

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION MEETING
31555 W ELEVEN MILE ROAD
FARMINGTON HILLS, MICHIGAN
FEBRUARY 15, 2024, 7:30 P.M.**

CALL MEETING TO ORDER

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

ROLL CALL

Commissioners present: Aspinall, Grant, Trafelet, Stimson, Varga, Ware

Commissioners Absent: Brickner, Countegan, Mantey

Others Present: Staff Planner Canty, City Attorney Schultz, Planning Consultants
Tangari and Upfal

APPROVAL OF THE AGENDA

MOTION by Aspinall, support by Varga, to amend and approve the agenda as follows:

- **Move item 5.B. Historic District Commission 2023 Annual Report to be heard first on the agenda, ahead of the Public Hearing.**

Motion passed unanimously by voice vote.

HISTORIC DISTRICT COMMISSION 2023 ANNUAL REPORT

Historic District Commission Chair Marleen Tulas and Vice Chair Ken Klemmer were present this evening.

Utilizing a PowerPoint presentation, HDC Chair Tulas presented the Historic District Commission's 2023 Annual Report, which overviewed:

- 2023 and 2024 Historic District Commission Goals, Objectives, and Initiatives
- Activities of the past year, including meetings, work within Historic Districts, and training.

In 2023, 7 Certificates of Appropriateness were issued.

1. Historic District Site No. 313 – The Fractional School House – 32200 Middlebelt Road, for construction of an ADA ramp to access the building, construction of a serving deck with ADA ramp at the rear of the building, replacement of rotten and damaged wood siding, and repainting of the building.
2. Historic District Site No. 308 – Halsted Apple Barn – 28321 Timberview Court, for construction of a black 6' high kennel-style fence for the applicant's 2 dogs, in accordance with an issued court order.
3. Historic District Site No. 312 – Sherman Goodenough House – 27405 Farmington Road, for replacing the existing light structures, with the addition of one (1) pole, by utilizing OPTION #2, with new fixture on top.
4. Historic District Site No. 3 – Lemuel Botsford House – 24414 Farmington Road, for removing 3 basement windows in order to install 3 glass-block modular windows.
5. Historic District Site No. 3 – Lemuel Botsford House – 24414 Farmington Road, for installing a 4' tall black chain link fence along the north lot line of the property.

6. Historic District Site No. 3 – Lemuel Botsford House – 24414 Farmington Road, for resurfacing existing wood decking with Aztek composite decking, and removing the railings on the deck.
7. Historic District Site No. 3 – Lemuel Botsford House – 24414 Farmington Road, for installing a generator in the rear yard with landscaping screening,+ to retain structure’s historical character.

Historic District Commission Activities in 2023 included:

- Cemetery Master Plan Implementation
- Spicer House Roof Replacement
- Botsford Inn Exterior Restoration
- Nehemiah Hoyt House – needs restoration
- March 2023 – HDC attended the 65th annual Michigan in Perspective: Local History Conference

MOTION by Grant, support by Stimson, to accept the Historic District Commission 2023 Annual Report.

Motion passed unanimously by voice vote.

PUBLIC HEARING

A. ONE-FAMILY CLUSTER OPTION QUALIFICATION 1, 2023

LOCATION:	South side of Folsom Road, between Parker Avenue and Lundy Drive
PARCEL I.D.:	22-23-33-252-019, 020, 022, 023, 024, 025, 026, 027, 028, 030, 031, 032, 033, 034, 043
PROPOSAL:	Qualification of sixteen (16) parcels for construction of single family homes within RA-3, One Family Residential zoning district via One-Family Cluster Option
ACTION REQUESTED:	Qualification of One-Family Cluster Option
APPLICANT:	Forest at Riverwalk Development, LLC
OWNER:	Forest at Riverwalk Development, LLC

Applicant presentation

Stuart Michaelson and George Mager, Forest at Riverwalk Development, LLC, were present on behalf of this application for cluster option qualification. The applicants highlighted the following:

- The site had previously qualified for the cluster option, and still met the qualification criteria.
 - The parcel had frontage on a major or secondary thoroughfare, and had a narrow width as measured along the thoroughfare, which makes platting difficult.
 - The parcel contained a floodplain or poor soil conditions which resulted in a substantial portion of the total area of the parcel being unbuildable.
 - The parcel contained natural assets which would be preserved through the use of cluster development. Such assets included natural stands of large trees, land which served as a natural habitat for wildlife, unusual topographic features, or other natural assets which should be preserved.
- Because this plan had significant differences from the previously qualified plan, tonight the applicants were again seeking qualification under the cluster option.
- The applicants had purchased the site from the previous developer. Acknowledging concerns about wetland and tree preservation, the applicants came up with a new plan in order to avoid the

creek and save many more trees, and to run the access road out to Parker Street (instead of Colfax). Only a small part of the wetland would be impacted.

- If the plan received qualification this evening, the applicants would seek a permit from EGLE (Michigan Department of Environment, Great Lakes, and Energy) relative to wetland impacts and mitigation. EGLE had already visited the site and identified the wetlands in response to the previous plan, and would revisit the site in response to this new application. The applicants would also be working with their own wetlands consultant, and had already walked the site with their consultant.

Planner's review

Referencing the February 6, 2024 Giffels Webster review memorandum, Planning Consultant Tangari provided the following information.

Cluster option process:

- Under the cluster option, some of the land on the site would be set aside, and housing units would be placed (clustered) in a smaller area of the site.
- The process for cluster option approval included 3 public hearings, the first of which was to determine whether or not the site qualified for the option. Tonight the Planning Commission was being asked to determine whether the site qualified for the cluster option by meeting criteria laid out in the ordinance. If the Commission determined the site did qualify for the cluster option, the applicant could then proceed with a site plan application. Qualification does not guarantee site plan approval.
- Site plan review requires a second public hearing. If at that time the Commission recommended approval of the site plan, the plan would move forward to City Council, who would hold the third public hearing.
- In November 2023 the Commission determined that the plan met the criteria to be considered for cluster development, but the required public hearing was not held. The purpose of tonight's meeting was to hold the first public hearing.

Planners review and findings:

- The parcel is zoned RA-3 One Family Residential, and is located south of M-5 between Farmington Road and Orchard Lake Road, and between Folsom Road to the north and Colfax Street to the south.
- The existing site consists of all or part of 16 parcels, is entirely undeveloped and heavily wooded, and contains several areas of wetland.
- The site consisted of 16.29 acres; 2.4 acres of the site is right-of-way which leaves 13.83 net acres.
- As stated, M-5 is to the north of the site; the rest of the site is surrounded by single family homes.
- The site is accessible from Folsom Road and Parker Street.
- The qualifications in Section 34.3.17 of the zoning ordinance for the cluster option were two tiered. The first tier allows a certain density and the second tier allows additional density if certain conditions are met. However, the applicant is requesting a density lower than the density permitted in the first tier. The second tier will not be addressed.
- The first tier permitted a density of 2.6 units per acre. The applicant is proposing 38 units where 42 would be allowed under the first tier.
- An EGLE review will be required prior to development.
- Three qualification criteria potentially applied to the site:

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

- A large wetland area is shown on the southern portion of the site, where there would be no lots.
- A smaller secondary wetland area contains proposed lots. EGLE will determine if those wetlands are regulated.
- The conceptual plan showed street trees and screening trees at the margins of the project as well as some landscaping of the retention basin. Full review of a cluster site plan would occur during the next stage of approval should qualification be granted.
- The future land use map of the master plan showed the site to be designated as single-family residential use. Surrounding properties had the same designation. The site did not fall into any special residential planning areas or other special study areas.
- The residential densities map designated the site as medium density, which includes RA-3 and RA-4. The site was currently zoned RA-3.

Public Hearing

Vice Chair Trafelet opened the public hearing at 8:03pm.

Steve Hall, Parker Street, was concerned about the effect this development would have on groundwater water drainage. There were already runoff issues on Whitlock Street caused by development there. There was an existing high water table on Parker Street. How will groundwater from the development affect existing septic systems, and will the development be tied into public sewer? Who will be responsible for issues caused by the development after the developer has moved on?

Rene Daihl, Lundy Drive, was concerned about water issues caused by the development. Per the online documentation, the developer is planning to tie into pipes that are at the end of Lundy, only two lots from her property. Ms. Daihl had installed a sump pump that operated constantly, in order to prevent water from entering her basement. Today it was running every one minute 22 seconds. Tree and root removal would lead to flooding. She was also concerned that the development would stress the power grid, noting that her power was frequently out. Residents should be included in meetings between EGLE and the developer.

Mary Newlin, Lundy Drive, gave the history of this area, and expressed concern that the proposed development involved destruction of the only remaining natural green space in the City. She described 100+ year old trees, deer and animal species that were only seen in the woods. Would the existing stream be preserved? She had purchased a generator to keep her sump pump going when the power went out; without the generator her first floor would be flooded. This development would be located where the most water was located. She was concerned about the effect of the development on existing wells and septic systems.

Laurie Williams, Parker Street, echoed concerns about groundwater discharge, noting that she had a septic field. She had two sump pumps beneath her house. Citing a loss of privacy, she asked what barrier would be placed between the development and her backyard. Parker Street was unpaved, and was the only thru-way from 8 Mile Road to Folsom Road in this area; traffic on the street threw rocks and dirt, and with no sidewalks and no streetlights, everyone had to walk in the street. Increased traffic on Parker was a huge concern. There were endangered species on the site. Heavy construction equipment will damage Parker Road.

Paul Rusinowski, Lundy Drive, was concerned about the proposed lot sizes. The space and woods were what attracted him to the neighborhood, and the development would have a negative effect on privacy and decrease property values by packing houses into a small area. What would happen to displaced wildlife? Mr. Rusinowski thought there were more wetlands than illustrated on the plan. He supported new construction, but the natural woodlands should be preserved.

Neal Krantz, Lundy Drive, said wetlands took up a substantial portion of the middle of the site. His sump pump operated constantly. He was concerned with property value, but his primary concern was water drainage.

Kirk Bowman, Folsom Road, echoed concerns about water drainage. There was an area behind his house with no trees that constantly had multiple inches of water that would be displaced by this development. A drainage ditch near his house was constantly flowing. The soil was rocky clay which does not absorb water well. He did not think the construction would be able to handle the water and wildlife displacement.

Denise Hall, Parker Street, described seasonal issues with the dirt road. The road was narrow; who would pay for maintenance costs if construction trucks started using it?. She described water levels in the neighborhood, and echoed concerns about water drainage. Who would take responsibility for damage to existing septic systems? She described wildlife in the area, and asked the Commission to save the property.

Dragos Ionescu, Lundy Drive, echoed concerns about water drainage. The plan had credibility issues.

Elizabeth Bowman, Folsom Road, said water drainage was a big concern. The proposed lots were in a wetland area, and she was concerned that the water would be displaced onto her property. There were power issues in the area. Construction would disrupt her household. The development would take away the beauty of the neighborhood.

Diane (no last name), Parker Street, said there was more acreage related to golf parks than wooded areas in the City. She echoed concerns about water and wildlife displacement. Tree removal would cause more downed power lines.

Scott Elser, Parker Street, echoed concerns about water drainage, and said he had an issue with changing zoning rules for the developer.

Tom Seabolt, Parker Street, described water levels and drainage issues in the neighborhood. He used two sump pumps to prevent flooding. He lived 50 feet from Parker Street; construction would be disruptive. He was concerned about traffic issues on Parker Street, noting the children in the neighborhood.

Sarah (no last name), Parker Street, said she moved to the neighborhood because of its up north feel. She echoed concerns about extra traffic on Parker Street, and asked what the city planned to do to address traffic issues on the street to ensure the safety of pedestrians. She described wildlife on the site. She was concerned about construction lasting until 7:00pm.

Michelle Gala, Parker Street, said the residents had fought to keep Parker Street a dirt road. She echoed concerns about water levels in the neighborhood, and talked about traffic concerns. She described wildlife in the neighborhood. She noted that the City had considered making the site a nature park.

Heather Trapchak, Parker Street, echoed concerns about water levels in the neighborhood. She emphasized the importance of maintaining green spaces. She asked members of the Commission to visit the area.

Seeing that no other members of the public wished to speak, Vice Chair Trafelet closed public comment and asked the applicants to respond. The development team provided the following further information:

In response to public comment:

- Construction traffic would be limited to using a new road into the development, and would not be on Lundy Drive or Parker Street.
- The development would have to be approved by the city engineering department.
- The site would be self-contained, with separate storm sewers, located in the rear of the individual home sites.
- Water could be held in detention for a long period of time.
- Experience showed that adding storm sewers drained a site, often helping the neighbors.

In response to questions from the Commission:

- DTE had indicated that there was enough power in the area for the development.
- The development would include 38 houses.
- The design of the lots was based on city ordinances related to the type of development proposed.
- The developers were aware of water levels in the area. Water from the property would have to be retained before entering a public system, and could not contribute to water concerns on neighboring properties.

Commissioner Ware noted that the residents could request a traffic study from the City, but that speed bumps would require an asphalt road.

MOTION by Aspinall, support by Stimson, to make a preliminary determination that One-Family Cluster Option 1, 2023, dated October 13, 2023, submitted by Forest at Riverwalk Development, LLC, meets the following qualification standards as set forth in Section 34-3.17.2.B. of the Zoning Ordinance: ii, vi, and viii; permitting a maximum density of 2.6 units per acre, and that it be made clear to the applicant that final granting of the One-Family Cluster Option is dependent upon a site plan to be approved by the City Council following review and recommendation by the Planning Commission.

Commissioner Stimson said he supported the motion in order to give the applicant a chance to come back with a better plan, as he did not support the entire preliminary plan. The 55' width of the lots was too narrow and out was out of character with this neighborhood. He encouraged the applicant to

consult with and work with the neighbors as much as possible, and to come back with a site plan that addressed the issues discussed.

Vice Chair Trafelet advised the public present that the Capital Improvement Plan included an item for a Folsom Road storm sewer from 9 Mile to Orchard Lake Road, to provide lateral storm sewers for Folsom Road, as well as a rehabilitation of the existing storm sewer system.

Roll call vote:

Aspinall **yes**
Grant **yes**
Trafelet **yes**
Stimson **yes**
Varga **yes**
Ware **yes**

Motion passed 6-0.

B. 2024/2025 THROUGH 2029/2030 CAPITAL IMPROVEMENTS PLAN

ACTION REQUESTED: Adoption of plan

Public Hearing

Vice Chair Trafelet opened the public hearing on the 2024/2025 through 2029/2030 Capital Improvements Plan. Seeing that no members of the public wished to speak, Vice Chair Trafelet closed the public hearing and brought the matter back to the Commission.

The Planning Commission had discussed the Capital Improvements Plan at its January 25, 2024 meeting.

MOTION by Varga, support by Stimson, to adopt the City of Farmington Hills Capital Improvements Plan for 2024/2025 through 2029/2030 as presented.

Roll call vote:

Aspinall **yes**
Grant **yes**
Trafelet **yes**
Stimson **yes**
Varga **yes**
Ware **yes**

Motion passed 6-0.

REGULAR MEETING

A. REZONING REQUEST ZR 1-1-2024

LOCATION: 31118 Orchard Lake Road
PARCEL I.D.: 22-23-02-103-025
PROPOSAL: Rezone eastern portion of one (1) parcel from P-1, Vehicular
 Parking to B-3, General Business zoning district
ACTION REQUESTED: Set for Public Hearing

APPLICANT: Mannik & Smith Group, LLC
OWNER: Hannawa-Lahser Rd Development, LLC

Referencing the January 30, 2024, Giffels Webster review memorandum, Planning Consultant Upfal highlighted the following:

- The site was located on Orchard Lake Road at Mulfordton Street, south of 14 Mile Road.
- The site was currently split-zoned with B-3 General Business zoning at the frontage and P-1, Vehicular Parking zoning in the rear. There was a structure on the front of the site; and the rear was used for parking. There was also parking on the side of the building.
- The applicant proposed rezoning the entire site to B-3 zoning, which is consistent with the future land use designation of non-center type business. Additionally, the site is located in the Orchard Lake Road mixed-use redevelopment area.
- The proposed rezoning would accommodate the use desired by the applicant. Current zoning would not accommodate the desired use.
- The existing structure had structural non-conformities, but the structure was on the portion of the lot already zoned B-3, and was not a concern that impacted this rezoning request.
- Review standards would be discussed in depth at the public hearing.

Jefferey Schroeder, Plunkett Cooney, was present on behalf of this application to rezone a portion of a parcel from P-1 Vehicular Parking to B-3, General Business zoning. Dennis Miller, consultant for the car wash proposed for this site, was also present.

Mr. Schroeder said they had read the Giffels Webster review memorandum and they concurred with the report. In response to questions, Mr. Schroeder said that:

- The request was to accommodate a proposed car wash on an adjacent property.
- The existing structure was vacant.

Mr. Miller provided the following:

- The site was just over an acre.
- The car wash company, Clean Express, was located in Columbus OH, and did not yet have any locations in the Detroit area.
- The existing structure would be converted into a car wash.
- The applicant would provide renderings at the public hearing.

MOTION by Grant, support by Aspinall, that Rezoning Request 1-1-2024, dated November 17, 2023, submitted by Mannik & Smith Group, LLC, to rezone a portion of property located at Parcel Identification Number: 22-23-02-103-025, Oakland County Michigan, from P-1 Vehicular Parking to B-3, General Business District be set for public hearing for the Planning Commission's next available regular meeting agenda on March 21, 2024.

Motion passed unanimously by voice vote.

C. PLANNING COMMISSION 2023 ANNUAL REPORT

ACTION REQUESTED: Adoption of report

After discussion, the following motion was offered:

MOTION by Aspinall, support by Varga, to adopt the 2023 Planning Commission Annual Report, with the following items to be confirmed and/or corrected:

- **Page 5, for the table listing 2023 Planning Commission Members, the dates listed in the column “Assumed Office” need to be confirmed.**
- **Page 11, Figure 1 is labeled 2018-2023, but the data goes from 2017 through 2023.**
- **Page 11, Table 5, the number of meetings correspond to 2022, but are labeled 2023.**

Motion passed unanimously by voice vote.

APPROVAL OF MINUTES

January 18, 2024, Special Meeting, January 18, 2024 Regular Meeting, and January 25, 2024 Regular Meeting CIP

MOTION by Grant, support by Varga, to approve the January 18, 2024 Special Meeting minutes, January 18, 2024 Regular Meeting minutes, and January 25, 2024 Regular Meeting CIP minutes as submitted.

Motion carried unanimously by voice vote.

PUBLIC COMMENT

None.

COMMISSIONER/STAFF COMMENTS

Next meeting is scheduled for March 21, 2024.

ADJOURNMENT

Motion by Aspinall, support by Grant, to adjourn the meeting at 9:11pm.

Motion carried unanimously by voice vote.

Respectfully Submitted,
Marisa Varga
Planning Commission Secretary

/cem