

SPECIAL
FARMINGTON PLANNING COMMISSION PROCEEDINGS
City Council Chambers, 23600 Liberty Street
Farmington, Michigan
June 25, 2018

Chairperson Crutcher called the Meeting to order at 7:00 p.m. at City Council Chambers, 23600 Liberty Street, Farmington, Michigan, on Monday, June 25, 2018.

ROLL CALL

Present: Chiara, Crutcher, Gronbach, Perrot, Waun
Absent: Kmetzo, Majoros

A quorum of the Commission was present.

OTHER OFFICIALS PRESENT: Director Christiansen, Recording Secretary Murphy

APPROVAL OF AGENDA

MOTION by Gronbach, seconded by Perrot, to approve the Agenda.
Motion carried, all ayes.

FINAL SITE PLAN REVIEW – PUD PLANNED UNIT DEVELOPMENT: LIBERTY HILLS, 32795 TEN MILE ROAD

Chairperson Crutcher introduced this agenda item and turned it over to staff.

Christiansen thanked Commissioners for attending the special meeting of the Planning Commission, that it can be requested by anyone and the Petitioner requested it. Appreciate you being able to attend.

Christiansen stated this item is a final site plan and review, Planned Unit Development, Liberty Hill, 32795 Ten Mile Road. He stated the Commission has been involved with this project for quite a period of time and should be pretty familiar with the project, the site, the developer as well as some of the attendees at the meeting, the City's consultants and some neighbors interested in the project that live in the area where this redevelopment project is proposed.

He indicated this is a final site plan review for the redevelopment of the Old 47th District Courthouse property. At the November 13, 2017 Planning Commission Meeting, the Commission held a pre-application conference, a discussion and review with the Applicant on a proposed PUD concept plan for the redevelopment of the Old Courthouse site and scheduled the required Public Hearing for the January 8, 2018 Planning Commission Meeting and recommended an approval of the preliminary conceptual PUD plan to the City Council. At their March 19, 2018 meeting the City Council approved the preliminary conceptual PUD plan and also the draft PUD agreement from Liberty Hill.

The final step in the PUD process then is what is being requested and presented this evening. The Applicant, Boji Development, Inc., Ten Mile Development Group, LLC, has submitted a final PUD site plan for the redevelopment of the Courthouse property and the final site plan includes a conceptual plan, an existing conditions survey of this site, a final site plan, a landscape plan, proposed floor plans and proposed building elevations. Also attached is an aerial photo of the site.

Additional information also attached is a final PUD site plan and a planning review letter from OHM dated 6-21-18, a final site plan engineering review letter from OHM dated 6-21-18 and colored renderings of the proposed floor plan, building elevations and landscape plans submitted by the Applicant.

The Applicant is here this evening, as they've requested this special meeting to present the final PUD site plan to the Commission.

Christiansen put the aerial photo on the screen and pointed out the various landmarks included in that photo.

He stated this is a City owned property and that the City has a purchase agreement with developer subject to final site plan approval here for the final step.

Chairperson Crutcher called the Applicant, Joe Boji, to the podium.

Joe Boji, of Boji Development, Ten Mile Road Development, LLC, came to the podium. He stated that the final site plan was on the screen for the Commissioners to view of the Liberty Hill development, a fourteen unit, single-family home, both colonial and ranch style, single level homes. He stated that the Commissioners should be familiar with it and opened the floor for questions or concerns from the Commissioners.

Christiansen stated that the OHM consultants who conducted reviews of this development were present and would address the Commission with their opinions.

Boji stated that the existing topo was on the screen with the lots depicted, that they have changed from a condo with all common areas to site condos with individual lots, that's the main difference from the preliminary and that the homeowners will maintain and take care of their own property.

Christiansen asked the Commissioners if they knew what the difference was between the original proposal and their final plan was that it was changed from a true condominium to a common development with common elements except for the buildings, the units themselves was going to be common and have some level of share. And the developer

has gone back to a more typical site condominium approach, where the development will have a master deed, there will be bylaws, there will be an association, there will be some limited common elements but the lots and the units will be owner occupied. It's exactly like Riverwalk of Farmington/Flanders, same structure.

Boji went over the final site plan depicted on the screen. He stated the consultants wanted them to specify what the open space will be used for. So, there is no specific plan but it will probably just be landscaped and sod, except for a seating area that he pointed out on the screen.

He indicated on the first page of the landscape plan shows the overall site with the right of way and the concept for the entry sign which will be located next to Lot One. There will be street trees and a lot of nice landscaping.

Christiansen asked through the Chair that with the landscape plan you can see some other elements on this plan aside from fourteen lots, the fourteen building footprints, you can see the property boundaries, you can see the open space area which is intended to be hydroseeded, you can see the landscaping and street trees and then there is landscaping on the perimeter of the site on the north side of the site, which is the entrance side along Ten Mile, both adjacent to the lots, across the green space, and there are street tree plantings as well and then you have landscaping along the east side of the site which is adjacent to the east side of Unit 10, and also you'll note that the intent, if you look back at the aerial photo, the horseshoe drive that exists, there's an easement document put together with an exhibit that they are working with Farmington Public Schools and the developer on, that will abandon that horseshoe. Also, to the access drive to the rear parking lot between this property and the school property to be abandoned, but you'll note that the School Building, the Ten Mile School, Maxfield Education Center is still there. So some of this landscaping is intended to offset that as well. That entry drive will not continue to be used as an entry drive, what will be there in the future is just a need to intermittently access the generator on that side that is there for emergency purposes by the schools and fuel it once in a while, like once a year.

The other elements here, you see the entry sign on the west side, and the other thing shown on here it's kind of a stone based entry sign, a monument sign.

Boji replied it is stone based, stone limestone slab, with probably stand off metal letters.

Christiansen asked if there would be floodlight illumination and Boji responded yes.

Christiansen went on to state that the area that is heavily contoured is the area of storm water management and the consultants will talk about that, and that there is also depicted

other utility lines, water that comes into site and certainly one very, very important item is the sanitary. The sanitary to this site is being connected to the west and there are single family properties to the west and there are residents here that will be part of this redevelopment for a long time, the various iterations of proposals. There is actually an easement across one of the properties, it's the second property to the south off of Ten Mile on Elizabeth Court, it's the HOL property and they are actually here this evening and we've had a lot of engagement with them over time.

Crutcher inquired about the planting details and Boji responded that the picture on the screen was an aerial with the conceptual site plan overlaid on it and pointed out the generator we were talking about and the access drive. Boji went on to state that the next picture shows the potential overall site if the other property becomes available.

Crutcher asked if that was a different orientation and the Petitioner responded yes, that this is north.

Christiansen stated the reason that depiction is in there, it's not part of the PUD agreement, it's here for informational purposes only.

Boji went on to point out the floor plan and elevations of the proposed homes, stating there should be five and stated that the pictures on the screen depict homes that they have in the same style in the past. Boji invited the Commissioners to pose questions to him.

Chiara asked if someone purchases one of the buildings, will they be buying the land as well and the Petitioner responded in the affirmative.

Chiara then asked what the difference is between a condo and a house and Boji responded it is just the way they subdivide the land, so you can plat for condominiums and there are different types of condominiums and this will be site condominiums, where you own your site, your lot, as well as your dwelling.

Christiansen stated through the Chair to the Commission, that most of the properties in the City of Farmington were platted at one time or another under the State Plat Act, the Land Division Control Act. Over time other tools evolved to allow for a more expeditious process to split properties, divide properties, to create subdivisions. So instead of the traditional plat which had to go through municipality and county and to the state, and had reviews and had to be recorded and stamped and it was a process which is still available. There were other means by which developers were able to come online, one of them is through the State Condominium Act, and it allowed a quicker way to create subdivisions,

that instead of creating a subdivision, they were coming in under the auspices of creating a master binding document, a master deed and the bylaws, having an association. So for Farmington, most of our platted property, the last subdivision in the City was Chatham Hills and then subsequent to that, and that's a plat, subsequent to that is Riverwalk of Farmington, that's a site condo but you don't really notice the difference, it's different procedurally and in process and the legal tools.

Chiara asked is it just terminology and Christiansen responded that yes, it's terminology but it's also an expediting process in taking out some parts that used to be traditional and typical and putting in requirements, so that's the difference basically, nuts and bolts.

Chiara then asked if the maintenance of the open areas is part of the association and Boji responded that the association will take care of that but that each homeowner will take care of their own lot.

Gronbach asked if Boji as the developer is going to do the individual landscaping at each house when its built or is the homeowner going to be responsible for that.

Boji responded the homeowner will be responsible for that.

Gronbach asked the Administration that if the landscaping that has been proposed and provided, does that meet all of the City requirements.

Christiansen responded in the affirmative but stated he would allow OHM to address that issue.

Commissioner Waun inquired regarding the master deed, will there be a timeframe noted for landscaping installation and then indicated she had a question about fencing.

Boji responded he would defer to the City ordinances on that question.

Christiansen responded that fence requirements have to follow the rules, with permits required, certain locations, certain height, and that's a permit applied for and obtained through the Economic Community Development Department through the Building Division.

As far as installation of landscaping, Christiansen responded there are requirements here in the City for finishing a unit and there's bonds and other monies that are put up to ensure that is done, so there is a timeline for that to be done in accordance with the construction sequence and in order to get a full C of O.

Christiansen stated that again, they don't have specific per lot requirements unless it's put on by a unit to unit basis and that's not what is part of what this project is proposing. Common landscape but not on a per unit.

Waun stated she typically sees these things in the Master Deed, and Christiansen responded that the Master Deed will spell those out and that's an instrument that will be put together by the City Attorney and the attorney for the developer and will end up being part of the final PUD agreement.

Perrot asked the Administration if the Planning Commission approves this tonight, what is the next step in getting closer to an actual start date?

Christiansen responded that PUD projects have four steps, we're at the last step, the final site plan, review and approval rests with the Planning Commission and that subsequent to this, then the finished item is whatever has to be addressed from the consultant's standpoint, and then the PUD agreement which is an instrument of Council. He stated they've already given their approval to the draft, it has to be finalized, and once it's finalized which would include any direction or any approval or condition of the Planning Commission.

Christiansen stated that the attorney indicated that any action by the Planning Commission tonight should include that it is subject to the final PUD agreement to be approved by the City Council.

But after that it's onto construction engineering planning and so the final PUD site plan, City Council PUD Agreement, there's a purchase that has to be consummated, the purchase agreement that the developer has with the City has to be finalized, there are three items that have to be dealt with with Farmington Public Schools, three easements, one of them for the horseshoe drive and the access, there's another one for allowing the access to the site for the generator, and a small encroachment on the corner of Lot 9, the southeast corner down there, there's a little radius encroachment so that traffic can circulate and still get around for Farmington Public Schools, right now it's a two-way, it's going to end up a one-way. So those three items have to be approved by Farmington Public Schools at their next available meeting.

Subsequent to that the Petitioner, developer/investors are in a position to go ahead, once they own the property to apply for demolition permits for the building and for the out building. We anticipate that being sometime shortly and subsequent to that they have construction engineering plans which have to be reviewed and approved, permits have to be applied for and secured for all the infrastructure and the site development, and all of that being done coordinated with the City's engineering consultants, once that is all in

place, permits have been issued and everything is in place, financial guarantees have to be put up, both performance and maintenance and guarantee monies have to be identified, those amounts and those put up, once all of that is done a preapplication conference letter is put together with all of the information in it and a meeting is scheduled and when we have a pre-application meeting and we're all on the same page, then we can put a shovel in the ground.

Doc Holschink inquired of Christiansen if he could make a guess as to when that will happen, and Christiansen responded that in all of his working with the developers and investors that he would like to see that it's likely to hopefully see this project move forward with all the various steps with new ownership and permits and with pre-con and a date, demolition, sometime this fall towards the end of the year for site development next year. He stated that hopefully that's the timeline, if all is in place.

Crutcher thanked Christiansen for his comments and called consultant OHM to the podium.

Chairperson Crutcher called consultant OHM to the podium.

Matt Parks, from OHM, introduced his team, Jessica Howard and Heather Bowden, to the Commission.

He stated that the Commissioners should have in their packets a copy of the June 21st letter, stating that the letter is zeroing in on the comments that were provided in their conceptual review letter which was in January. He stated with this site in general, they looked at it as a whole, as Boji presented with what could be but they also wanted to make sure from a planning standpoint the site functioned as a standalone. He stated that was the key thing they looked at in their first review and the subsequent one just zeroed in on how the Applicant addressed the comments from the first review. He indicated that even though they're at the last step, there's still a lot of work to be done on the PUD agreement, a lot of the nuts and bolts and details of the things are identified in that agreement and in the master deed and bylaws, some of which are referenced in their letter and some of which were received late last week and they were able to look at that and some of their comments have been addressed since that time.

In general, the first comment was there was a labeling issue and how they were labeled in the conceptual review and that the Applicant has fully defined what their intention is and got it squared away at fourteen dwelling units. The site condo issue was covered quite well. He stated that Mr. Boji hit on this item in his general presentation about the open space, what it is going to be used for, who maintains it, how it looks, how it's used. how it's accessed is something that can be outlined more in detail in the agreement, and

in this situation we made the comment on the intent about just how this site is accessed, so Mr. Boji mentioned that this area down here is for drainage and outlets, they do do detention on site but their main concern is making sure there's enough space through the landscaping to get in there and do routine landscaping.

And then the connection between the seating area and the open space, they were looking for a little bit more detail in seeing if the Applicant wanted to put in a walking path or some kind of connection. If it's only intended for Lots 10-14, that really has an open space area, that's fine but there will be a probability that the other nine units will want to access that. And with the three sets of trees they put in behind Lots 13 and 12, they do a good job of screening those backyards from other backyards but it may inhibit or may not be so obvious how to access that.

Parks stated those are little detail items that could be addressed fairly well administratively which is typical stuff that the engineering reviews will cover, and bonds and maintenance and things like that are covered but a lot of those details need to be ironed out but the Applicant has provided them with a PUD agreement that they have looked at and everything looks good.

He went on to state the Applicant has addressed the pedestrian connection comments, they've done a good job of bringing sidewalks to the site, they've done a good job with the turnaround on the subdivision so you're able to get in, it's not just a dead end, you have an ability to turn around. Sidewalks dead end there so their letter comments that they want to carry that sidewalk through, get rid of the turnaround when the site develops, so he feels the Applicant has done a good job of addressing that.

He stated their letter did address dwelling unit details and landscape and design details and the Applicant did provide the landscape details and that they actually did receive the renderings and the details on the units. So they were looked at after their letter was issued. He indicated those details need to be ironed out in the agreement.

The overall concept plan was submitted with that and the letter states that they recommend that it is as submitted and that they are okay with that.

He indicated what it really boils down to is the final site plan and review comments and the next step, it really boils down to some of the nitty gritty details that are typically handled administratively but in general he thinks this site is in pretty good order, that the Applicant has definitely added a tremendous amount of detail to this set of plans compared to the initial set that was reviewed in late December. He opened the floor to any planning related questions.

Jessica Howard, from OHM, came to the podium to address comments from an engineering standpoint. She stated one of the main items that they had is that Ten Mile Road is actually under the jurisdiction of the City of Farmington Hills, so she knows Mr. Boji's team has reached out to the Farmington Hills Road Commission to look at their plan and they are in the process of that and as long as they agree with the location of the drive approach, that was their biggest concern with this final PUD site plan.

Another comment was directed towards telling them whether or not they were proposing the road to be public or private. The plans do show that they are proposing it to be public, and this will need to be addressed during the PUD agreement.

The next concern that they have is the proposed 8-inch sanitary sewer that connects between proposed Lots 2 and 3, that they recommend a slightly wider easement than what is shown on the plans but it looks that they can use the building envelope that you see north and south of that to get a wider easement, that they are recommending a 25-foot wide easement and this is before it goes to the adjacent subdivision on the west, whether there's an existing easement there, that's already been worked out and proposed on Lots 2 and 3.

Another comment they had for the T turnaround if the future concept plan does go and they want to know if the connection with the sidewalk is to be removed, the restoration that is between lots 10 and 9, just note that for future development. And the last comment they had for the final PUD site plan, is that the existing ditch which is part of the drainage plan of this property, has access, the proposed plan looks like it might prohibit access to that and they want to make sure that it maintains positive drainage and it doesn't back-up and we do know that the developer may provide extra storage in their storm sewer pipe so it doesn't back up, but the impact to the flow shouldn't be too substantial but they want to make sure that it's properly maintained. So the rest of the comments are directed towards the Applicant and as far as to help them get a good start before the next review.

Crutcher opened floor for questions from Commissioners. There were none heard.

Christiansen stated that there is not public comment unless it's at a public hearing but it is at his discretion to allow public comment time after this item if he deems it is necessary.

Buzz Holschink, who lives adjacent to the sewage area Unit 2, stated that he is concerned with the proposed sanitary sewer and Howard responded that in between the two proposed lots they are asking to expand does not include his.

Holschink asked if there are any proposed changes concerning his easement and Howard responded no.

Holschink stated he still has concerns and is there anything that's going to protect his property as far as services to his property and Parks responded that in the PUD agreement there are provisions in there that make sure that if something should occur, they will be fully restored.

Holschink then asked how deep the excavation is and Parks responded it is 22 to 23 feet deep.

He then asked if the huge tree on the border would be removed and the Applicant responded probably not and Parks responded that you can install these things, trenchless and borings, but what we know about utilities if you have the need to go down there, the way the ground slopes and the grading works quite well.

Holschink stated he got excited when he heard they are widening the easement and Parks responded that at that depth you can tunnel under and looking at this property you can recall that the City improved the Twin Valley Pump Station at the bottom of the hill at Shiawassee and Farmington Road and prepared that for the annual added capacity of this property as well as the potential redevelopment of the school property in the future.

MOTION by Waun, supported by Crutcher, to approve the final site plan for the PUD Planned Unit Development for Liberty Hill, located at 32795 West Ten Mile Road, as submitted with the provision that the final site plan be in compliance with the specifications and the recommendations of the OHM Advisors letters dated June 21, 2018, with changes as recommended within the June 21, 2018 letters from OHM and that the approval be contingent upon final review with the School Board for the easement agreements and subject to the terms and conditions of the PUD and the City and the developer, Ten Mile Developer, LLC.

Motion carried, all ayes.

PUBLIC COMMENT

None heard

PLANNING COMMISSION COMMENTS

Christiansen thanked everyone involved in the 47th District Court Property and stated at the July 9, 2018 meeting there will be an update on the Maxfield Training Center property for the revised conceptual plan.

ADJOURNMENT

MOTION by Perrot, supported by Waun, to adjourn the meeting.
Motion carried, all ayes.

The meeting was adjourned at 7:54 p.m.

Respectfully submitted,

Secretary