



Special Council Meeting
8:00 p.m., Monday, July 24, 2023
Council Chambers
23600 Liberty Street
Farmington, MI 48335

FINAL

SPECIAL MEETING MINUTES

A special meeting of the Farmington City Council was held on July 24, 2023 in Farmington City Hall, Farmington, MI. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 8:08 p.m. by Mayor Sara Bowman.

1. ROLL CALL

Attendee Name	Title	Status	Arrived
Johnna Balk	Councilmember	Present	
Sara Bowman	Mayor	Present	
Joe LaRussa	Mayor Pro Tem	Present	
Steve Schneemann	Councilmember	Present	
Maria Taylor	Councilmember	Present	

City Administration Present

Director Christiansen
Superintendent Eudy
City Clerk Mullison
City Manager Murphy
City Attorney Schultz

2. APPROVAL OF AGENDA

Move to approve the agenda as presented.

RESULT:	APPROVED AS PRESENTED [UNANIMOUS]
MOVER:	LaRussa, Mayor Pro Tem
SECONDER:	Balk, Councilmember

3. PUBLIC COMMENT

Chuck Allore, 23609 Warner, spoke about the view of the back of the condos at Hillside Townes from the parking lot and asked if a green barrier could be included in the plan.

Rick Gundlach, 23700 Warner, was concerned about the variances allowed in the proposed PUD agreement. He had a particular concern about the landscape buffer zone between his backyard and the pathway. [See attached letter appended, as allowed by Mayor Bowman].

4. REVIEW AND CONSIDERATION OF MAXFIELD TRAINING CENTER (MTC) PUD AGREEMENT AND PUD PLAN

Director Christiansen began a report to introduce a request for approval of the proposed PUD agreement for the Maxfield Training Center property. Tim Loughrin, Director of Land Acquisition from Robertson Brothers LLC, walked council through changes in the plan that had been previously presented.

Austin Downie and Matt Parks of OHM and Darian Neubecker, Chief Operating Officer of Robertson Brothers LLC were also present.

The City signed a Purchase Agreement with Robertson Brothers for the sale and development of the Maxfield Training Center and two residential parcels effective August 31, 2021. There have been four amendments to the Agreement so far, all extending dates for various actions required under the Agreement. The Developer has submitted the required PUD application and has received recommendations of approval from the Planning Commission and DDA Design Committee. The last Planning Commission meeting occurred in November 2022. The City Council tentatively approved the PUD Plan on May 24, 2023, subject to drafting of an acceptable PUD Agreement. Council was presented with a slightly revised PUD Plan incorporating previous Council and City staff and consultant comments, as well as a draft PUD Agreement.

Questions asked of Loughrin included anticipated dates going forward including closing, final incentives, lanterns on elevations, delineating the individual units to express the individual elements, a tie in with the future pathway, easement agreements versus ownership, art park control, and power poles. Council requests included landscaping buffers on the west side between a walkway and a resident's yard and between the development and the church parking lot, an art easement, and a final review of colors and treatments of the side of the project visible from Warner Street. Attorney Schultz noted the conditions Council wanted added. Council indicated their individual support of the PUD moving forward.

**Move to grant approval of the request of Robertson Brothers (Robertson Hillside Townes, LLC) for approval of a Planned Unit Development (PUD), including the proposed PUD Plan and PUD Agreement, subject to any changes and/or conditions as discussed at the City Council meeting, with any final minor alterations to the PUD Plan and/or PUD Agreement required in the determination of the City Manager and City Attorney to be incorporated by the City Attorney's office for the benefit of the residents prior to the execution of the final PUD Agreement, including the following as presented:
This motion is made on the basis of the findings set forth in the PUD Agreement and upon the assumption that all conditions and requirements of this motion and the PUD**

Agreement, including, but not limited to, the approval of the Brownfield Plan and DDA TIF Plan, will be satisfied. This motion and this approval are also specifically subject to and conditioned upon the following:

1. This PUD Plan and PUD Agreement approval shall not take effect until the following additional actions or approvals occur as contemplated in the Agreement to Purchase and Develop Land, dated August 31, 2021, as amended (“Purchase Agreement”) between the City and Robertson Bros:
 - a. Final approval of a Brownfield Redevelopment Plan and Act 381 Plan by all applicable local and state agencies, upon terms and conditions acceptable to the City.
 - b. Final approval by the City and all applicable local and state agencies, upon terms and conditions acceptable to the City of a DDA TIF Plan.
 - c. Final approval of the items required prior to Closing in the Purchase Agreement.
2. The PUD Agreement may not be signed or recorded, and this PUD approval will therefore not be considered to be effective for any purpose until the requirements in Item 1 subsections a through c above have been completed and satisfied.
3. Because the satisfaction of the requirements in Item 1 subsections a through c above are necessary to the findings of the Council, the PUD Agreement shall only be signed and become effective concurrent with the Closing on the sale of the property pursuant to the Purchase Agreement.

RESULT:	APPROVED AS PRESENTED [UNANIMOUS]
MOVER:	LaRussa, Mayor Pro Tem
SECONDER:	Balk, Councilmember
AYES:	Bowman, LaRussa, Schneemann, Taylor, Balk

5. OTHER BUSINESS

No other business was heard.

6. COUNCIL COMMENT

No Council comment was heard.

7. ADJOURNMENT

Move to adjourn the meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Balk, Councilmember
SECONDER:	Schneemann, Councilmember

The meeting adjourned at 9:15 pm.

Sara Bowman, Mayor

Mary J. Mullison, City Clerk

Approval Date: August 21, 2023

Appended per Mayor Bowman:

**Special Meeting on Hillside Townes Development
City Council, Farmington, MI
July 24, 2023**

The tentative agreement from Robertson Brothers Homes is proposing three variances on p. 4, as shown below.

3. Authorized Deviations from Zoning Ordinance Standards. *The following deviations from the standards of the Zoning Ordinance are hereby authorized pursuant to Section 35-134(A) of the City's Zoning Ordinance:*

1. *Rear setback as follows: a. 24' to north property line (25 feet required)*
2. *Setback to Residential as follows: a. 24' to north property line (30 feet required)*
3. *Waiver of landscape buffer zone between multiple-family and single-family uses and institutional/single-family uses.*

We would like to the third variance, which appears to apply to our property at 23700 Warner Street specifically. We actually share a lot line more than 200' long with the north boundary of the MTC site. Our concern is that, without a buffer zone, people walking along the "pathway to the park" will wander into our yard, thinking it is part of Shiawassee Park. For years, we have had problems with trespassers (particularly young people) coming in and out of our backyard, either from Shiawassee Park or the MTC property. We have even found people picnicking in our yard. They seem to think our yard is part of the park.

When the MTC property is cleared to create the pathway to the park, access to our yard will be further open to trespassers. By waiving the requirement to provide a buffer between our yard and Hillside Townes, our property will be more vulnerable. The buffer zone requirement cited in the city ordinance, section 35-184C of Article 15, dictates landscaping with bushes and trees, and or a wall. These features provide protection against the exposure described above, and we think that waiving the ordinance is not appropriate.

In past presentations, Robertson Brothers Homes has included notations in their drawings indicating that they will be working with the neighbors on the north lot line. We have also discussed such arrangements with Mr. Loughrin. He has specifically offered to work with us, and we are pleased about his offer. Just the same, we would like to see language included in the proposed agreement that provides some kind of buffer arrangement that protects our property.

Thank you for your consideration.

Rick and Jane Gundlach
23700 Warner Street
Farmington, MI