

**CITY OF LIVONIA
PUBLIC HEARING**

Minutes of Meeting Held on Wednesday, June 2, 2021

A Public Hearing of the Council of the City of Livonia was held at the Livonia City Hall Auditorium on **Wednesday, June 2, 2021**.

MEMBERS PRESENT: Kathleen McIntyre, President
Rob Donovic
Jim Jolly
Brandon McCullough

MEMBERS ABSENT: Vice President Scott Bahr
Laura M. Toy
Cathy K. White

OTHERS PRESENT: Scott Miller, Planner
Leo Neville, Assistant City Attorney
Sara Kasprowicz, Recording Secretary

The Public Hearing was called to order at 7:04 p.m. with President Kathleen McIntyre presiding. This item is regarding **Petition 2021-03-01-01** submitted by Fadie Kadaf, pursuant to Section 23.01 of the City of Livonia Zoning Ordinance #543, as amended, requesting to rezone the property at 28200 Seven Mile Road, located on the north side of Seven Mile Road between Inkster Road and Brentwood Avenue in the Southeast ¼ of Section 1, from OS (Office Services) to R-7 (Multiple Family Residential). This item will move to the Regular Meeting of **June 14, 2021**.

The Public Hearing is now open. There were six (6) people in the audience. New data was read aloud by President McIntyre.

McIntyre: We are going to ask Mr. Miller from the Planning Department, who is representing that office and representing Mark Taormina, Director of Planning and Economic Development to make the initial presentation, then following, will be comments from those in the audience.

Miller: This site contains a two-level, general office building, called the Livonia Office Center. The design of the structure is bi-level, with both the lower and upper levels of the building are several feet below or above the established grade elevation. The general building is rectangular in shape and measures approximately 10,500 square feet in area. The building is currently vacant. The proposed R-7 zoning allows apartments as permitted use, subject to the review and approval by the Planning Commission and City Council. With this proposal, he did submit some preliminary plans, if this became an apartment building, it shows the interior and exterior of the building will be completely renovated. The

interior will be converted into ten (10) apartment units. Density for an apartment is based on the number of bedroom units. For each one (1) bedroom unit, you have to have 3,100 square feet of land, for each two (2) bedroom unit, you have to have 3,650 square feet of land. As proposed, the site, based on the total of units, you can have eight (8) one-bedroom units and two (2) two-bedroom units, which constitutes 32,100 square feet. The site is 32,400 square feet, so the number of units is conforming to the density required. For R-7 setbacks, seventy-five (75) feet for both single-family district and a major thoroughfare. At the front of the building, from Seven Mile Road there is only forty-two (42) feet from Seven Mile Road. From the residential districts to the West, there is 15 feet, to the North is 60 feet, so the building failed to comply with the front rear and side yard setbacks are not complying with zoning classification. Parking, the parking is based on two and a half spaces per building unit. A ten (10) unit apartment building would require twenty-five (25) parking spaces on the site plan that was submitted, it showed that there would be about thirty-three (33) parking spaces, so he meets the parking requirement. The Livonia Vision 21 Future Land Use map shows this site as a medium-density residential, which includes small-scale apartments. That's the extent of the proposal.

- McIntyre: Thank you, Mr. Miller. Council, do you have any questions for Mr. Miller?
- Jolly: Could you show us the elevations of the front and side?
- Miller: This is the existing building, and this is the proposed. Basically, they are changing, you can see there are some changes. Only the building material will change.
- Donovic: Madam President?
- McIntyre: Yes, Council Member Donovic.
- Donovic: Mr. Miller, this would not be a tear-down, this would just be a rehab?
- Miller: Correct.
- Donovic: Then, does the County require, since it would be going to multifamily, would there be any sort of underground retention system?
- Miller: We didn't get anything from Engineering, but I'm sure this site has utilities to it. Since it is not a tear down, I think we could use the existing utilities on the site.
- Donovic: Is there an outside carport?
- Miller: No, it does not show that.
- Donovic: Thank you.

McCullough: Madam President?

McIntyre: Please.

McCullough: Through the Chair to Scott. Just a quick question. With the Livonia Vision 21 proposed district. Does that change the setbacks buffering to the residential?

Miller: No.

McCullough: So, the setbacks would still be seventy-five (75) feet?

Miller: Yes.

McCullough: To the West, am I right to say, looking at the site plan proposal, they are less than 15 feet?

Miller: Yes, correct.

McCullough: Thank you.

McIntyre: Thank you. Alright, at this time, we will go to the audience.

Coogan: Good evening, my name is Joseph Coogan. I live at 19291 Lathers, I'm actually facing that property. I would just like to say I'm totally against the rezoning of it. It's going to add much more traffic to an already school area where we have tons of traffic every day anyway. The other issues that I'd like to point out is that if the original plans at the Zoning Commission, there was a living area right next to where my children play. I have teenage daughters, so I'm just worried about random people coming in. Then there is another part of whole the situation that I never saw, were where the dumpsters going to go? Office is garbage is a lot different than human garbage. So, I'm concerned about these aspects of the plan. I organized the group to oppose this rezoning of the area. Thank you for your time.

McIntyre: Thank you. Mr. Miller, where is the dumpster?

Coogan: It's already a couple of feet away, but its just office garbage, not people garbage, diapers and food.

Miller: This is the existing site plan, and this is the existing dumpster.

McIntyre: Ok, that's where, thank you. Alright.

Delisle: Hello, my name is Kevin Delisle, I live at 28290 Seven Mile and I'm totally against it. I was around when the old building was there and there was a bunch of drugs, crime, hookers. There was a kid back there doing heroin, this low-income housing is not going to conform with the residential neighborhood, its going to bring down our property values. Its going to

bring crime into the neighborhood, bring crime into our children. Its going to be more attractive with a big dumpster out there filled with food, diapers, its going to bring rodents. I just don't think it's the right thing, the right spot for it, especially with all the kids in the neighborhood. Its just going to bring crime and drugs and this is something we just don't want in the neighborhood. Thank you, please vote against.

McIntyre: Thank you. Good evening.

Pray: Good evening, my name is Janet Pray, I'm here with my husband, Roger Pray and we live at 19315 Lathers, so two (2) properties away. We just moved into the neighborhood three (3) years ago and we're really attracted to this neighborhood. As you can see by the plot size, the lots are big, the community is small and we just like the feel of that. So, I feel that this is directly opposed to what we bought, and it will change our property value. I'm also concerned that the intent was to be a higher-end apartment building and if I heard correctly, the prices were going to be \$1500 a month for a one-bedroom unit. That's not really sustainable in this area and this community. So, if it doesn't achieve that, then what does it then become? So, you can say you want higher end and you're going to have all of these fancy finishes and things like that, but are you really going to attract to that in this neighborhood or what is it going to end up with? I would ask that you consider a denial as well. Thank you.

McIntyre: Thank you. Anyone else who would like to speak to this item this evening.

Donovic: Madam President, can I ask a question?

McIntyre: Certainly.

Donovic: Mr. Miller, through the Chair. Is there evidence that when a multi-family structure is built or rezoned to multi-family that single-family residential property values decrease or increase? Is there any evidence to either?

Miller: That, I don't know, you would have to ask the Assessor's Office for that.

Kadaf: My name is Fadie, I go by Frank Kadaf, I'm the property owner. I've heard a lot of comments, both during the Planning Commission meeting and also today. While I appreciate the comments from the neighborhood, and I understand the concerns. I also live in a neighborhood, and if there was a rezoning that I was opposed to, I would want to voice those concerns as well. I think there is, maybe some confusion and maybe some things that need to be cleared up to truth and not assumptions and spoken to data and not opinion. So, what I'm here to do today, is talk about some of the concerns that the residents have and maybe clarify some of those things and I don't know if it's allowed for them to come back up and have a discussion, I'm not sure.

- McIntyre: This isn't a forum for discussion, this is a forum for comments. I would suggest that if you would like to have a forum for discussion, the best way to reach out to the residents and have a meeting and a discussion as other developers do when there are concerned neighbors. All comments are addressed, we're all out of practice, but all comments need to be addressed to us. Again, it is very natural to want to address those to the people that have just spoken.
- Kadaf: Ok. Is the rent cost or rent rate that we were attracted to, she was correct in the amount for a single bedroom. Based on our research, this is very achievable. I don't know where the data, or what makes her believe that's not supported in the neighborhood, but it would be. These are built in a way where a solution of subsidized rent would just not work. The property sizes are small, single bedroom, two (2) two-bedrooms and subsidized rent would just not work in any case. There's no way that this property could become a subsidized rental property.
- McIntyre: Excuse me, by subsidized, you mean specifically, low-income housing?
- Kadaf: Correct, low-income housing, government-supported subsidized rent, Section 8, things of that nature. Traffic was a brought-up concern. It's the complete opposite and I'm trying to understand the logic comes from. If you have residents that live in that property, they are basically on the same schedule of the people that live in that neighborhood, right, so they have day jobs, nine-to-five, per say, come and go, traffic is limited only to the residents on the property. Not to guests of people coming in that are visiting a business or the business owners. Not a lot of in-and-out. That property has an entrance and an egress coming off of Lathers, which in an office environment, which it is currently zoned, would create more traffic and more difficult ways to get in and out of Lathers, especially if you have busses or any kind of traffic going down the street to the park or to the school drop off, pick up, so forth. It would be on the same schedule as the residents. There was a comment made earlier about random people, if you have a property with the (10) units and there are ten (10) sets of people living in those people, those are no longer random people. Random people are the people that visit businesses or run businesses. I think the community knows, the neighborhood knows, the history of that building. Nobody wants that building to go back to what it was. We would never allow it to go back to what it was, but I can't say that I could control the type of business that we'll lease or the people, the patrons that will visit those businesses or even work at the business. Whereas, in a residential environment, you kind of know your neighbors, these are the neighbors that moved in next door to them. Then just an idea of the property, we're adding greenspace, we're making it more pleasant. The renderings that you can see would have a change of façade to the building. There are valid concerns about trash and residential trash versus commercial trash, but that's something that can be worked out to appease the neighborhood. I don't think its something that should be a deal breaker for a rezoning, in all honesty. Our intent is

to create a nice, beautiful building, with a lot of green space that shows very well from a major cross-street and have residents that want to spend money in the City and live in the City. It's geared towards empty nesters and young professionals. This isn't being built in a way where it's built to be a family-friendly building, to be honest with you. These are the people that are young professionals who move on to live in the City in a single-family residence down the road or retirees that just want to finish off their years in the City. That was our intent, I have to disagree on some of the comments in the neighborhood and then that's it. We're hoping that this goes through, we're hoping that we can make this property a viable property again and not just a vacant office space or commercial building that is very hard to lease right now, in what we'll call it environment of COVID or post-COVID. That's it, I appreciate your time.

McIntyre: Council, do you have any questions for the Petitioner?

McCullough: Through Chair to the Petitioner. Based on this and I know this is a rezoning, but you have provided some renderings. What kind of site enhancements are you looking at? Right now, obviously, that parking lot is toast. Are you looking at a full renovation to the site?

Kadaf: That is correct. The surface basically would be redone, we would take out some of the asphalt and create green space, build a patio for residents to sit outside and areas for them.

McCullough: So, this whole area that we see, would all be new asphalt? Have you talked to the owner of the house to the West?

Kadaf: Yes, he's been cutting the grass for me.

McCullough: Honestly, when you look at the setbacks and I think, looking at the Planning notes, that's my biggest flag. To the South, you need a variance of 15 feet. So, it's gotta go through ZBA. The one that I do have deep concerns with, if I'm using my Google Earth properly, your 15 feet away from that house to the West, their garage and 20 feet away from whatever that side door is. You've got two (2) stories, so you're looking at ten (10) to twelve (12) feet. You have a six (6) foot wall and I know the gentleman there is cutting your lawn, you probably have a great relationship, but after all the time in the City, we have to be good stewards of the zoning practice. If I'm that house, I think that's my biggest concern right there, is the proximity. You're just so close to them, so, I'll defer some of the other questions to Council.

Kadaf: I can't change the easement of it, but it won't change whether we make it residential or commercial, that property is still going to be fifteen (15) feet away. It's still going to have a second floor.

McCullough: My hesitation is that when you look at the office and the zoning, you have different hours of operation. A six (6) foot wall, you're turning an office

building into someone's potential window. If I live at that property, I would have concerns with someone peeking out there and looking over. Those are my concerns. I know there is nothing that you can physically do about that unless you build a canopy that goes over the whole place, which is not feasible. Thank you.

McIntyre: Yes, Mr. Donovic.

Donovic: Thank you, Madam President, to the Petitioner, a few questions. Do you manage the property, or will you be outsourcing the management of the property?

Kadaf: We will outsource the management.

Donovic: Ok. For with the rehabilitation, what do you expect to put into this property, a million dollars, ten million dollars?

Kadaf: Our initial estimation is 700.

Donovic: If this Petition isn't successful, what happens to the office building, it just stays vacant?

Kadaf: That's a great question, we haven't gone too far in to thinking where that goes. The back up plan, and I've already shared some of that with Planning and Building, we've discussed where it would go from there. To be honest with you, as an office space in this environment, we don't plan to put any real money into it. One of the things that the neighbors to the West was happy about, was that we were going to put up a fence between both properties. Things like that, we don't find a need at that point. We're going to make it rentable, but unfortunately, we're going to have to rent these spaces fairly-inexpensively to small, discreet individuals. We are thinking of density right now, about twenty-seven to twenty-eight small suites, which is almost identical to its previous use. We would not reconfigure it, just clean it up and paint, do bare minimums and re-lease it. It's not gonna be a viable office space at its location and its density. Then entire building is only 10,500 square feet, unless it could become a single-tenant building, which, you already know, trying to lease 12,000 square feet or 10,000 square feet right now is extremely difficult.

Donovic: Thank you. To Council McCullough's point, to the West and the North, you have the two homes. Has there been a conversation about adding larger trees to buffer? I know you have the wall to the North that is a six-foot cement wall. There are a lot of trees right now there, but they're overgrown and look really bad. With your new landscape proposal, would there be more trees added or any sort of barrier?

Kadaf: We considered doing an arbor barrier on the West end of the building but not to the North. Its something we would be open to if that was a caveat or something that would be required. We would do what it takes to make

the neighborhood and the neighbors comfortable. Nobody wants people to be uncomfortable, it's not our intention. We don't want to make things worse in the neighborhood, we're not people that are just investing, just trying to do a money grab and not caring about the people that surround. If that's something that conversations down the road, would be to have some kind of compromise with the neighbors and the neighborhood, we would be open to that and that's the truth.

McIntyre: Councilman Jolly?

Jolly: So, in terms of process. This is obviously a public hearing, it's the opportunity for all of us to hear from all of you. This is the first time this has been on City Council's radar. There have been other hearings that have come forward, but the only issue before us right now is the zoning of this matter. So, in theory, how these things have worked before, very typically for developments in the City, is that a zoning would go before City Council if it would get to that point. It would receive a first-reading and then it would be held-up, pending any kind of site approval, meaning, the site would be different phase of this that would come before City Council that would show us what the proposed improvements, proposed look of the building would be, the landscaping, the dumpster placement, all that kind of stuff. If and when we had something that we were willing to take a look at and vote upon, only then would the zoning be officially voted on at the same time as well. That being said, this is very early in this, so I don't want to discourage anybody, it's great to hear from all of you. We all know that this is a situation where there have been a lot of problems over the years. We gotten a lot of calls, maybe from some of you, some of your neighbors. There has been a lot of police response over the years. We had people come before us to use those office spaces for massage situations and stuff like that as well. We've had all kinds of stuff in regards to this. So, having the building the way it is now, my only concern is, the lack of any further investment going forward. We are in a certain dynamic at this point where, like he said, if there is not this investment, I don't know when that investment that would make it look nicer would come, if ever. Whether it is this owner or somebody else. Those are the kind of things that I'm thinking about right now when I'm going into this. That being said, with it being very early on, I will offer, at this time, an approving, a denying and a Committee of the Whole, so we have all the options on the table so we can continue to look at this. Thank you.

McIntyre: Any other questions for Mr. Kadaf? I have one. What are the occupancy limits, it's been awhile since I thought about apartments. There are State occupancy limits, correct?

Miller: I believe it is based on square-footage.

McIntyre: What are the maximum number of occupants you can have in your units?

- Kadaf: In the one (1) bedroom, two (2) occupants, in the two (2) bedroom, three (3) occupants. These are not intended for families.
- McIntyre: You would be outsourcing to a management company? Who would do the leasing?
- Kadaf: Correct. The management company. We would be hands-off. We would allow them to market, lease and maintain.
- McIntyre: Where would that be done from? Obviously in a small, boutique apartment, there's no leasing office, there is no onsite person.
- Kadaf: The property management firm is out of Dearborn. They manage 2000 doors or so.
- McIntyre: Would there be a site manager assigned? Is it a person?
- Kadaf: A property manager would be assigned. It's not a one-to-one.
- McIntyre: I understand, it isn't a dedicated resource to this property, but there is a person, so when there is a question from our Inspection department, or anyone, there is a person to get ahold, correct? Not an internet chat? At the end of the day, if there are issues or questions from tenants, there is somebody available twenty-four (24) hours a day, so if there is a problem, they have somebody to get ahold of, but also, that there is a person that the City and neighbors can get ahold of when needed.
- Kadaf: They operate out of two offices, one in Farmington and one in Dearborn. Most of the staff is out of Dearborn and most of the things that are handled for properties are in Dearborn. The reason I am intimate now because the person that runs it is a close friend.
- McCullough: From the Chair to the Petitioner. For the current facility, does it have an elevator?
- Kadaf: It does not, but in the proposed plan, we are putting in a lift on the North entrance and then a ramp, so it would become barrier-free, if it should be converted into an apartment building. Currently, there is no lift, no elevator, it is not barrier-free. If it remains to be office space, then at this point, if we are leaving it the same way, it will remain non-barrier-free.
- McCullough: Thank you.
- Donovic: When you say lift, is a lift an elevator?
- Kadaf: It's a lift. It's a split level, so an elevator doesn't really make sense, it's very odd to have an elevator in a split level. When you walk in, you are half-way to the lower level and half-way to the upper. With a lift, we would basically modify the north staircase and if someone was wheelchair

bound, then they would use the ramp, move on to the lift and then be able to traverse through the floors.

McIntyre: I would like, prior to the meeting, to come to this site, if that's possible. I'd like to see what the look is from the second floor.

Kadaf: The only thing I warn you is that it is pretty rough in there right now.

McIntyre: That's fine, that doesn't bother me. I would like to see exactly what the visual line is to the other properties. Sara manages the Council office and the Council business, so if you could get in touch with Sara and give her some dates. We can have three of us. If everyone wanted to go, you would have to set up a few sessions because of Open Meetings. If it's an issue, a voting matter, more than three of us can't be present. Which is true, right Leo, even if it's a 3/4 vote, we still can't exceed three.

Neville: Yes, that's correct.

McIntyre: If you would be amenable to that for me, that would be an important piece of data.

Kadaf: We would be glad to.

McIntyre: Councilmember Donovic?

Donovic: Thank you, Madam President, to the Petitioner, Mr. Kadaf. Do we, as a City, make the property managing companies have some sort of sign saying multi-family, or who they are managed by.

Miller: No.

McIntyre: Not to my knowledge, Scott. Not in my days of Planning or Zoning or Council. I would like to, if we could, if you don't mind, we are a little informal tonight. I would like to ask those here tonight if they could restate their addresses. I was focused on the business of Council and couldn't look at my map while you were speaking. We'll just go this way.

Pray: Janet and Roger Pray, 19315 Lathers.

Coogan: Joseph Coogan, 19291 Lathers.

Delisle: Kevin Delisle, 28290 Seven Mile. I'm one of the properties West that had people staring in my back yard today. It will probably force us to move.

McIntyre: Alright, if there are no more comments.

Pray: My name is Roger Pray, I live at 19315 Lathers, I just want to reiterate that City Planning Commission unanimously denied this proposal on April 13.

McIntyre: Thank you, Mr. Pray. As you know, the Planning Commission is a recommending body, and we always receive and read the Planning Commission minutes. I'm sure that most of us, as I do, if there are specific questions, we go back and we call the Planning Commission or we talk to the Planning office after reading the minutes if there are things that aren't clear. Councilmember Jolly did a really nice job of explaining where we are in this process. So, what you heard tonight, was an approving, denying and referring to Committee of the Whole. This will be voted on at the Regular Meeting of June 14, 2021. The Petitioner is required to be there, anyone else is welcome to attend. If, during this agenda item, anyone that wishes to speak, has two minutes to address the issue at the Regular Meeting. You are welcome to attend and express your comments there. If the rezoning, because it's an ordinance change, as Mr. Jolly alluded to as a First Reading. Our process is that we do not generally approve a Second Reading and the finalization of the zoning change until we've had an opportunity to review the site plan in detail.

Pray: I understand.

McIntyre: Again, because this is a valid protest, this would take five (5) yes votes. Before I bang the gavel down, I want to thank the Petitioner for looking at ways to bring new economic activity in the City and I want to thank the neighbors for their engagement. I have not predictive ability, we do not talk about how we are going to vote outside of these public meetings, but even when things don't go the way neighbors want, being engaged in the process is important. Sometimes things go the way a group of neighbors want it to go, sometimes they don't, but I can't think of a case where we had a group of residents who were stakeholders in the decision, where their participation didn't inform the process. Thank you very much, I know everyone is busy and it takes times to do things like this and it takes time to get petitions signed, so your engagement in the City and your caring about your neighborhood and what happens is appreciate and those aren't just words. There's no reading of tea leaves here, I have no idea how this is going to go, but thank you. We'll be here June 14th, 7:00pm. We'll be here. You are only notified when the process starts but you can subscribe to get all of the meeting agendas and notifications by email. Thank you very much and we really do appreciate it.

As there were no further questions or comments, the Public Hearing was declared closed at 7:42 p.m.