**

**APPROVAL OF MINUTES     September 21, 2023, Special Meeting (master plan study),  
September 21, 2023, Special Meeting (PUD 1, 2023 study), and  
September 21, 2023, Regular Meeting**

**MOTION by Mantey, support by Trafelet, to approve the minutes of the September 21, 2023 Special Meeting (master plan study), Special Meeting (PUD 1, 2023 study), and Regular Meeting, as submitted.**

**Motion carried unanimously by voice vote.**

**PUBLIC COMMENT**

None.

**COMMISSIONER/STAFF COMMENTS**

Commissioner Grant announced that her son was married last weekend.

Commission discussion included:

- There were 3 shipping containers in the vacant lot at Drake and Grand River, where the cement batch plant had been located.
- Whether the batch plant and concrete crushing plant will remain at OCC for the next phase of work on I-696.
- Whether the proposal for an increased stipend had been presented to Council.
- The transformer next to the EV chargers installed at the Chase Bank at 12 Mile and Market Drive looked atrocious. This needed to be screened, but there was no screening requirement.
- There was ongoing enforcement relative to the tree removal behind Heartland Market.

**ADJOURNMENT**

**Motion by Mantey, support by Ware, to adjourn the meeting at 9:15pm.**

**Motion carried unanimously by voice vote.**

Respectfully Submitted,  
Marisa Varga  
Planning Commission Secretary

/cem