

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION PUBLIC HEARING/REGULAR MEETING
COUNCIL CHAMBERS
March 21, 2019, 7:30 P.M.**

Chair Schwartz called the Planning Commission meeting to order at 7:30 p.m. on March 21, 2019.

Commissioners Present: Brickner, Countegan, Goerke, Mantey, McRae (arrived 7:46 pm),
Schwartz, Stimson, Turner

Commissioners Absent: Orr

Others Present: City Planner Stec, City Attorney Schultz, Deputy Fire Chief Olszewski,
Staff Engineer Seewald, Planning Consultants Arroyo and Tangari

APPROVAL OF AGENDA

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

MOTION carried unanimously.

PUBLIC HEARING

A. CAPITAL IMPROVEMENTS PLAN 2019/2020 THROUGH 2024/2025

ACTION REQUESTED: Adoption of Plan

Chair Schwartz said that he planned on making two motions regarding the Capital Improvements Plan and therefore would pass the Chair to Vice Chair Stimson for this agenda item.

Vice Chair Stimson assumed the Chair.

City Planner Stec gave the background for this agenda item, which was to request the adoption of the Capital Improvements Plan 2019/2020 – 2024/2025.

City Planner Stec explained that the Capital Improvements Plan (CIP) was a strategic planning tool for the City's capital needs over a 5 year period. It was not a budget, but rather was a comprehensive document that included the major programs and projects the various departments would like to accomplish over the next six years. The CIP was updated annually and was provided to City Council to use as a guide during the budget process.

The CIP included projects and purchases in excess of \$25,000, and also included smaller projects that were part of a larger network of improvements.

The goal of the CIP process was to plan for and guide needed capital improvements and expenditures in a fiscally sound manner and to ensure that those improvements were consistent with the goals and policies of the City of Farmington Hills and the expectations of its residents. The Planning Commission was mandated by State Act 33 of the Public Acts of 2008, Planning Enabling Act, to adopt a capital improvements plan after

a public hearing. Per City Charter Sections 3.07 and 6.08, after adoption by the Planning Commission, the City Manager would submit the CIP to City Council.

City Planner Stec explained the process thus far: In December 2018 – January 2019 the various departments compiled data and provided it to the Planning Department. That data was then put into a draft CIP plan that was the subject of a study session on January 24, 2019, where projects were presented to the Planning Commission and questions were answered by representatives from city departments. Tonight was the public hearing, and after adoption this evening, in April the CIP would be presented to City Council during one of their regularly scheduled meetings.

The CIP was an extensive document, including the prioritization of equipment purchases, road repairs, sanitary sewer line projects, water main projects, sidewalk construction, and other large projects throughout the various departments in the City. CIP Documents were available this evening, and also at the Planning Department during regular business hours.

City Planner Stec reviewed projects that were scheduled for 2019-2020 as follows.

Regarding public facilities, the City had commissioned an independent audit of all city buildings, in terms of needed repair and proactive maintenance, in order to extend the life of the buildings. Projects prioritized for 2019/2020 included such things as exhaust systems, heat exchangers, roofs, etc., as listed on page 14 of the CIP.

Other 2019-2020 CIP projects included:

- Public facility improvements to the Fire Station, Barrier Free improvements, Energy and Environmental sustainability investments, Police Access control, Police Department maintenance, Crime Analysis Unit/Digital Lab, Police Department master keying, City Hall Campus parking lots, Court House parking lot, Mobile Command Post Vehicle, and City Hall/Police Department underground fuel tank replacement.
- Technology and Communications, including city-wide technology, unified communications, and ERP/Financial software.
- Parks and Recreation, including the repurposing and renovation of Harrison High School, as well as other parks and recreation projects, such as vehicle, equipment and infrastructure improvements.
- Fire Department apparatus purchases.
- Public Works equipment purchases.
- Numerous drainage projects throughout the City.
- Sanitary sewer projects and upgrades.
- Water main projects and upgrades, including fire protection lines in subdivisions without water mains.
- Sidewalk improvements and installations.
- Transportation: Major road and local road projects.
- Transportation: Industrial/commercial road projects.
- Transportation: Capital preventative maintenance.

City Planner Stec said the total 5-year Capital Improvements Program represented \$420,510,000, for 198 projects.

Vice Chair Stimson opened the public hearing. Seeing that no one came forward to speak, Vice Chair Stimson closed the public hearing and brought the matter back to the Planning Commission.

MOTION by Schwartz, support by Mantey, to move *Item 9 Sidewalks under Non-motorized Master Plan, \$125,000, currently set for Future, to 2019/2020, and the funds for this project be moved out of a sidewalk installation project as chosen by City Council.*

Commissioner Schwartz noted that this action had taken place in previous years, and spoke to the importance of completing a Non-motorized Master Plan.

Motion carried 5-2 (Brickner, Countegan opposed).

Commissioner McRae arrived at 7:46 p.m.

MOTION by Schwartz, support by Mantey, to increase the amount budgeted for Item 2 under Water Mains: *Fire Protection lines in subdivisions without Water Main from \$500,000 per year to \$1,000,000 per year starting 2019/20.*

Commissioner Schwartz noted that there were portions of the center of the City that did not have fire hydrants. The fire trucks sometimes had to travel up to a mile to hook up to a fire hydrant. This work should be done as soon as possible

Commissioner Brickner said the CIP represented projections, not a budget. There was only so much money available. Moving \$500,000 from 2024 to 2019 assumed there was money available to do that, but that was likely not the case. This was a new line item, and was based on the Engineering Department's best projections of funds they would have available to complete this work. He was opposed to the motion.

Motion carried 5-3 (Brickner, Countegan, Stimson opposed).

MOTION by Schwartz, support by Mantey, that the Planning Commission adopt the City of Farmington Hills Capital Improvements Plan 2019/2020 – 2024/2025 as amended this evening.

Motion carried unanimously.

Chair Schwartz assumed the Chair.

B. ZONING TEXT AMENDMENT 1, 2019

CHAPTER OF CODE: 34, Zoning Chapter
REQUEST: Amend the Zoning Ordinance to add a new definition of "Marihuana Establishments"; amend "Use Standards" by retitling "Medical Marihuana Caregiving" to "Marihuana Uses"; and to prohibit Marihuana Establishments within the boundaries of the City of Farmington Hills
ACTION REQUESTED: Recommendation to City Council
SECTIONS: 34-2.2, 34-4.57, 34-4.57.2

C. CITY CODE AMENDMENT 1, 2019

CHAPTER OF CODE: 18, "Offences"
REQUEST: Amend the City Code, "Offenses", Article I, "In General" to add new Section 18-9, "Marihuana Establishments Prohibited"

ACTION REQUESTED: Recommendation to City Council
SECTION: 18-9

City Attorney Schultz gave the background to Zoning Text Amendment 1, 2019 and City Code Amendment 1, 2019.

City Attorney Schultz explained that the marihuana initiative that was approved in November related to personal conduct, and also to businesses/land uses. Personal conduct involved the amount of marihuana that a person over 21 could possess on their person and how much could be stored at home, etc. There was also a provision in the law that impacted business uses, including retailing on a commercial level. The State had until December 2019 to issue guidelines that would impact all commercial recreational marihuana retailers, and retailers would need a state license.

Municipalities could adopt an ordinance relating to commercial retailers, either opting out of allowing such uses entirely, or limiting the number in the community. Other regulations regarding time/place/manner might also apply.

City Attorney Schultz continued that the draft ordinance language provided this evening was an “opt out” ordinance, at least until the State issued its guidelines regarding this use, but it was also clear in the draft code amendment that: *Adoption of such an ordinance does not preclude, and this section is not intended to preclude the City from further studying and revisiting the issue at a later date.*

Chair Schwartz opened the public hearing. Seeing that no one came forward to speak, Chair Schwartz brought the matter back to the Commission.

In response to a question from Commissioner Mantey, City Attorney Schultz said tonight’s requested action included a zoning text amendment, which was normally under the purview of the Planning Commission. City Council had also asked the Commission to make a recommendation on the City Code Amendment regarding the same subject.

In response to comments from Commissioner Brickner, City Attorney Schultz said the two amendments would not affect care giver situations under the 2008 law that legalized medical marihuana. The two amendments related specifically to recreational marihuana retail establishments.

MOTION by Countegan, support by Goerke, that the Planning Commission recommend approval to City Council of Zoning Text Amendment 1, 2019, which proposes to amend the Zoning Ordinance to add a new definition of “Marihuana Establishments”, amend “Use Standards” by retitling “Medical Marihuana Caregiving” to “Marihuana Uses”, and to prohibit Marihuana Establishments within the boundaries of the City of Farmington Hills.

Chair Schwartz believed that no matter what the State of Michigan did, marihuana use would be illegal under Federal law, under the supremacy clause. Commissioner Brickner disagreed, saying that case law regarding medical marihuana spoke to its legality. The residents of Farmington Hills voted overwhelmingly in favor of legalizing recreational marihuana. City Council was taking a wait and see approach regarding recreational marihuana use.

Motion carried 7-1 (Brickner opposed).

Chair Schwartz opened the public hearing for Item C, City Code Text Amendment 1, 2019 (Recreational Marihuana). Seeing that no one came forward to speak, Chair Schwartz brought the matter back to the Commission.

Commissioner Mantey said he would not support the motion. He felt the Planning Commission should not weigh in on a City Code Text Amendment regarding recreational marihuana, and noted that legalizing recreational marihuana passed by about 70% in Farmington Hills.

MOTION by Countegan, support by Stimson, that the Planning Commission recommend approval to City Council of City Code Text Amendment 1, 2019, which proposes to amend Chapter 18, "Offenses", Article I, "In General" to add new Section 18-9, "Marihuana Establishments Prohibited".

Motion carried 6-2 (Brickner, Mantey opposed.)

REGULAR MEETING

A. Presentation of 2018 Historic District Commission Annual Report

City Planner Stec introduced Ken Klemmer, the Chair of the Historic District Commission. City Planner Stec noted that in 2018 the State Historic Preservation Office implemented a new report template so the deadline for the report was moved to April 1.

Utilizing overhead slides, Mr. Klemmer presented the Historic District Commission Annual Report for 2018.

The goal of the Historic District Commission was to promote the preservation of the historic community while issuing Certificates of Appropriateness and Notices to Proceed for work on Historic District homes.

In 2018 the following Notice to Proceed was issued:

- Frank Steele House, 35810 11 Mile Road, demolition of a shed within 100 feet of the historic home

In 2018 Certificates of Appropriateness included:

- Henry Bach House, 30115 Ardmore, siding, sill replacement, and landscape improvements
- Glen Oaks Country Club, doors
- Kirby White House, 24200 Farmington Road, siding replacement
- Samuel Davis House, 32330 Twelve Mile Road, front porch repairs.

Administrative Certificates of Appropriateness were granted for minor work done on:

- Carl Licht House, 26291 Pillsbury
- Glen Oaks Country Club, 30500 13 Mile Road
- Springbrook Farmhouse, 31000 Drake Road
- Bade Hired Man's House, 31109 West Eleven Mile Road

The 2018 Beautification Award was given to the Mark Arnold House, 26490 Drake Road. The Ruth Moehlman Historic Preservation Award was given to Christopher Bidigare for the work done on the Bade Hired Man's House.

Two Historic Markers were approved:

- Hamilton Jones House, 36510 Twelve Mile Road
- Henry Bach House, 30115 Ardmore

Public education included:

- Plaster Repair Workshop, late summer 2018
- Weatherization Workshop, fall 2018.

Project Updates included:

- Sarah Fisher Home, 27400 12 Mile Road. This project was still moving forward, though the PUD agreement had never been finalized. The name of the project would change.
- David Simmons House had completed asbestos removal, and the four non-historic additions had been removed.

MOTION by Brickner, support by Turner, to accept the 2018 Historic District Annual Report.

MOTION carried unanimously.

B. REZONING REQUEST 1-2-2019

LOCATION:	36200 & 36210 Freedom Road
PARCEL I.D.:	23-29-426-036 & 014
PROPOSAL:	Rezone two parcels currently zoned RA-1 One Family Residential District, to RC-1 Multiple Family Residential District
ACTION REQUESTED:	Set for Public Hearing
APPLICANT:	Safet Stafa
OWNER:	Send International

Utilizing overhead slides, Planning Consultant Tangari gave the background for this request to rezone two parcels currently zoned RA-1 One Family Residential District to RC-1 Multiple Family Residential District. RC-1 would allow 103 rooms to be built on the 4.5 acre site.

The Master Plan designated the site quasi-public on the future land use map, which reflected its previous use as a church. The residential densities map had no designation for this land. The nearest designation was an area of high density at Freedom and Drake.

Regarding the question of whether there had been a change in circumstances and conditions since adoption of the Master Plan that would support the proposed change, the principal change to the property was the cessation of the quasi-public use reflected on the future land use map.

Chair Schwartz noted that Mission Lane and Woodhaven Court were in two cities; those portions in Farmington should be shown on the map at the public hearing. Planning Consultant Tangari said those two streets were zoned the equivalent of RA-1.

Commissioner Mantey said he was not concerned with what was south of the Freeway. The emphasis should be on what was north of the Freeway.

Commissioner Brickner asked what the buildings were on the site – they looked like homes. City Planner Stec said that the previous use had been a missionary organization. More information could be presented at the public hearing.

John O'Brien, Real Estate One, broker for the developer, was present on behalf of this request for rezoning. He said the buildings on the site did not represent a residential use. They had been used as a dormitory for guests and a cafeteria for the religious organization.

Commissioner Brickner was concerned that the request represented spot zoning, as everything around it was single family.

Chair Schwartz said that for the public hearing more detail should be presented for the area north of the freeway. Also, the applicant should show how the buildings would be oriented on the site.

Commissioner Mantey said the applicant should also bring conceptual plans, especially as this was a land use change.

MOTION by Countegan, support by McRae, that Rezoning Request 1-2-2019, to rezone properties located at 36200 and 36210 Freedom Road from RA-1 One Family Residential to RC-1 Multiple Family Residential, petitioned by Safet Stafa LLC, be set for Public Hearing on April 18, 2019.

Motion carried unanimously.

C. SITE AND LANDSCAPE PLAN 51-1-2019

LOCATION:	34375 Twelve Mile Rd.
PARCEL I.D.:	23-16-201-003
PROPOSAL:	Parking addition to existing Office Building in an OS-4 Office Research District
ACTION REQUESTED:	Approval of site and landscape plans
APPLICANT:	Northern Equities Group
OWNER:	D12 Investment Partners, LLC

Utilizing overhead slides and referring to his March 13, 2019 review letter, Planning Consultant Arroyo gave the background for this application to renovate a small portion of the north (front) façade, add additional parking, and make several other small changes to the site, including the enlargement of the detention basin and the removal of two small accessory buildings.

Planning Consultant Arroyo reviewed the existing conditions of the site, as well as the zoning requirements for this application. Outstanding issues included:

- An excess of 247 parking spaces was proposed; the applicant should explain the need for so many additional parking spaces.
- A pedestrian connection to 12 Mile Road was not provided.
- Regarding the detention basin design, the City's Landscape Design Principles for Storm Water Detention Basins required all detention basins to have a natural shape. The proposed basin was essentially rectangular. The applicant had noted the constraints of the site as the reason for the proposed design.
- Regarding parking lot trees, the site currently had no parking lot trees in the very large rear lot. Per Section 34-5.14.4, parking lot trees were required at a rate of one per 2,800 square feet of

paved area. While the lack of trees in the existing lot was an existing condition, the new lot must have the required trees. The applicant had proposed 13 parking lot trees, but had not provided the area of new pavement. Therefore, it was not possible to verify if the correct number of parking lot trees were provided. The number of trees provided suggested 36,500 square feet of pavement. An estimate obtained using GIS software showed about 66,000 square feet of new or affected pavement at the southern end of the parking lot.

Commissioner Brickner noted that the detention area faced the expressway, and was not visible from 12 Mile Road. Also, this building was close to 12 Mile Road, with a berm along the 12 Mile Road frontage.

Commissioner Brickner noted that there was a sign FOR LEASE with a LEASED sign over that. Why was the sign still up?

Joe Drolshagen, Northern Equities Group, Farmington Hills, was present on behalf of this application, as was Jim Butler, PEA, 2430 Rochester Court, Troy MI.

Chair Schwartz asked why the excess parking was needed. Mr. Drolshagen said the building was leased to Trinity Health, and about 850 people would be working on the 2nd and 3rd floors. Trinity Health was consolidating 18 locations across the state to this location, with a net gain of 500 jobs for Farmington Hills. The extra parking was one of the requirements for finding a location for this use.

Commissioner Mantey commented that with 800 employees ¼ mile from Farmington Road, a sidewalk should be constructed to 12 Mile Road in order to provide pedestrian access to Farmington Road. Mr. Butler said they were not opposed to doing that.

Chair Schwartz asked if a parking deck could be constructed, as had been done on the property to the east. Mr. Drolshagen said that would represent an extraordinary expense.

Chair Schwartz suggested using clear striping to designate pedestrian access throughout the parking lot.

In response to a question from Commissioner Mantey, City Planner Stec said that the parking lot trees were required, or alternately a variance granted. A contribution to the tree fund could not be substituted for parking lot trees.

Mr. Butler said they would provide the required parking lot trees.

Commissioner Turner noted that the area for the new parking pavement needed to be included on the plans.

MOTION by Stimson, support by McRae, that Site Plan 51-1-2019, dated February 19, 2019, submitted by Northern Equities Group, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to the following condition:

- **A revised site plan be submitted for administrative review showing (1) a pedestrian connection from 12 Mile Road (2) additional parking lot trees based on revised calculations, and (3) area for new pavement.**

And with the following finding:

- **The shape of the detention pond is acceptable as shown.**

City Planner Stec said that the detention pond needed to meet Engineering Department forebay standards. Ultimately this would result in less pavement. Mr. Butler agreed to work with Engineering to meet current detention pond standards.

Motion carried unanimously.

MOTION by Stimson, support by Goerke, that Landscape Plan 51-1-2019, dated February 19, 2019, submitted by Northern Equities Group, be approved because it appears to meet all applicable Zoning Chapter requirements, and applicable Design Principles as adopted by the Planning Commission.

Motion carried unanimously.

D. SITE AND LANDSCAPE PLAN 53-2-2019

LOCATION:	39001 Sunrise Dr.
PARCEL I.D.:	23-18-201-002
PROPOSAL:	Freestanding vehicle test facility in the IRO Industrial Research District
ACTION REQUESTED:	Approval of site and landscape plans
APPLICANT:	Douglas Falzon of Ventura & Associates
OWNER:	Nissan Technical Center North America, Inc.

Utilizing overhead slides, and referring to his review letter dated March 14, 2019, Planning Consultant Tangari gave the background for this application for a new 123,719 square foot crash test facility on the western end of the property. The project included the reconfiguration of certain other parts of the lots to accommodate the larger number of parking spaces required for the new building. The reconfiguration included a fourth driveway connection to Country Club Drive.

Outstanding issues included:

- The proposed paved area marked *Future Expansion* was not part of this approval. If this future expansion were to occur, a separate approval would be required.
- Sheet A1 cited two buildings as approved in November 2014 but not yet built. It was uncertain whether the approvals for those buildings remained valid or had expired. One of the approvals was in an area proposed to remain as parking on tonight's plan. Approval of the current plan did not constitute approval of the areas marked as previously approved on Sheet A1.
- The site had a large dumpster enclosure east of the existing building. Sheet A5 showed two small dumpsters on the west side of the new building with the label *potential dumpster location*. If dumpsters were to be placed in that location, they would need to be enclosed in accordance with the standards of Section 34-5.13.D. However, together with the building, an 8-foot wall along the western property line might accomplish the required screening effect.
- There appeared to be ample space around the new building for loading and unloading, but no area was specifically designated for that purpose on the plan.
- The applicant proposed a total of 1,891 parking spaces, or an excess of 842 spaces – 80% over the required amount. The applicant should explain the need for so many additional parking spaces.
- Per Section 34-5.16, the maximum average to minimum ratio for lighting on the site must not be higher than 4:1. The photometric plan showed ratios for several distinct areas, but no aggregate ratio for the whole area of development. The plan should be updated to show this ratio; several of the ratios shown exceeded the maximum.

- The proposed building would have a façade on each side comprised primarily of insulated metal panels, with a painted CMU band at the base. The south elevation showed two overhead doors, but in the plan view on Sheet A5 there appeared to be no breaks in the landscaping belt for access to those doors. That correction could be reviewed administratively.
- Replacement landmark trees were not shown on the landscape plan.
- Regarding regulated trees, 302 replacements were required. A total of 63 new trees were listed on the landscape plan. 239 additional replacement trees were required, or the applicant could choose to pay \$350 per tree into the city tree fund (a total of \$83,650).
- The 45 proposed evergreens were all 8 feet tall. The city required a height of 10 feet at installation.
- 18 parking lot trees were required, but the landscape plan did not identify any new trees that would serve as parking lot trees.

Doug Falzon, Ventura & Associates, was present on behalf of this application for Site and Landscape Plan approval.

Mr. Falzon said they would comply with ordinance requirements for parking lot trees. Regarding the parking spaces, the facility had been in place for 25 years as an automotive, technical, research and engineering development firm. They needed space for their program vehicles, in addition to space for 25-50 additional staff. The proposed building would be a Nissan crash test facility, and would be a highly secure and confidential site.

In response to questions from Chair Schwartz, Mr. Falzon said that all crash testing was done inside the building. One to two vehicles were tested per day. The building had a fully insulated steel wall, with 4 inches of insulation. An 8 foot masonry wall would be around the perimeter. Noise should not be an issue. The crashes were more of a crush/crumble than a huge crash noise.

Commissioner McRae said the overhead view of the property showed a significant number of cars parked on the site. It was better for the employees to park on the lot than on the street.

Commissioner Stimson asked if the parking was actually increasing. Planning Consultant Tangari said the lot was being reconfigured, but that the parking was not increasing significantly. Mr. Falzon said the net difference was about 15-20 spaces.

Seeing that discussion had ended, Chair Shwartz indicated he was ready for a motion.

MOTION by McRae, support by Countegan, that Site Plan 53-2-2019, dated February 14, 2019, submitted by Douglas Falzon of Ventura & Associates, be approved because it appears to meet all applicable requirements of the Zoning Chapter, subject to a revised site plan being submitted for administrative review, addressing the following:

- **Revised parking lot tree calculation.**
- **Photometric showing Average Maximum to Minimum lighting ratio across the site.**
- **Paved entrances to overhead doors on south side of new building.**
- **Minimum height of 10 feet for evergreen plantings.**

Motion carried unanimously.

MOTION by Goerke, support by Stimson, that Landscape Plan 53-2-2019, dated February 14, 2019, submitted by Douglas Falzon of Ventura & Associates, be approved because it appears to meet all applicable Zoning Chapter requirements, and applicable Design Principles as adopted by the Planning Commission, subject to the following condition:

- **A revised plan be submitted for administrative review showing a minimum height of 10 feet for the evergreen replacement trees.**

Motion carried unanimously.

E. CLUSTER SITE AND LANDSCAPE PLAN 54-2-2019

LOCATION: 24560 & 24590 Orchard Lake Rd and 19 acre vacant parcel on the north side of Ten Mile Rd., east of Orchard Lake Rd.
PARCEL I.D.: 23-23-351-007, 006 & 035
PROPOSAL: One-family cluster option subdivision in an RA-1 One-Family Residential District
ACTION REQUESTED: Set item for Public Hearing
APPLICANT: Sherr Development
OWNER: Patrick Hanaway, William and Susan Tucker & Joanne McQuade-Arnold

Utilizing overhead slides, and referring to his revised review letter dated March 20, 2019, Planning Consultant Arroyo gave the background to this application to set a one-family cluster option subdivision proposal in an RA-1 One-Family Residential District for public hearing.

Most of the site was qualified for a cluster plan in November 2018; a third parcel was added to the qualification in February, 2019.

Planning Consultant Arroyo called out the following issues:

- The applicants were asking for a reduction in front yard setback. However, if the garages were set back only 20 feet, some vehicles parked in the driveway might end up being parked in the right-of-way, or on a sidewalk, if one was provided. Planning Consultant Arroyo suggested that the front setback should be increased to 25 feet for garages in order to accommodate the parking of large, modern vehicles in driveways.
- The proposed driveway locations of Units 1 and 51 were likely to lead to challenging left turns due to their proximity to the entryway boulevard. Those should be moved to the other side of their respective units or the island length should be modified to mitigate that concern.
- Per Section 25-57 of the Subdivision Ordinance, the maximum length of a cul-de-sac street was 600 feet. The length of the proposed cul-de-sac street extending south was approximately 1,050 feet.
- The City's Engineering Department and the Fire Department preferred a connection to 10 Mile Road across the B-3 portion of the large parcel. This would be a major change to the plan.
- A separate Open Space sheet should be provided, along with a cost estimate for all landscaping.
- A superimposed tree survey was not provided.
- It appeared that trees to be removed within the drainage easements were not included in the phase 1 calculations. That must be corrected, as it significantly affected the number of trees required for replacement.
- Many trees on the tree inventory were listed as *invasive*. This was not a category in the City's ordinance; all trees meeting the size and health standards of the ordinance were considered

regulated.

- 473 replacement trees were required. The plan showed 272 new trees that could be considered replacement trees. 200 additional trees should be added to the plan. The applicant had noted on the plans an intention to provide the remaining replacement trees via infilling preserved woodlands, but numbers on the plan should be revised, as the counts did not match what was presented. Alternatively, a payment could be made into the tree fund at \$350 per tree.
- A buffer was required adjacent to one-family districts. Given that the single-family lots did not meet the standards of the underlying district, the Planning Commission could require plantings as appropriate. The applicant did show clustered tree plantings around the edge of the development. The Commission should decide whether those satisfied the buffering requirement.
- Planting lists should be revised to reflect the number of trees shown on the plan.
- The plan should show the typical snowfence installation detail found in the Landscape Plan review checklist.
- All tree details should be replaced with the current City approved details found in the Landscape Plan review checklist.

Chair Schwartz asked that the length of the cul-de-sac on High Valley Court be provided for the public hearing.

Commissioner Stimson noted that in November, before the extra property on Orchard Lake Road was acquired, the estimated number of homes was 42 for the site. Tonight the estimated number of homes was 51, with only 6 in the Orchard Lake Road entryway. Did the density go up? What was the calculation of units per acre?

Commissioner McRae said the concept plan had been 2.2 units per acre; now the development was at 2.5. Also, at the November meeting Commissioner McRae had asked if the southern cul-de-sac would meet current Fire Department requirements. At that time Mr. Sherr had said they had met with the Fire Marshall, and the 50-foot radius did meet requirements.

Chair Schwartz asked about the length of cul-de-sacs in Copper Creek.

Commissioner Countegan said there were examples of subdivisions with longer cul-de-sacs in the City. It was important to note that Ridgeview subdivision, to the east of the subject site, was originally contemplated with access from this development via the stub street (Paisley). If access was punched through to 10 Mile to the south, other conflicts might result. The proposal had a connection to Orchard Lake Road and the stub street to the east. There was a long cul-de-sac, but the Commission should also consider what would happen if access was opened up to Ten Mile Road, taking the additional traffic to the 10 Mile and Orchard Lake intersection.

Commissioner Stimson asked where sidewalks were required. Planning Consultant Arroyo said sidewalks were required along major roads; there was no requirement for interior subdivisions. In the current case, the applicant was trying to maintain the same rear yard setback as was required for a traditional development. In order to do that, they were asking to move the homes closer to the road. If a sidewalk was required, there would likely be frequent parking across the sidewalk.

Commissioner Brickner noted that the developers could now utilize the two lots on Orchard Lake Road for home construction. That accounted for some of the increase in units.

In response to the earlier question, Planning Consultant Arroyo said the current proposed density was 2.42 units per acre; the development could go up to 3.41 units per acre.

Commissioner McRae said that the motion he had made in November and reiterated in February stated: . . . *said site plan should be substantially similar to the document as presented this evening at approximately 2.2 units per acre.* Commissioner McRae felt the plan presented this evening did not meet that requirement.

Chair Schwartz invited the applicant to make his presentation.

Roger Sherr, Sherr Development, 31300 Orchard Lake Road, Farmington Hills, was present on behalf of this cluster option request. He made the following points:

- They were seeking to develop a detached single family community with ranch style homes 1600-2000 square feet, targeting empty nesters. An elevation and floor plan had been included in the packets.
- This was a challenging site, with woodlands and wetlands. The site had been previously qualified for the cluster option.
- Tonight they were presenting a site plan which they felt precisely met the guidelines under the cluster option.
- The cluster option allowed attached units at 3.1 dwelling units per acre. They were proposing a total of 51 detached units.
- The development transitioned nicely from commercial to the south and west, and from the single family units to the east.
- The empty nester market was increasingly important in Farmington Hills. Empty nesters wanted detached ranch style low-maintenance homes.
- The dynamic that resulted as empty nesters left larger homes to locate in developments such as this one, the homes they left in established neighborhoods became available to families and first-time home buyers.
- Regarding parking, the cluster zoning option allowed setbacks of 20 feet from the right-of-way, which was about 16 feet from back of the curb. When the setback was 20 feet, the driveway would be about 35 feet long, which allowed ample space for driveway parking without invading the street.
- They were still considering whether or not to include sidewalks.
- The tree count was not yet complete. They would contribute the required amount to the tree fund for trees that were not replaced.
- Regarding the cul-de-sac, Mr. Sherr distributed aerials that showed the Ridgeview cul-de-sac being 2,502 feet long, and the Elmhurst cul-de-sac being 1,618 feet; both of these were directly to the east of the subject site. While the engineering guideline was 600 feet, there were very nice communities nearby that had longer cul-de-sacs.
- When Mr. Sherr had met with the Fire Department, he was told the bigger issue was the radius of the cul-de-sac, along with connecting to Paisley, the stub street that connected with Ridgeview.
- If the new street had to punch through to 10 Mile, a long straight drag street would result. Additionally, such a connection would negatively impact the commercial corridor along 10 Mile Road.
- Mr. Sherr had met with Engineering staff, who had communicated that they were not going to push the issue of the length of the cul-de-sac.
- Mr. Sherr reviewed other developments he had completed in Farmington Hills and elsewhere, and said he understood the market here. Sherr Development was good at what they did, and they

understood and respected the spirit of the City. This project was an opportunity to serve the empty nester market.

Chair Schwartz asked if the applicant would like to return for public hearing April 18 or May 16.

Staff Engineer Seewald said that the Engineering Department was adamant that the 600 foot standard for the cul-de-sac be followed.

Deputy Fire Chief Olszewski explained that the Fire Department reviewed plans per Chapter 12 of the City Ordinance. The 600 foot maximum was an Engineering Department standard, which he supported.

During the original conversation with Mr. Sherr, Deputy Fire Chief Olszewski had explained that a cut through to 10 Mile and Orchard Lake Road was preferred. While there were long dead-end cul-de-sacs in the City, the Fire Department had to prepare for worst-case scenarios. If an aggressive fire event occurred, a long cul-de-sac made side-by-side fire truck parking impossible and getting injured people out, including firefighters, became very difficult.

Commissioner Countegan asked if opening up Ridgeview via the stub street offered greater protection to that street. Deputy Fire Chief Olszewski said it did.

Commissioner Countegan pointed out that the plan as presented offered the Fire Department a greater opportunity to serve the residents on Ridgeview. While Deputy Fire Chief Olszewski's comments were focused specifically on the length requirement, the Commission had to look at the totality of an area and how it was served. He felt this site, being long and narrow, was a perfect opportunity for a cluster development. While he respected what the Engineering and Fire Departments were saying, his consideration was how the entire development benefited this area of the City.

Deputy Fire Chief Olszewski said he would support whatever decision the Commission made. If the long cul-de-sac were approved, he would request that in the interest of life safety standards, sprinklers be required in the homes on the cul-de-sac, for the benefit of the people who lived there.

In response to a question from Commissioner McRae, Planning Consultant Arroyo said the cul-de-sac was measured from center line to center line.

Commissioner McRae said his main issue with the plan was the increase in density since the November meeting. He was most concerned with the east side of the road, which backed up to other residents. He could better support the plan if there were 3-4 less units on that side. He was comfortable with the northern cul-de-sac, the connection with the stub street, and he felt the issues with the southern cul-de-sac could be mitigated. He was very concerned about the 51 units now being proposed.

Mr. Sherr said they complied with the 10 foot buffer to the homes on the east, where the boundary was already heavily vegetated. They were hoping the buffer allowed the site plan as presented. Regarding reducing density, it was a matter of economics. The cost of developing today made any project very difficult. From an aesthetic standpoint, he felt the Ridgeview residents would be among their biggest fans. The buffer would hide the homes in the summer. Values of homes along Ridgeview would increase. He pointed out that empty nesters tended to be quieter and use fewer municipal services.

Commissioner Stimson asked if the yards would be maintained by the Association. Mr. Sherr said there would be unit lines and the homeowner would own their property. The developers were proposing that the

Association provide lawn care and snow removal, which would keep the Association fee modest. The City would provide snow service on the street.

Commissioner Stimson asked if the Association would be responsible for maintaining the buffer. Mr. Sherr said the buffer would be a site plan requirement. Homeowners could not touch the buffer.

Commissioner Turner asked if the applicant had addressed the Engineering Department concerns listed in the March 14 review letter. Staff Engineer Seewald said that all those concerns had not yet been addressed.

City Planner Stec said that with the number of outstanding issues, including the superimposed tree survey, open space plan, concerns regarding the buffering to the east where there would also be a storm water line, revising the tree removal plan, showing a forebay for storm water management, etc., his recommendation was to set the public hearing in 2 months, at the May 16, 2019 meeting. Also, City Planner Stec asked for direction from the Commission regarding whether to leave the southern cul-de-sac, or push the road through to 10 Mile Road.

Mr. Sherr agreed to the May 16, 2019 public hearing date. He did think issues could be resolved, and detailed engineering would be worked out with the Engineering Department.

Chair Schwartz said that he felt the Commission was split on whether or not to connect with 10 Mile Road. The developers should bring their best proposal to the public hearing.

MOTION by Countegan, support by McRae, that Cluster Site and Landscape Plan 54-2-2019, petitioned by Sherr Development, be set for Public Hearing on May 16, 2019.

Commissioner Countegan said the discussion regarding the connection to 10 Mile Road should be at a public hearing. He remained concerned about what that a connection with 10 Mile Road would do to the commercial corridor there.

Commissioner Brickner pointed out that if the road went through to 10 Mile Road, the detention area would need to be significantly changed.

Commissioner Stimson said that he agreed with Commissioner McRae regarding density, especially as the density impacted the neighboring homes to the east.

Motion carried 7-1 (Turner opposed).

APPROVAL OF MINUTES: February 21, 2019 and February 28, 2019

MOTION by Brickner, support by Mantey, to approve the February 21, 2019 meeting minutes as published.

Motion carried unanimously.

MOTION by Countegan, support by Brickner, to approved the February 28, 2019 meeting minutes as published.

Motion carried unanimously.

PUBLIC COMMENT None.

COMMISSIONERS' COMMENTS

Commissioner Turner asked about progress at the substation at 13 Mile and Middlebelt. City Planner Stec that now winter was over, the project would be resumed.

Commissioner Brickner said he was the proud grandfather of new grandson Hunter Aaron.

Chair Schwartz asked that parking standards be placed on a future study session agenda.

ADJOURNMENT:

Seeing that there was no further discussion, Chair Schwartz adjourned the meeting at 9:44 p.m.

Respectfully Submitted,
Dale Countegan
Planning Commission Secretary

/cem