



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM



Date: June 6, 2025

To: Frank A. Nastasi, City Manager

From: Robert J. Bruner, Deputy City Manager
Chris Wilson, Assistant City Manager
R. Brent Savidant, Community Development Director

Subject: PUBLIC HEARING - PLANNED UNIT DEVELOPMENT – (PUD021 JPLN2024-0012) –
Proposed Somerset West Concept Development Plan and Preliminary Development Plan for Phase 1A, North side of Big Beaver, West side of Coolidge (3100 W. Big Beaver; PIN 88-20-19-476-002, 88-20-19-476-003 & 88-20-19-430-004), Section 19, Presently zoned PUD (Planned Unit Development) Zoning District.

The applicant Forbes Frankel Troy Ventures LLC seeks Conceptual Development Plan (CDP) approval and Preliminary Development Plan (PDP) approval for Phase 1A for Somerset West Planned Unit Development (PUD). The project features a mixed-use project including up to 750 residential units, 500,000 square feet of office, 300,000 square feet of retail, a 250-room hotel and associated amenities and open space. The subject site is approximately 40 acres in size. Approximately 17 acres is proposed to be owned and developed by the University of Michigan Medicine, which is a Constitutional Corporation per the Constitution of Michigan of 1963. The attached reports provide more background on the project.

The project was introduced to the Planning Commission on September 10, 2024. A public hearing was held on April 22, 2025 and postponed by the Planning Commission with direction provided. The Planning Commission recommended approval of the project on May 13, 2025 by a vote of 9-0.

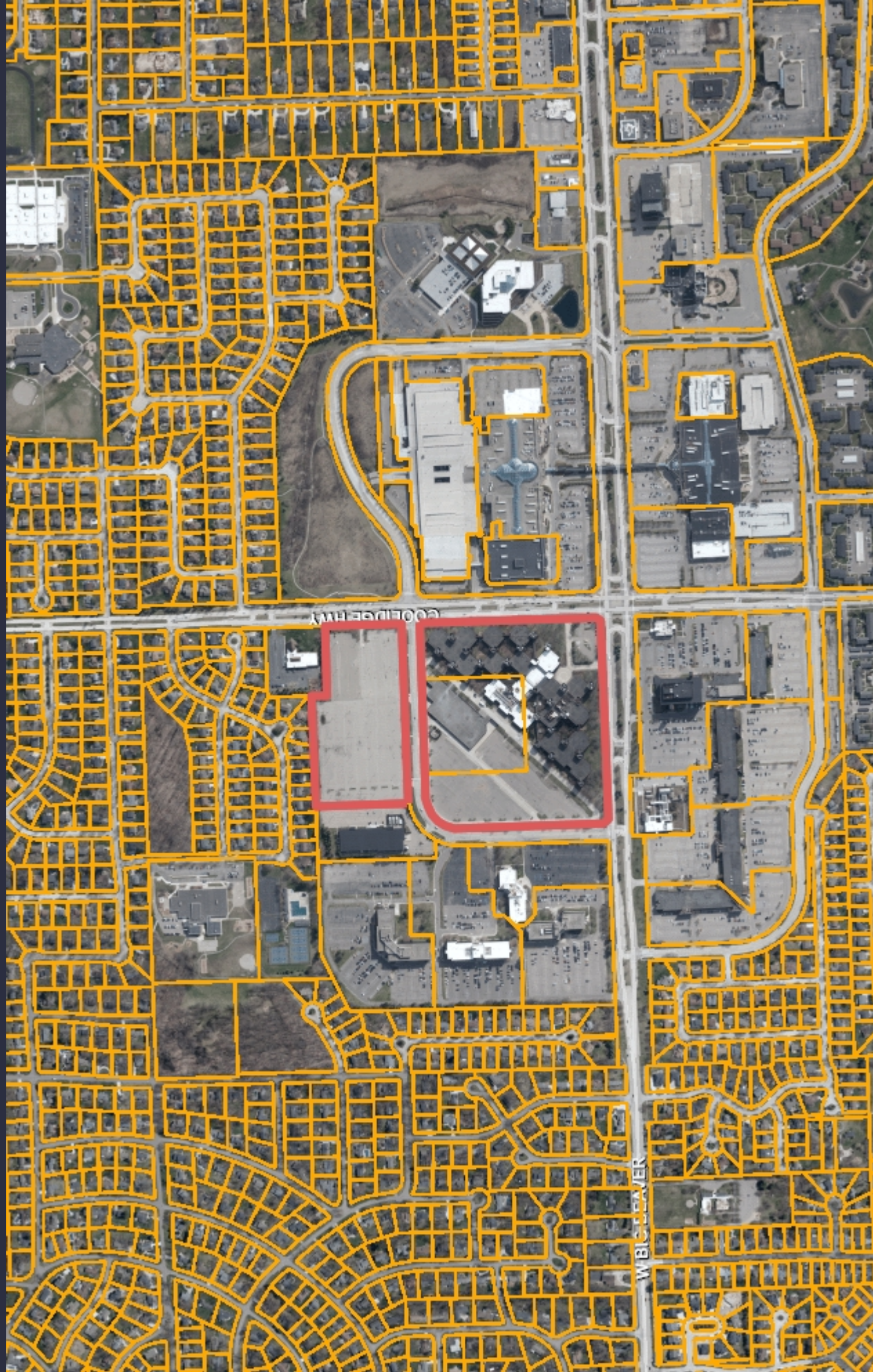
A public hearing is scheduled for this item on June 9, 2025.

Legal Review

This item was submitted to the City Attorney for review pursuant to City Charter Section 3.17.

Attachments:

1. Maps
2. Report prepared by Carlisle/Wortman Associates, Inc. for April 22, 2025 Planning Commission meeting.
3. Minutes from April 22, 2025 Planning Commission Regular meeting (excerpt).
4. Report prepared by Carlisle/Wortman Associates, Inc. for May 13, 2025 Planning Commission meeting.
5. Minutes from May 13, 2025 Planning Commission Regular meeting (excerpt).
6. Concept Development Plan and Preliminary Development Plan for Phase 1A.
7. PUD Agreement
8. Public comment



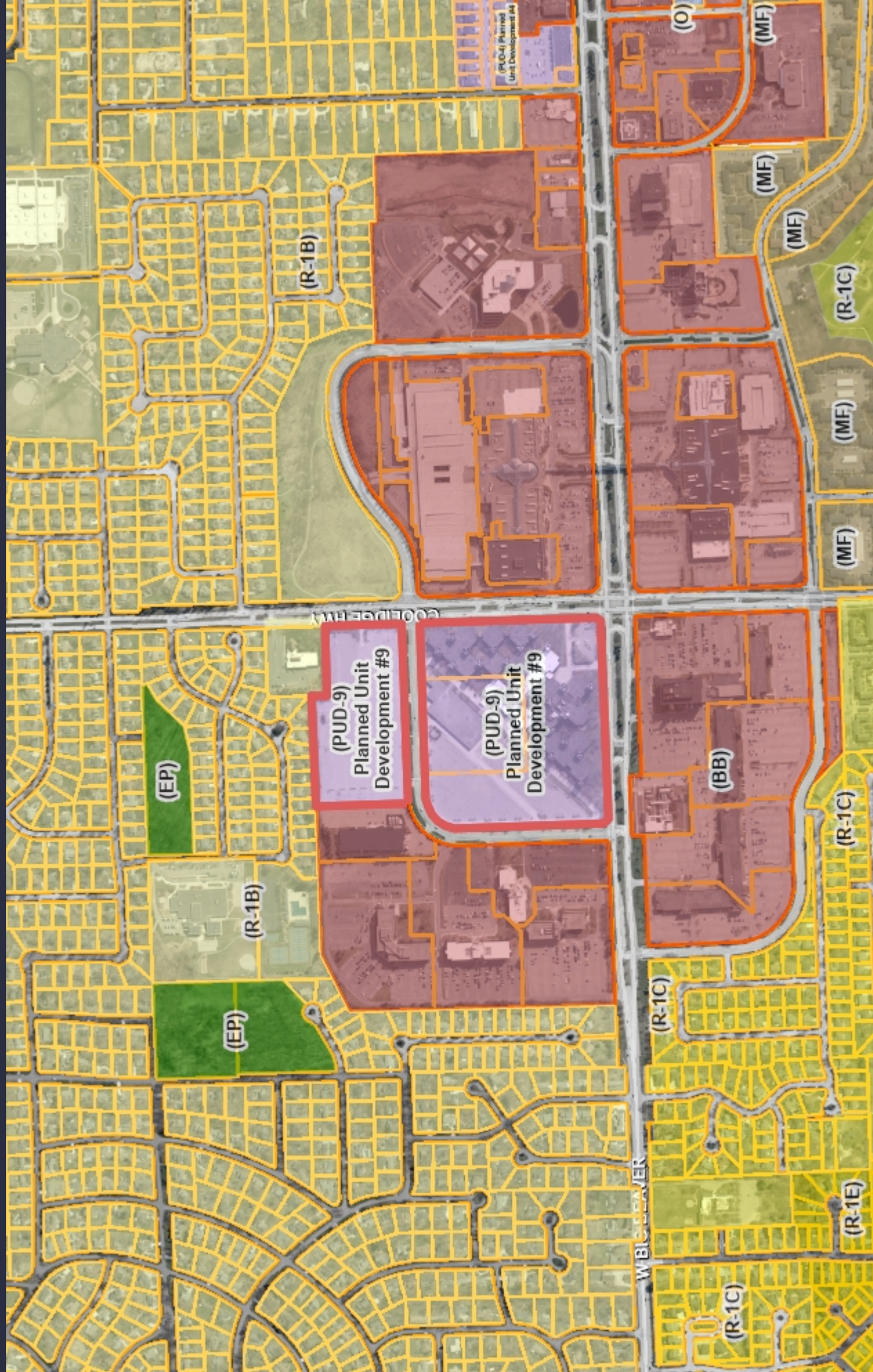
2,076Feet

1,038

0

2,076

Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.



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Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

Date: April 15, 2025

**Planned Unit Development Concept Review and
Preliminary Development Plan for Phase 1
For
City of Troy, Michigan**

Project Name:	Somerset West Planned Unit Development
Plan Date:	March 7, 2025
Location:	3100 W Big Beaver (parcels 88-20-19-476-001 & 88-20-19-430-004)
Current Zoning:	Planned Unit Development (PUD)
Action Requested:	Recommendation for Planned Unit Development (PUD) Concept Plan and Preliminary Development Plan for Phase 1

PROJECT AND SITE DESCRIPTION

A Concept Development Plan (CDP) application has been submitted for the redevelopment of an existing Planned Unit Development (PUD) site. Often referred to as the “Former K-Mark Headquarters,” the subject site is located at the northwest corner of Big Beaver and Coolidge Hwy.

The proposed project, referred to as “Somerset West,” is a mixed-use development that will offer a variety of uses from the residential, commercial, and office use categories. At the center of the site will be a University of Michigan healthcare facility. The remaining portion of the site includes a mix of uses including multiple-family residential, restaurants, office space, and retail centers.

The site contains two (2) parcels on either side of Cunningham Drive. The applicant proposes to develop in a series of four (4) phases. Most of the first three (3) phases will occur south of Cunningham Drive, and the fourth phase will occur north of Cunningham Drive.

Under Michigan State Law, the University of Michigan is considered a “Constitutional Corporation.” As such, any University of Michigan owned parcel is property tax exempt, as well as exempt from any City Zoning and Building Code requirements. Since the last Planning Commission review the Constitutional Corporation has acquired additional property. However, the applicant has not clarified in the Concept Plan submittal which portions of the site will be purchased by the Constitutional Corporation and has not clarified if additional property will be sold to the Constitutional Corporation.

In addition to review of the Concept Plan, the applicant is seeking a recommendation for the Preliminary Development Plan (preliminary site plan) for Phase 1A. Phase 1A allows the applicant to grade the site, install the private roads, and underground utilities. Outside of lots/parcels designed for Constitutional Corporation use, each individual lot/parcel would come in for Preliminary Development Plan approval.

The Planning Commission is a recommending body on the Concept Development Plan and Phase 1A Preliminary Development Plan.

Figure 1. Location of Subject Site.



Proposed Use of Subject Parcel:
Mixed Use Development

Current Zoning:
Planned Unit Development (PUD)

Size of Subject Site:
South of Cunningham: Approximately 12 acres
North of Cunningham: Approximately 28 acres

Surrounding Property Details:

Direction	Zoning	Use
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North	R-1B, One-family Residential	Single-family homes Somerset Academy Preschool
South	BB, Big Beaver	Ocean Prime Restaurant Troy Place Business Center The Kresge Foundation
East	R-1B, One-family Residential BB, Big Beaver	Undeveloped land Somerset Mall
West	BB, Big Beaver	Sheffield Office Park Business Center

PUD PROCESS

A Planned Unit Development project is viewed as an integrated development concept. To that end, the provisions of this Article are not intended to be used as a device for avoiding the zoning requirements that would otherwise apply, but rather to allow flexibility and mixture of uses, and to improve the design, character and quality of new development. The use of a Planned Unit Development to permit variations from other requirements of this Ordinance shall only be approved when such approval results in improvements to the public health, safety and welfare in the area affected, and in accordance with the intent of this Article.

The approval of a Planned Unit Development (PUD) is a three-step process:

Step 1-Concept Plan: *The first step shall be application for and approval of a Concept Development Plan, which requires a legislative enactment amending the zoning district map so as to reclassify the property as a Planned Unit Development. A proposed Development Agreement shall be included and incorporated with the Concept Development Plan, to be agreed upon and approved coincident with said Plan. The Concept Development Plan and Development Agreement shall be approved by the City Council following the recommendation of the Planning Commission. Such action, if and when approved, shall confer upon the applicant approval of the Concept Development Plan and shall rezone the property to PUD in accordance with the terms and conditions of the Concept Development Plan approval.*

Step 2- Preliminary Development Plan Approval: *The second step of the review and approval process shall be the application for and approval of a Preliminary Development Plan (preliminary site plan) for the entire project, or for any one or more phases of the project. City Council shall have the final authority to approve and grant Preliminary Development Plan approvals, following a recommendation by the Planning Commission.*

Step 3- Final Development Plan Approval: *The third step of the review and approval process shall be the review and approval of a Final Development Plan (final site plan) for the entire project, or for any one or more phases of the project, and the issuance of building permits. Final Development Plans for Planned Unit Developments shall be submitted to the Zoning Administrator for administrative review, and the Zoning Administrator, with the recommendation of other appropriate City Departments, shall have final authority for approval of such Final Development Plans.*

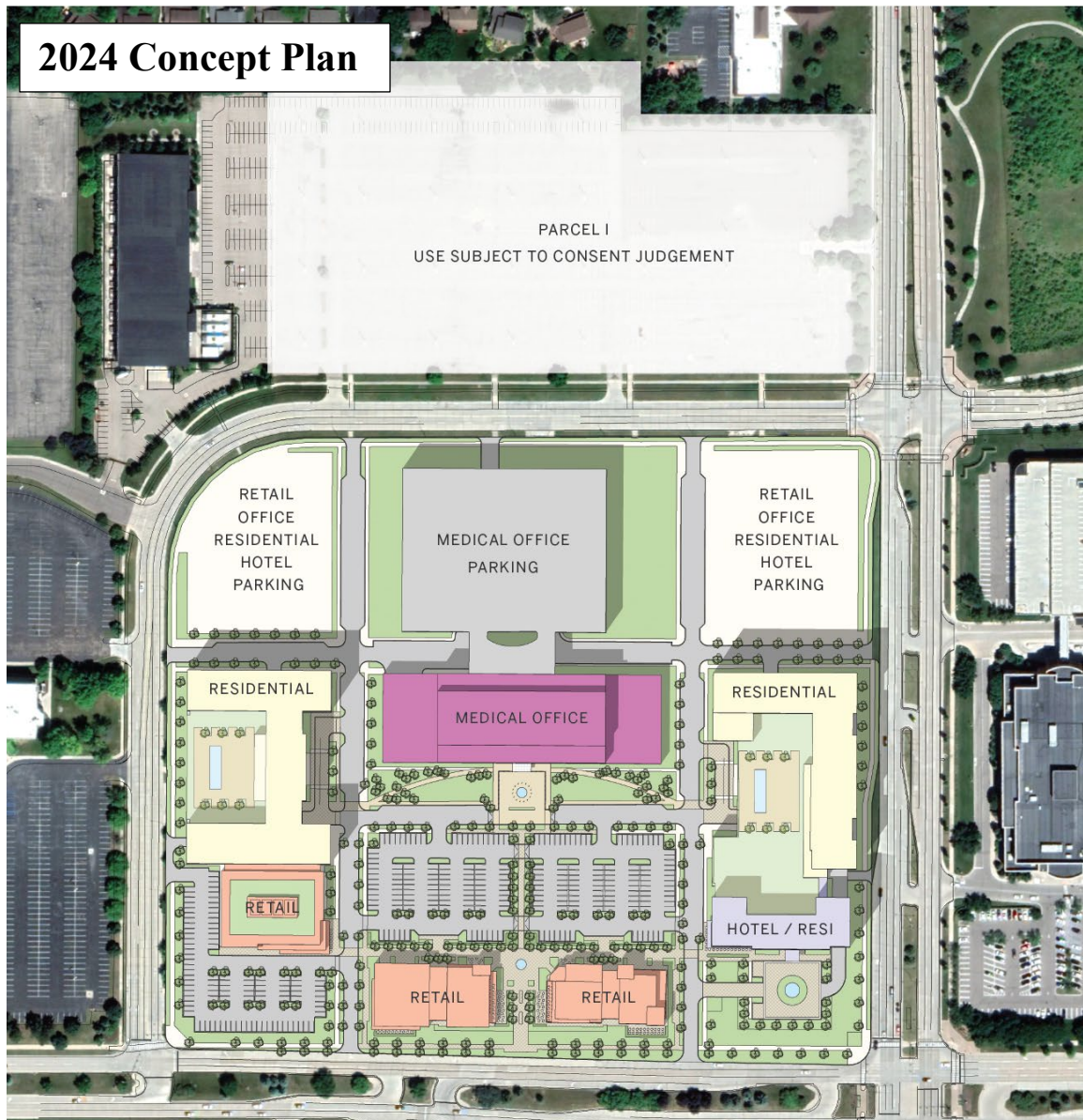
The applicant is currently seeking a recommendation of approval for their Concept Plan and Preliminary Development Plan (preliminary site plan) for Phase 1A.

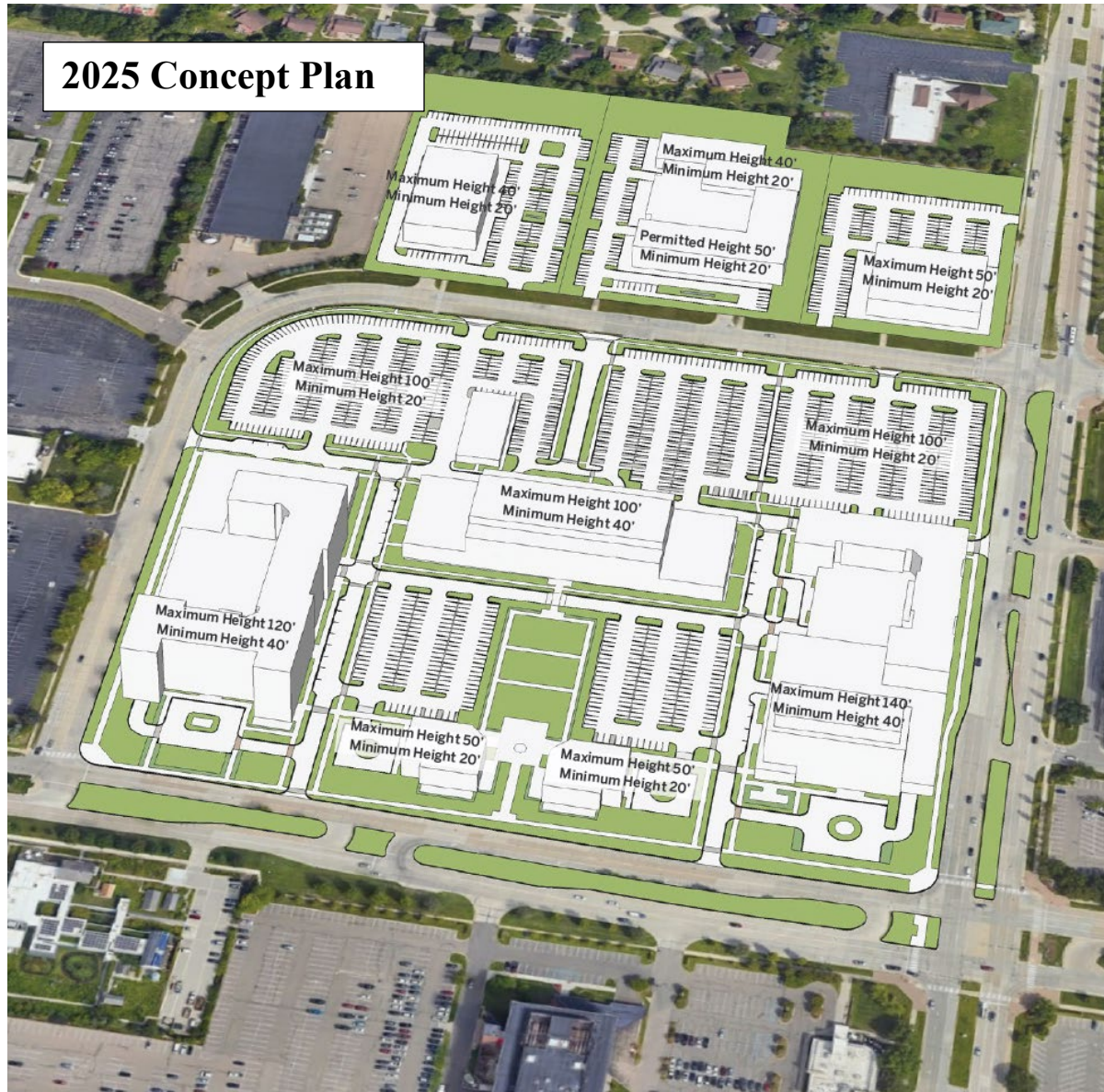
PUD INTENT

As set forth in Section 11.01, the intent of the Planned Unit Development option is to permit flexibility in the design and use of residential and non-residential land which, through the implementation of an overall development plan, when applicable to the site, will:

1. Encourage developments that will result in a long-term contribution to social, environmental and economic sustainability in the City of Troy.
2. Permit development patterns that respond to changing public and private needs.
3. Encourage flexibility in design and use that will result in a higher quality of development and a better overall project than would be accomplished under conventional zoning, and which can be accommodated without sacrificing established community values.
4. Provide for the long-term protection and/or preservation of natural resources, natural features, and/or historic and cultural resources.
5. Promote the efficient use and conservation of energy.
6. Encourage the use, redevelopment and improvement of existing sites where current ordinances do not provide adequate protection and safeguards for the site or its surrounding areas, or where current ordinances do not provide the flexibility to consider redevelopment, replacement, or adaptive re-use of existing structures and sites.
7. Provide for enhanced housing, employment, recreation, and shopping opportunities for the citizens of Troy.
8. Ensure the compatibility of design and use between various components within the PUD and with neighboring properties and uses.
9. Ensure development that is consistent with the intent of the Master Plan.

CONCEPT PLAN





The Concept Plan includes a maximum of:

- 500,000 SF office
- 300,000 SF retail
- 250 room hotel, plus amenities
- 750 residential units

Changes to the Concept Plan since the last Planning Commission review include:

- Expanded the open green space in front of U of M Facility
- Replacement of parking deck with at-grade parking
- Replacement of mixed use buildings on northeast and northwest corner of the 28-acre portion of the development to at-grade parking

- Purchase of northwest parcel and central parcel of the 12-acre portion of development to University of Michigan.
- Reconfigured road layout to eliminate two (2) road connections to Cunningham

Based on the City's Master Plan, Big Beaver Corridor Design Study, and Zoning Ordinance, the Planning Commission should discuss if the proposed mix of uses, height, and layout meet the intent of what the City is trying to achieve on Big Beaver.

DEVELOPMENT

Ownership

Under Michigan State Law, the University of Michigan is considered a "Constitutional Corporation." As such, any University of Michigan owned parcel is property tax exempt, as well as exempt from any City Zoning and Building Code requirements. The PUD Ordinance references the Constitutional Corporation, however we asked the applicant to better describe the "role" of the Constitutional Corporation in the CDP. Outside the 12 acre carve-out on the Use Diagram, the Constitutional Corporation is never referenced or noted in the Concept Development Plan. We had noted in multiple conversations with the applicant that we feel there should be additional references and clarity in the CDP about the role and scope of the Constitutional Corporation, the applicant noted:

The CDP is an exhibit to the A&R PUD Agreement which makes it a part of the A&R PUD Agreement. To understand the CDP, people are going to need to read the A&R PUD Agreement; otherwise, we would need to restate all of the provisions of the A&R PUD Agreement in the CDP because they all really apply to the CDP.

While the CDP and PUD agreement are intent to be coordinated together, the CDP is required to stand alone from the PUD Agreement for a few key reasons:

1. Clarity of Intent

A stand alone CDP clearly outlines the design vision and physical layout of the proposed development without being buried in the legal language of the PUD agreement. This helps city officials, staff, and the public more easily understand:

- What is actually being proposed
- How the project fits the goals of the Master Plan, city development policies, and PUD ordinance
- What the site will look like and function like at full-buildout

2. Separate Legal and Planning Functions

- The PUD Agreement is a legal contract between the developer and the City — it includes things like timelines, responsibilities, and conditions for approval.
- The CDP is a planning document — it focuses on land use, layout, circulation, open space, etc.
- Keeping them separate avoids confusion between legal obligations and design intent. Each document serves a distinct purpose and audience.

3. Ease of Reference and Review

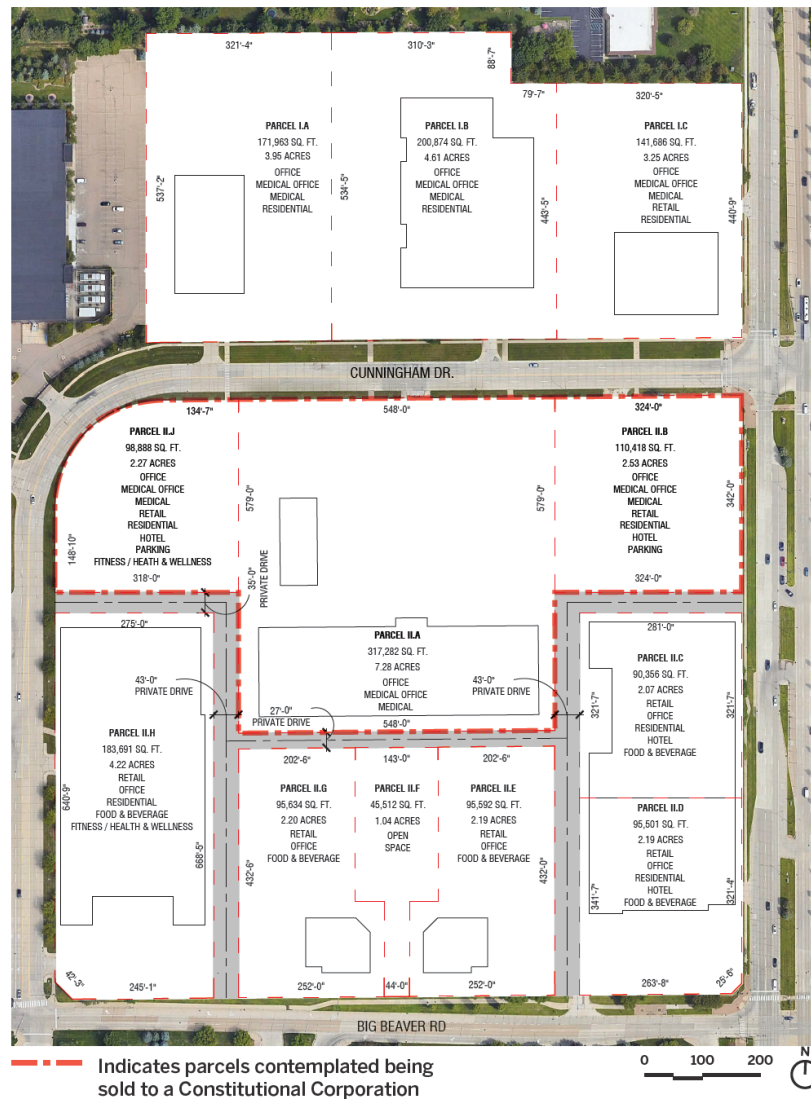
A standalone CDP:

- Makes it easier for planning staff and commissioners to evaluate the design without sorting through legal text
- Can be used during public meetings, design reviews, or future amendments without having to parse a legal agreement
- Is easier to update, interpret, or replace if minor modifications to the design are needed

Typically a PUD Agreement is not drafted until after the CDP is reviewed by the Planning Commission, and then the PUD Agreement is drafted to reflect the CDP. However, it appears that the CDP is being drafted to reflect the PUD Agreement. We understand that the inclusion of Constitutional Corporation is a unique wrinkle to both the CDP and PUD and not contemplated in the Zoning Ordinance. However, we are asking the applicant to update the CDP to accurately reflect the role and responsibility of the Constitutional Corporation, rather than having any notion of the Constitutional Corporation only reflected in the PUD Agreement.

Use Diagram

The applicant has indicated on the Use Diagram that +/-12 south of Cunningham are “contemplated being sold to a Constitutional Corporation.”



Use Diagram

SOMERSET WEST › THE FORBES COMPANY
ELKUS MANFREDI ARCHITECTS › MARCH 7, 2025

Though only twelve (12) acres are shown on the CDP, in the draft PUD Agreement and in conversations with the applicant they note that up to a total of +/- 19 acres may be acquired by a Constitutional Corporation, +/- 7 more acres than shown on the CDP. In early discussions with the applicant they noted that the Constitutional Corporation was looking to acquire seven (7) acres north of Cunningham Drive. However, if the seven (7) additional acres is not shown in the CDP but permitted in the PUD Agreement, the seven (7) acres could be anywhere else on the site including parcels that front on Big Beaver. In order for the Planning Commission to properly

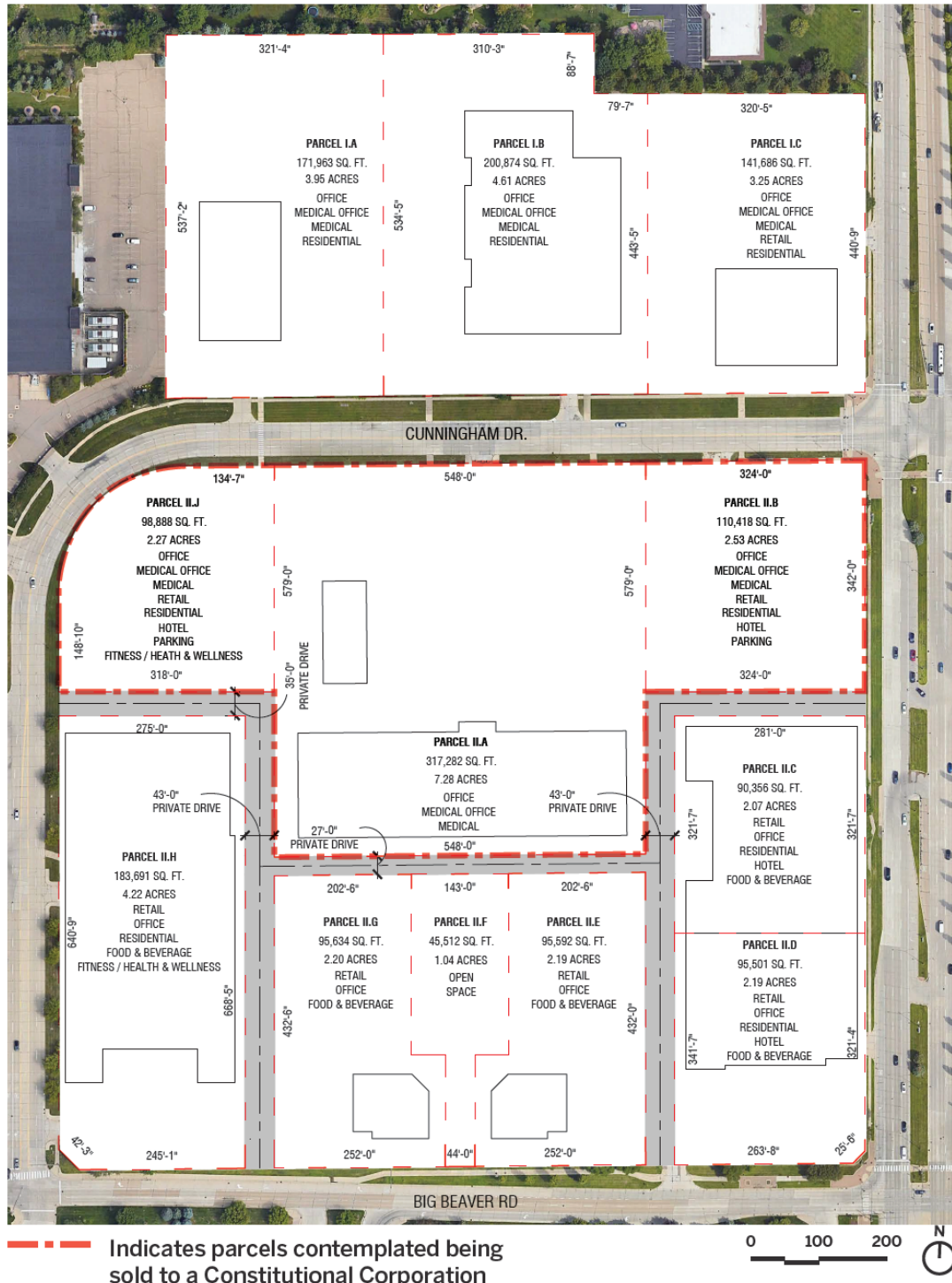
evaluate the CDP, the applicant should clarify in the CDP what portions of the total site that the Constitutional Corporation is acquiring or planning to acquire. We think the addition of a Constitutional Corporation as an anchor to the site is valuable to both the city of Troy, residents, and southeast Michigan; however, we are only seeking clarification to better understand and evaluate the CDP as a whole.

Somerset West PUD provides a variety of uses both horizontally and vertically. The applicant refers to the PUD as a “community park setting with pedestrian access surrounded by medical treatment facility and office, retail shops, offices, restaurants, fitness center, hotel and residences of varying types.”

The 500,000 SF office, 300,000 SF retail, 250 room hotel, and 750 residential units, is categorized into the following detailed use list:

- Multifamily buildings (condominiums apartments)
- Townhomes, lofts and single-family
- Live work units
- Senior housing (independent, assisted-living, or nursing/congregate care)
- General, professional, medical treatment facility, ambulatory care center with multiple medical specialties, and medical offices (including, but not limited to clinics, laboratories, and offices for similar professions, including veterinarians)
- Research facility
- Financial institutions, such as banks or credit unions, drive through windows are permitted at one facility
- Hotel
- General and specialty retail, including but not limited to:
 - Professional convenience services such as salons, spas, retail dry cleaners, repair shops
 - Sales of hard and soft goods and other merchandise such as apparel, crafts, electronics, gifts, hardware, home furnishing, appliances, medical supplies, toys, pharmaceuticals (limited to 20,000 SF per floor)
 - Food stores such as grocery store and specialty or gourmet markets, bakery, flower shops, nursery, delis, coffee shops, cafes, etc.
- Full service restaurants, bars, breweries, and distilleries
- Restaurants- takeout, coffee, shops, ice cream shoppes, deli, or café (drive-through windows not permitted)
- Entertainment uses- cinemas, live theaters, performing arts center, indoor recreation, billiard halls, and dance studios
- Publicly owned and operated facility, including post office, libraries, museums, government offices, meeting facilities, and recreation facilities
- Schools, including university and trade schools
- Similar uses to the above, consistent with the intent of this PUD, as determined by the Planning Commission, provided parking is sufficient

Furthermore as demonstrated on the Use Plan, each parcel was designated with a list of allowable uses:



Use Diagram

SOMERSET WEST › THE FORBES COMPANY
ELKUS MANFREDI ARCHITECTS › MARCH 7, 2025

We asked the applicant to clarify if the square footage “used” by the Constitutional Corporation counts towards the maximum square footage allowances set forth in the PUD. The applicant clarified that the Constitutional Corporation square footage is included in the maximum square footage. In the PUD agreement, the City and the applicant will need to establish a mechanism to track the square footage allocation to the Constitutional Corporation to ensure that maximum square footages aren’t exceeded.

Layout/Height

The applicant proposes:

- 40-120 foot tall building at southwest corner
- 40-120 foot tall building at southwest corner
- Two (2) 20-50 foot tall buildings fronting big beaver
- 20-50 foot tall building on northeast corner of development adjacent to Coolidge.
- The remaining portion of the site, which we understand to be future purchased by a Constitutional Corporation, shows a concept layout and height plan. However, these are shown for conceptual purposes only as they have stated that they are exempt from the PUD.

In conversations with the applicant they note that the Constitutional Corporation has future plans to develop the parking lot portion of their site. We have asked them to provide that drawing for conceptual review for the Planning Commission to better understand how the site will be developed at full-built out. The applicant has not provided the requested information.



Based on the City’s Master Plan, Big Beaver Corridor Design Study, and Zoning Ordinance, the Planning Commission should discuss if the proposed mix of uses, height, and layout meet the intent of what the City is trying to achieve on Big Beaver?

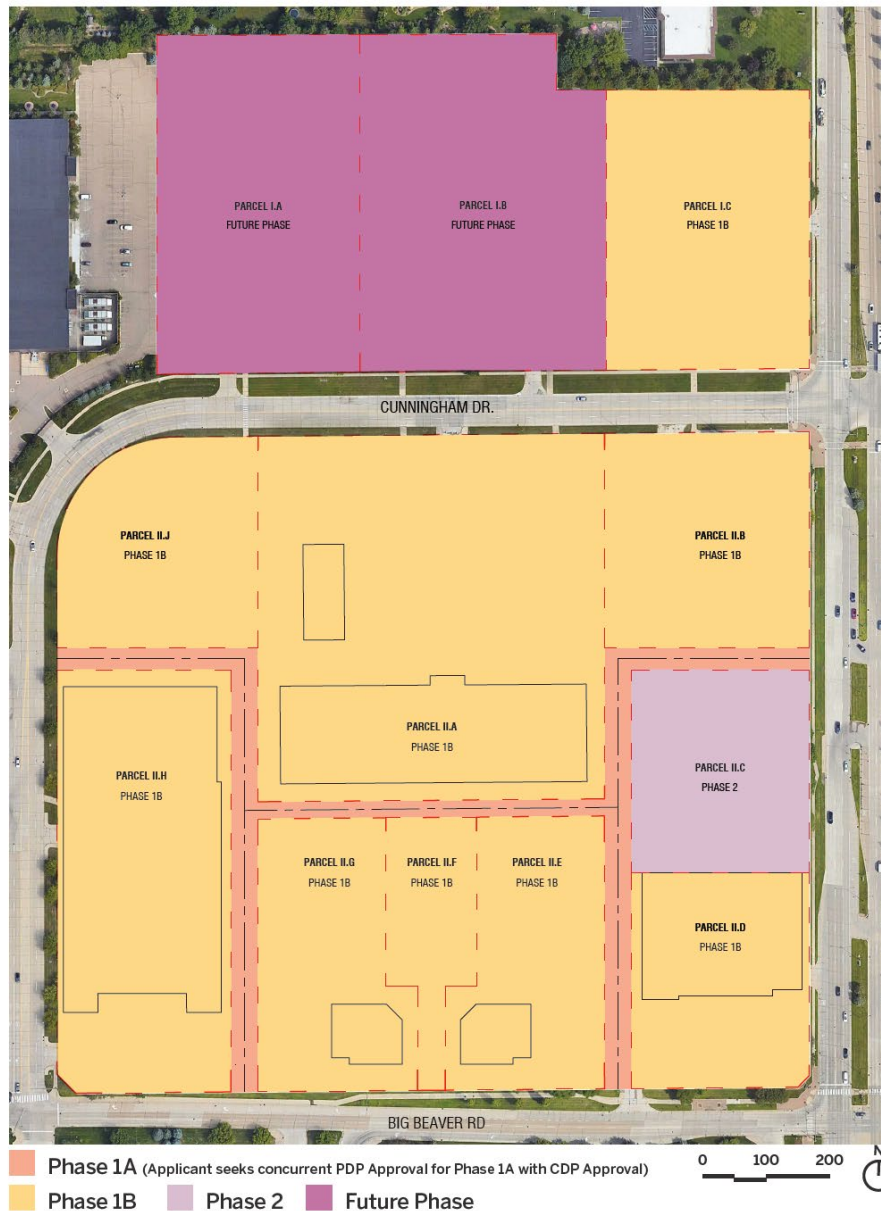
Items for Planning Commission consideration:

1. Is the total amount of surface parking acceptable?
2. Are the two car-drop-off areas between Big Beaver and the two large mixed use buildings acceptable and good design?

3. Are the overall site amenities sufficient?
4. Are there additional design/landscaping/public art features that should be added along Big Beaver? For example the Pavilions included a gateway design feature along Big Beaver.
5. Should additional buffering/landscaping be considered between the sites north of Cunningham and the residential neighborhood to the north?

Phasing

The applicant proposes to have the development occur in four (4) phases. Phases are illustrated in the image below. The applicant has provided a general idea of what types of development can



be expected in each area:

- **Phase 1A:** Construction of private, internal roads.
- **Phase 1B:** These areas may include office, medical, medical office, retail, residential, food & beverage, fitness, and/or health & wellness uses. A 1.04 acre parcel near the center of the site is dedicated to open space.
- **Phase 2:** This area may include office, retail, residential, hotel, and food & beverage.
- **Future Phase:** These areas (north of Cunningham Dr) may include office, medical, medical office, and/or residential uses.

Phasing Diagram

SOMERSET WEST › THE FORBES COMPANY
ELKUS MANFREDI ARCHITECTS › MARCH 7, 2025

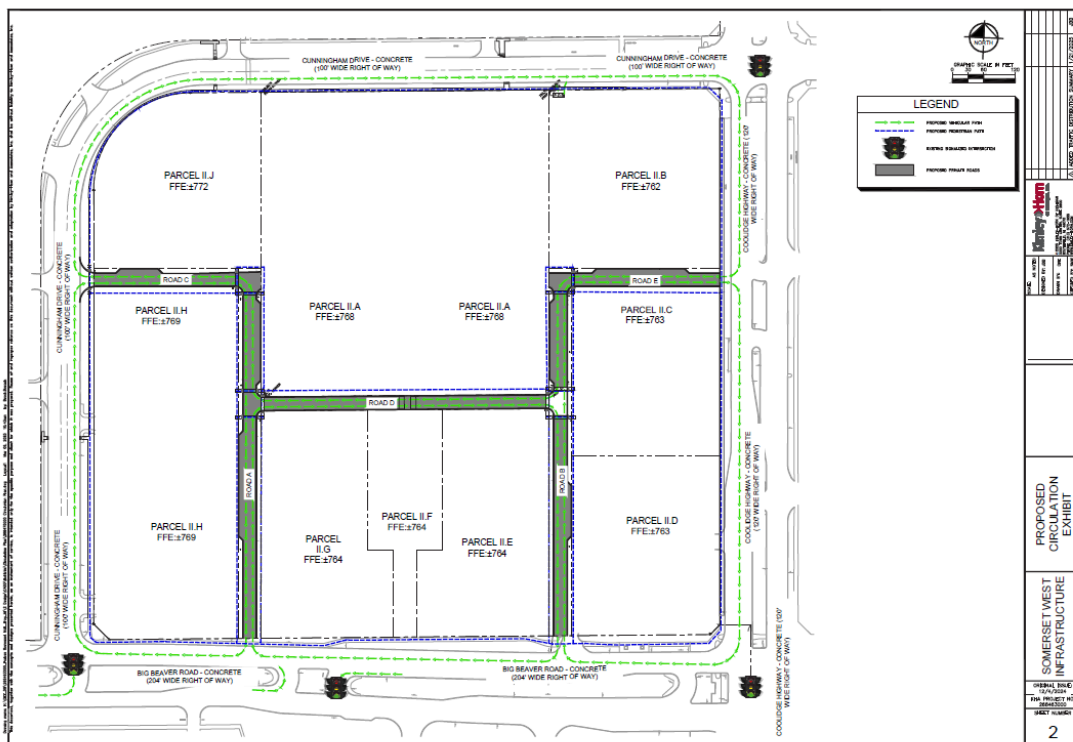
We have asked the applicant to clarify what “future phase” means. Their response: *If “Future Phase” was removed and is no longer referenced, what needs to be addressed with respect to the phrase “Future Phase”? I am not sure how the Planning Commission can raise a question about a phrase that isn’t referenced in the CDP.*

We are not sure what the applicant’s response means. Again, we think the addition of a Constitutional Corporation as an anchor to the site is valuable to both the city of Troy, residents, and southeast Michigan; however, we are only seeking clarification of phasing better understand and evaluate the CDP as a whole.

TRAFFIC IMPACT STUDY

An initial review of site circulation has been conducted by Kimley-Horn. The firm states that approximately 80% of site-generated traffic is expected to approach the site via Big Beaver, and approximately 20% of traffic is expected to approach the site via Coolidge. These assumptions are based on a review of surrounding land uses, prevailing traffic volumes/patterns, characteristics of the street system, and the ease with which motorists can travel over various sections of that system. Moreover, the firm states that “the internal site circulation plan provides connectivity between uses, promotes pedestrian activity, and emphasizes a park environment for residents, employees, and visitors to visit multiple uses in a single trip.”

Site Circulation.



The traffic study and parking study is provided under a separate cover.

PUD AGREEMENT

The applicant has submitted a PUD Agreement, which is being reviewed by the City Attorneys office.

STANDARDS

When reviewing the PUD, the Planning Commission shall consider the following standards as set forth in Section 11.03:

1. *A mixture of land uses that would otherwise not be permitted without the use of the PUD provided that other objectives of this Article are also met.*
2. *A public improvement or public facility (e.g. recreational, transportation, safety and security) which will enhance, add to or replace those provided by public entities, thereby furthering the public health, safety and welfare.*
3. *A recognizable and material benefit to the ultimate users of the project and to the community, where such benefit would otherwise be infeasible or unlikely to be achieved absent these regulations.*
4. *Long-term protection and preservation of natural resources, natural features, and historic and cultural resources, of a significant quantity and/or quality in need of protection or preservation, and which would otherwise be unfeasible or unlikely to be achieved absent these regulations.*
5. *A compatible mixture of open space, landscaped areas, and/or pedestrian amenities.*
6. *Appropriate land use transitions between the PUD and surrounding properties.*
7. *Design features and techniques, such as green building and low impact design, which will promote and encourage energy conservation and sustainable development.*
8. *Innovative and creative site and building designs, solutions and materials.*
9. *The desirable qualities of a dynamic urban environment that is compact, designed to human scale, and exhibits contextual integration of buildings and city spaces.*
10. *The PUD will reasonably mitigate impacts to the transportation system and enhance non-motorized facilities and amenities.*
11. *For the appropriate assembly, use, redevelopment, replacement and/or improvement of existing sites that are occupied by obsolete uses and/or structures.*
12. *A complementary variety of housing types that is in harmony with adjacent uses.*
13. *A reduction of the impact of a non-conformity or removal of an obsolete building or structure.*
14. *A development consistent with and meeting the intent of this Article, which will promote the intent of the Master Plan or the intent of any applicable corridor or sub-area plans. If conditions have changed since the Plan, or any applicable corridor or sub-area plans were adopted, the uses shall be consistent with recent development trends in the area.*
15. *Includes all necessary information and specifications with respect to structures, heights, setbacks, density, parking, circulation, landscaping, amenities and other design and layout features, exhibiting a due regard for the relationship of the development to the surrounding properties and uses thereon, as well as to the relationship between the various elements within the proposed*

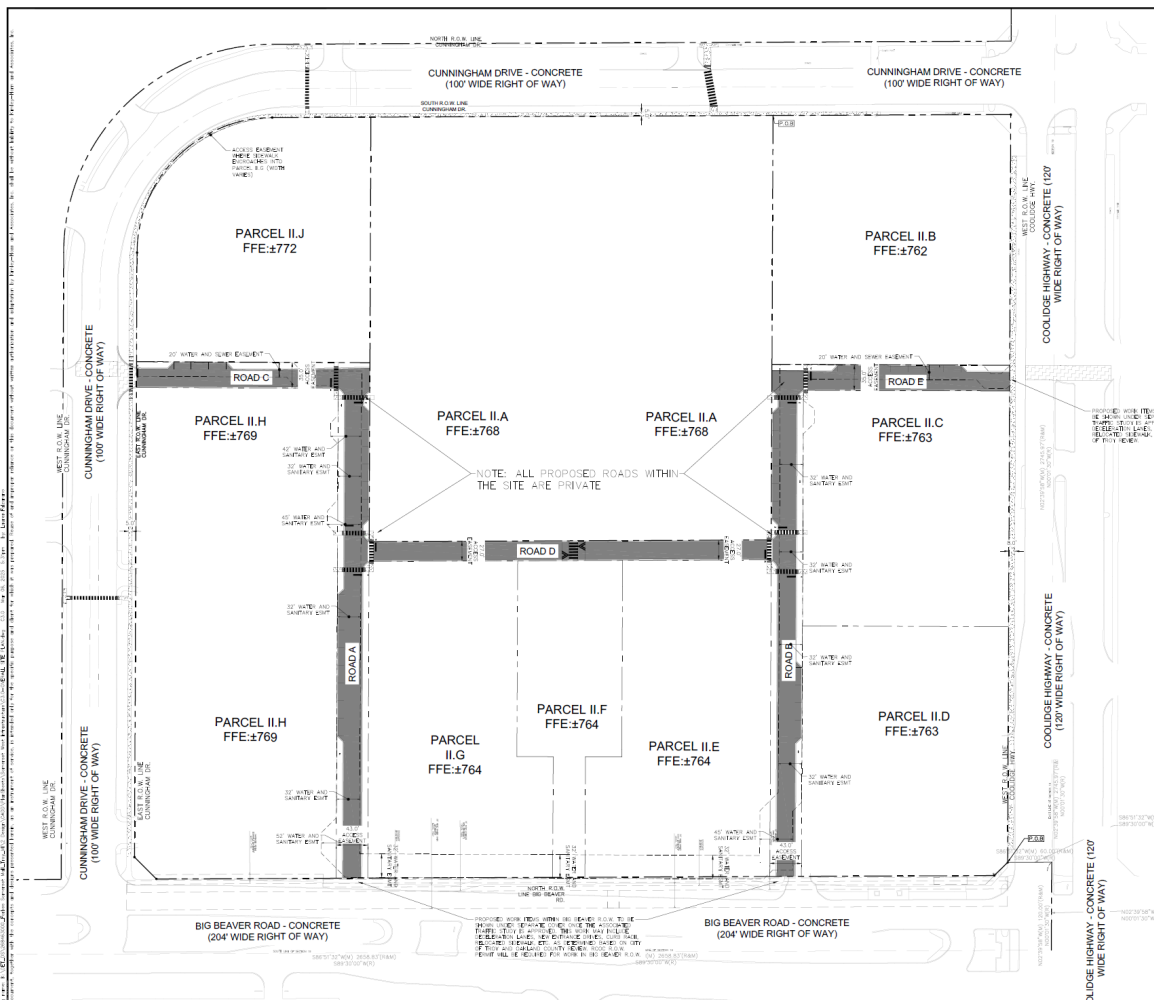
Planned Unit Development. In determining whether these relationships have been appropriately addressed, consideration shall be given to the following:

- i. The bulk, placement, and materials of construction of the proposed structures and other site improvements.*
 - ii. The location and screening of vehicular circulation and parking areas in relation to surrounding properties and the other elements of the development.*
 - iii. The location and screening of outdoor storage, loading areas, outdoor activity or work areas, and mechanical equipment.*
 - iv. The hours of operation of the proposed uses.*
 - v. The location, amount, type and intensity of landscaping, and other site amenities.*
- 16. Parking shall be provided in order to properly serve the total range of uses within the Planned Unit Development. The sharing of parking among the various uses within a Planned Unit Development may be permitted. The applicant shall provide justification to the satisfaction of the City that the shared parking proposed is sufficient for the development and will not impair the functioning of the development, and will not have a negative effect on traffic flow within the development and/or on properties adjacent to the development.*
- 17. Innovative methods of stormwater management that enhance water quality shall be considered in the design of the stormwater system.*
- 18. The proposed Planned Unit Development shall be in compliance with all applicable Federal, State and local laws and ordinances, and shall coordinate with existing public facilities.*

Items to be Addressed: *Planning Commission should review the application considering the standards.*

PHASE 1 PRELIMINARY SITE PLAN

In addition to the Concept Development Plan, the applicant is seeking Preliminary Development Plan (preliminary site plan) approval for Phase 1A. Phase 1A includes road layout and utility installation.



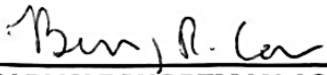
Approval of the Preliminary Development Plan (preliminary site plan) for Phase 1A would allow the applicant to grade the site, install the private roads, and underground utilities. Outside of lots/parcels designed for Constitutional Corporation use, each individual lot/parcel would come in for Preliminary Development Plan approval. The Planning Commission is a recommending body on the Preliminary Development Plan.

In discussions with the Oakland County Road Commission (OCRC), OCRC notes that the western most access point off Big Beaver will require both the closure of the adjacent Big Beaver cross-over and improvements to the light at Big Beaver and Cunningham. The applicant has not shown the closed cross-over on the preliminary site plan.

SUMMARY

The Planning Commission should hold a public hearing, consider public testimony, and discuss the following items with the applicant:

1. Does the proposed mix of uses, height, and proposed layout meet the intent of what the City is trying to achieve on Big Beaver?
 - a. Is the total amount of surface parking acceptable
 - b. Are the two car-drop-off areas between Big Beaver and the two large mixed use buildings acceptable and good design?
 - c. Are the overall site amenities sufficient?
 - d. Are there additional design/landscaping/public art features that should be added along Big Beaver? For example the Pavilions included a gateway design feature along Big Beaver.
 - e. Should additional buffering/landscaping be considered between the sites north of Cunningham and the residential neighborhood to the north?
2. Again, we think the addition of a Constitutional Corporation as an anchor to the site is valuable to both the city of Troy, residents, and southeast Michigan; however, we are only seeking clarification of phasing better understand and evaluate the CDP as a whole:
 - a. The applicant should clarify which portions of the development are being acquired or planned to be acquired a Constitutional Corporation
 - b. The applicant should clarify if they are proposing to sell any additional portion of the development to a Constitutional Corporation.
 - c. The applicant should clarify what future phase means.
3. Does the CDP meet the PUD Standards set forth in Section 11.03?



CARLISLE/WORTMAN ASSOC., INC.
Benjamin R. Carlisle, AICP, LEED AP
President

PLANNED UNIT DEVELOPMENT

5. **PUBLIC HEARING - PLANNED UNIT DEVELOPMENT – (PUD021 JPLN2024-0012)** – Proposed Somerset West Concept Development Plan and Preliminary Development Plan for Phase 1A, North side of Big Beaver, West side of Coolidge (3100 W. Big Beaver; PIN 88-20-19-476-002, 88-20-19-476-003 & 88-20-19-430-004), Section 19, Presently zoned PUD (Planned Unit Development) Zoning District.

Nate Forbes, of Forbes Frankel Troy Ventures LLC presented the proposed conceptual mixed-use development, Somerset West, property formerly occupied by Kmart headquarters. Mr. Forbes discussed the University of Michigan Health Facility as part of this project. Mr. Forbes addressed prior comments from September 10, 2024 Planning Commission Meeting.

Mr. Carlisle explained the Planned Unit Development (PUD) process and the Concept Development Plan (CDP) and how it applies to the Somerset West proposed conceptual mixed use development. Mr. Carlisle went on to describe the project further along with requests and clarifications requested of the applicant.

Applicant addressed questions from the Board.

Chair Perakis opened the floor for public comment. The following spoke:

- Mary Ellen Barden- 2105 Babcock Drive
- Firdevs Arkan-2187 Lancer Dr
- William Froling- 1858 Lexington

Public Hearing closed.

Resolution # PC-2025-04-026

Moved by: Fox

Support by: Lambert

RESOLVED, that Preliminary Development Plan Approval for Phase 1A of the Somerset West Planned Unit Development, North side of Big Beaver, West side of Coolidge (3100 W. Big Beaver; PIN 88-20-19-476-002, 88-20-19-476-003 & 88-20-19-430-004), Section 19, presently Zoned PUD (Planned Unit Development) Zoning District, be **postponed** with the following conditions:

1. Specify the 17 acres that is anticipated to be purchased by a Constitutional Corporation (University of Michigan)
2. Show how the Constitutional Corporation (University of Michigan) will develop the 17 acres.
3. Remove the following from Permitted Use list: repair shop, trade school, drive thru, hardware store, appliance sales, townhomes, single family homes and nursing homes.
4. Re-examine open space south of U of M Health, increasing its size from 1 acre.
5. Provide a phasing time line for construction.
6. Specify square footage/unit minimums and maximums for residential, retail, office, and hotel uses

7. Narrow the scope of uses in Use Diagram to allow more specificity as it relates to specific sites.

8. Address PUD Standards.

Discussion on the motion on the floor.

Vote on the motion on the floor.

Yes: Fox, Tagle, Malalahalli, Lambert, Faison, Krent, Perakis

No: Buechner

Absent: Hutson

MOTION CARRIED

Chair Perakis called a recess at 9:49pm. Resumed at 9:52pm



Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

Date: April 15, 2025
May 8, 2025

**Planned Unit Development Concept Review and
Preliminary Development Plan for Phase 1
For
City of Troy, Michigan**

Project Name:	Somerset West Planned Unit Development
Plan Date:	March 7, 2025
Location:	3100 W Big Beaver (parcels 88-20-19-476-001 & 88-20-19-430-004)
Current Zoning:	Planned Unit Development (PUD)
Action Requested:	Recommendation for Planned Unit Development (PUD) Concept Plan and Preliminary Development Plan for Phase 1

PROJECT AND SITE DESCRIPTION

A Concept Development Plan (CDP) application has been submitted for the redevelopment of an existing Planned Unit Development (PUD) site, commonly referred to as the “Former Kmart Headquarters.” The subject site is located at the northwest corner of Big Beaver Road and Coolidge Highway.

The proposed project, titled *Somerset West*, is a large-scale mixed-use development that includes a variety of residential, commercial, and office uses. At the core of the development will be a University of Michigan healthcare facility. The remaining portions of the site are proposed to include multi-family residential buildings, restaurants, retail centers, and office space.

It is important to note that under Michigan law, the University of Michigan is classified as a *Constitutional Corporation*. As such, any land owned by the University is exempt from property taxes and not subject to local zoning or building code requirements.

In addition to the Concept Development Plan, the applicant is also requesting consideration of a Preliminary Development Plan for Phase 1A. This initial phase includes grading, installation of private internal roadways, and placement of underground utilities. All future development—except for parcels owned by the Constitutional Corporation—will return for individual Preliminary Development Plan approvals prior to construction.

The Planning Commission serves as a recommending body for both the Concept Development Plan and the Phase 1A Preliminary Development Plan. The final decision will rest with the City Council.

Figure 1. Location of Subject Site.



Proposed Use of Subject Parcel:
Mixed Use Development

Current Zoning:
Planned Unit Development (PUD)

Size of Subject Site:
South of Cunningham: Approximately 12 acres
North of Cunningham: Approximately 28 acres

Surrounding Property Details:

Direction	Zoning	Use
North	R-1B, One-family Residential	Single-family homes Somerset Academy Preschool
South	BB, Big Beaver	Ocean Prime Restaurant Troy Place Business Center The Kresge Foundation
East	R-1B, One-family Residential BB, Big Beaver	Undeveloped land Somerset Mall
West	BB, Big Beaver	Sheffield Office Park Business Center

PUD PROCESS

A Planned Unit Development project is viewed as an integrated development concept. To that end, the provisions of this Article are not intended to be used as a device for avoiding the zoning requirements that would otherwise apply, but rather to allow flexibility and mixture of uses, and to improve the design, character and quality of new development. The use of a Planned Unit Development to permit variations from other requirements of this Ordinance shall only be approved when such approval results in improvements to the public health, safety and welfare in the area affected, and in accordance with the intent of this Article.

The approval of a Planned Unit Development (PUD) is a three-step process:

Step 1-Concept Plan: The first step shall be application for and approval of a Concept Development Plan, which requires a legislative enactment amending the zoning district map so as to reclassify the property as a Planned Unit Development. A proposed Development Agreement shall be included and incorporated with the Concept Development Plan, to be agreed upon and approved coincident with said Plan. The Concept Development Plan and Development Agreement shall be approved by the City Council following the recommendation of the Planning Commission. Such action, if and when approved, shall confer upon the applicant approval of the Concept Development Plan and shall rezone the property to PUD in accordance with the terms and conditions of the Concept Development Plan approval.

Step 2- Preliminary Development Plan Approval: The second step of the review and approval process shall be the application for and approval of a Preliminary Development Plan (preliminary site plan) for the entire project, or for any one or more phases of the project. City Council shall have the final authority to approve and grant Preliminary Development Plan approvals, following a recommendation by the Planning Commission.

Step 3- Final Development Plan Approval: The third step of the review and approval process shall be the review and approval of a Final Development Plan (final site plan) for the entire project, or for any one or more phases of the project, and the issuance of building permits. Final Development Plans for Planned Unit Developments shall be submitted to the Zoning Administrator for administrative review, and the Zoning Administrator, with the recommendation of other appropriate City Departments, shall have final authority for approval of such Final Development Plans.

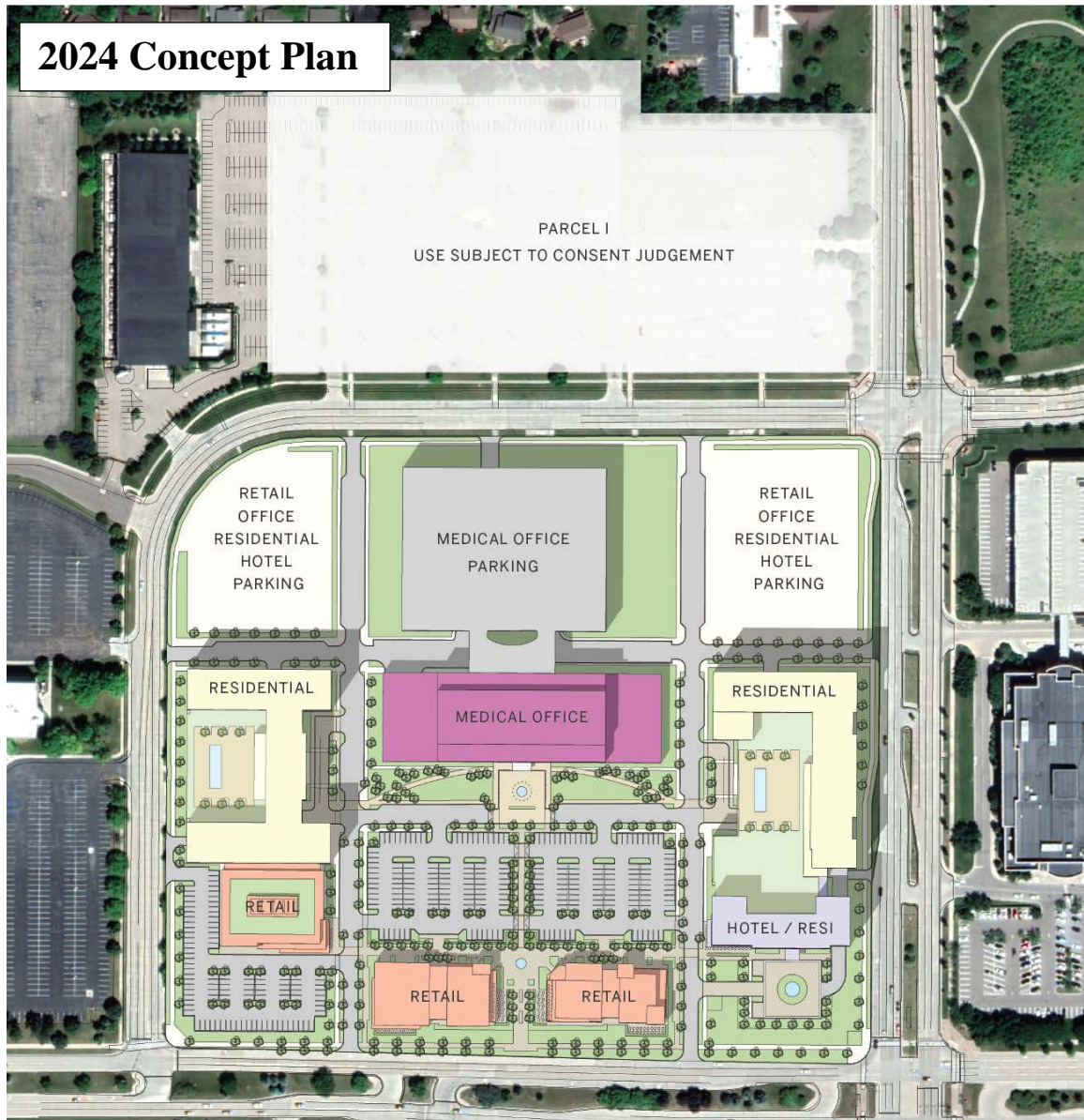
The applicant is currently seeking a recommendation of approval for their Concept Plan and Preliminary Development Plan (preliminary site plan) for Phase 1A.

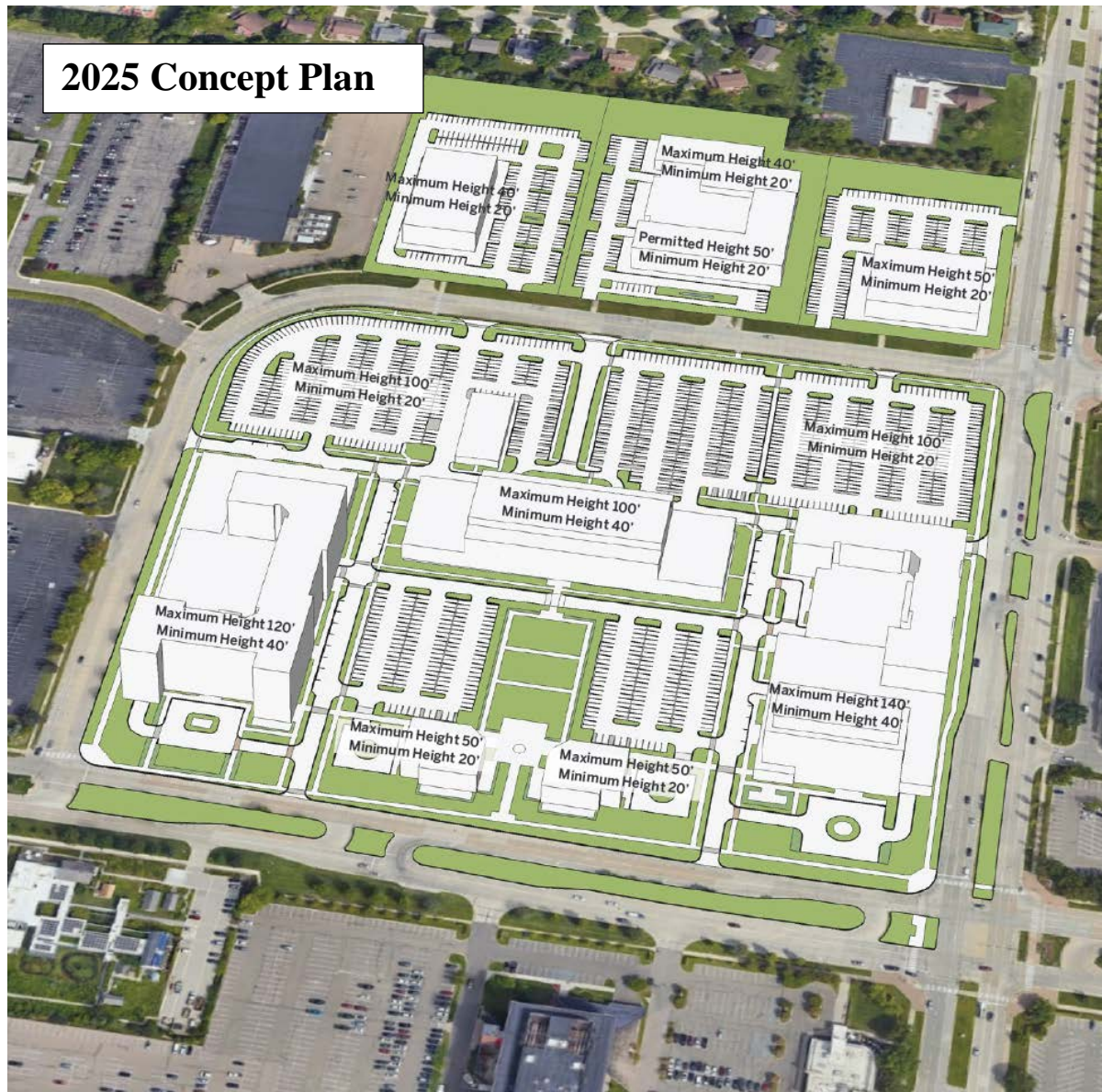
PUD INTENT

As set forth in Section 11.01, the intent of the Planned Unit Development option is to permit flexibility in the design and use of residential and non-residential land which, through the implementation of an overall development plan, when applicable to the site, will:

1. Encourage developments that will result in a long-term contribution to social, environmental and economic sustainability in the City of Troy.
2. Permit development patterns that respond to changing public and private needs.
3. Encourage flexibility in design and use that will result in a higher quality of development and a better overall project than would be accomplished under conventional zoning, and which can be accommodated without sacrificing established community values.
4. Provide for the long-term protection and/or preservation of natural resources, natural features, and/or historic and cultural resources.
5. Promote the efficient use and conservation of energy.
6. Encourage the use, redevelopment and improvement of existing sites where current ordinances do not provide adequate protection and safeguards for the site or its surrounding areas, or where current ordinances do not provide the flexibility to consider redevelopment, replacement, or adaptive re-use of existing structures and sites.
7. Provide for enhanced housing, employment, recreation, and shopping opportunities for the citizens of Troy.
8. Ensure the compatibility of design and use between various components within the PUD and with neighboring properties and uses.
9. Ensure development that is consistent with the intent of the Master Plan.

CONCEPT PLAN





The Concept Plan includes a maximum of:

- 500,000 SF office
- 300,000 SF retail
- 250 room hotel, plus amenities
- 750 residential units

Based on the City's Master Plan, Big Beaver Corridor Design Study, and Zoning Ordinance, the Planning Commission should discuss if the proposed mix of uses, height, and layout meet the intent of what the City is trying to achieve on Big Beaver.

PREVIOUS PLANNING COMMISSION REVIEW

The item was last considered by the Planning Commission on April 22, 2025. For further context, please refer to our April 17th staff review. The application was postponed to allow the applicant to address several outstanding issues. Below is a summary of each request and the applicant's response:

- 1. Specify the 17 acres that is anticipated to be purchased by a Constitutional Corporation (University of Michigan)**

CWA Response: The Use Diagram has been updated to clearly delineate the 17 acres intended for acquisition by the University of Michigan.

- 2. Show how the Constitutional Corporation (University of Michigan) will develop the 17 acres.**

CWA Response: The applicant notes that the concept images shown at the April 22, 2025 meeting is what the University intends to construct. The applicant will provide material samples at the upcoming meeting. The applicant further notes that the University does not have any future drawings or plans to demonstrate future expansion.

- 3. Remove the following from Permitted Use list: repair shop, trade school, drive thru, hardware store, appliance sales, townhomes, single family homes and nursing homes.**

CWA Response: The applicant agrees to remove trade school, repair shop, hardware store, appliance sales, and single-family residential from the permitted use list. However, they request to retain townhomes and a single drive-through use limited to a financial institution.

- 4. Re-examine open space south of U of M Health, increasing its size from 1 acre.**

CWA Response: The size of the 1-acre park remains unchanged. The applicant has submitted a narrative explaining why expansion is not proposed.

- 5. Provide a phasing timeline for construction.**

CWA Response: The updated Phasing Diagram now includes five distinct phases. However, specific timing for each phase has not been provided.

- 6. Specify square footage/unit minimums and maximums for residential, retail, office, and hotel uses**

CWA Response: The applicant notes that both the current and proposed amended PUD establish development maximums. However, due to ongoing economic uncertainty, the applicant requests that minimum development thresholds not be required at this time.

7. Narrow the scope of uses in Use Diagram to allow more specificity as it relates to specific sites.

CWA Response: The applicant has narrowed the list of permitted uses for the University of Michigan parcels; however, they have not done so for the remaining parcels. They have expressed a desire to retain maximum flexibility in allowable uses for those areas.

8. Address PUD Standards.

CWA Response: The applicant has provided a narrative that addresses their response to the PUD Standards.

The applicant has provided a written narrative that details their response to the Planning Commission conditions of postponement.

STANDARDS

When reviewing the PUD, the Planning Commission shall consider the following standards as set forth in Section 11.03:

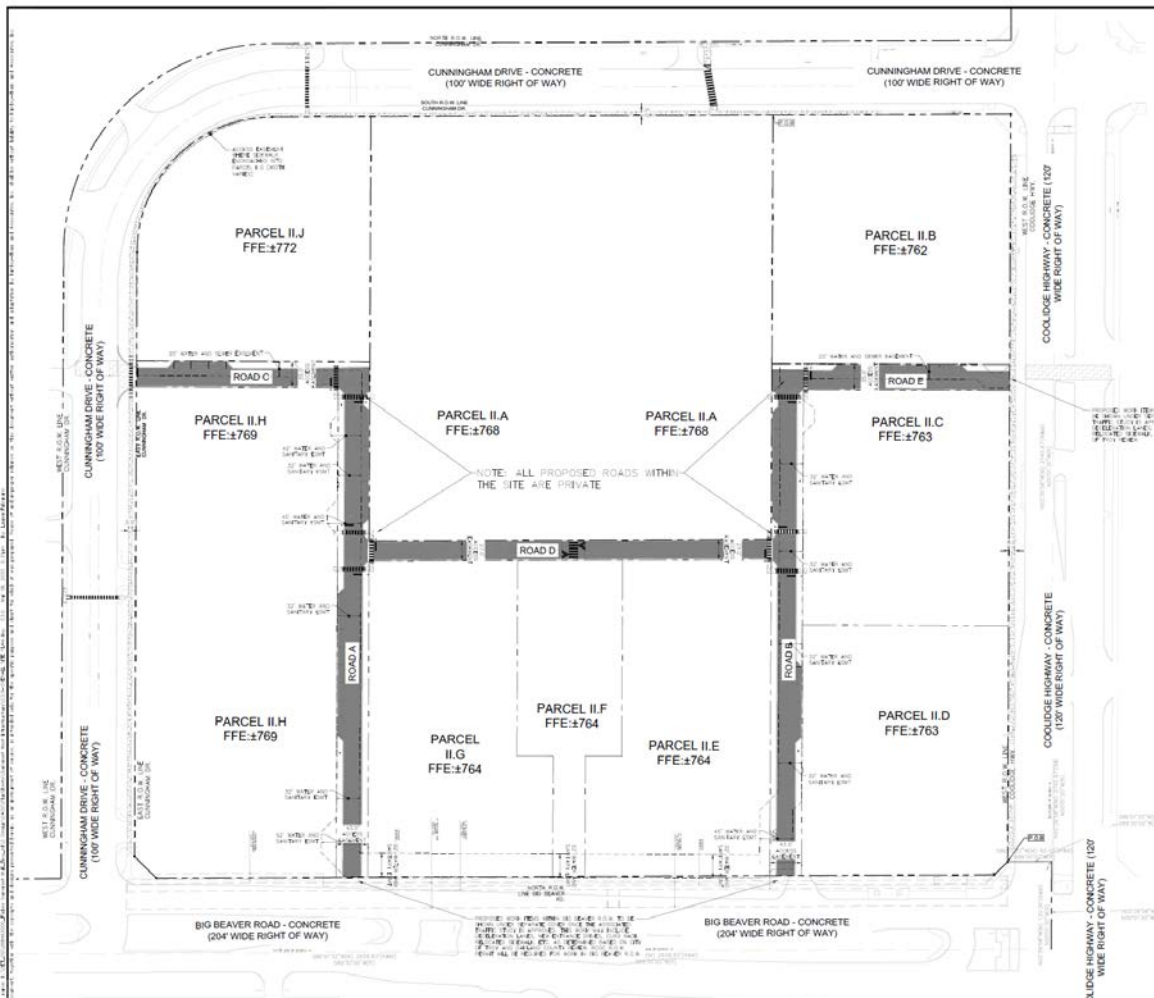
1. *A mixture of land uses that would otherwise not be permitted without the use of the PUD provided that other objectives of this Article are also met.*
2. *A public improvement or public facility (e.g. recreational, transportation, safety and security) which will enhance, add to or replace those provided by public entities, thereby furthering the public health, safety and welfare.*
3. *A recognizable and material benefit to the ultimate users of the project and to the community, where such benefit would otherwise be infeasible or unlikely to be achieved absent these regulations.*
4. *Long-term protection and preservation of natural resources, natural features, and historic and cultural resources, of a significant quantity and/or quality in need of protection or preservation, and which would otherwise be unfeasible or unlikely to be achieved absent these regulations.*
5. *A compatible mixture of open space, landscaped areas, and/or pedestrian amenities.*
6. *Appropriate land use transitions between the PUD and surrounding properties.*
7. *Design features and techniques, such as green building and low impact design, which will promote and encourage energy conservation and sustainable development.*
8. *Innovative and creative site and building designs, solutions and materials.*
9. *The desirable qualities of a dynamic urban environment that is compact, designed to human scale, and exhibits contextual integration of buildings and city spaces.*
10. *The PUD will reasonably mitigate impacts to the transportation system and enhance non-motorized facilities and amenities.*
11. *For the appropriate assembly, use, redevelopment, replacement and/or improvement of existing sites that are occupied by obsolete uses and/or structures.*
12. *A complementary variety of housing types that is in harmony with adjacent uses.*
13. *A reduction of the impact of a non-conformity or removal of an obsolete building or structure.*

14. *A development consistent with and meeting the intent of this Article, which will promote the intent of the Master Plan or the intent of any applicable corridor or sub-area plans. If conditions have changed since the Plan, or any applicable corridor or sub-area plans were adopted, the uses shall be consistent with recent development trends in the area.*
15. *Includes all necessary information and specifications with respect to structures, heights, setbacks, density, parking, circulation, landscaping, amenities and other design and layout features, exhibiting a due regard for the relationship of the development to the surrounding properties and uses thereon, as well as to the relationship between the various elements within the proposed Planned Unit Development. In determining whether these relationships have been appropriately addressed, consideration shall be given to the following:*
 - i. *The bulk, placement, and materials of construction of the proposed structures and other site improvements.*
 - ii. *The location and screening of vehicular circulation and parking areas in relation to surrounding properties and the other elements of the development.*
 - iii. *The location and screening of outdoor storage, loading areas, outdoor activity or work areas, and mechanical equipment.*
 - iv. *The hours of operation of the proposed uses.*
 - v. *The location, amount, type and intensity of landscaping, and other site amenities.*
16. *Parking shall be provided in order to properly serve the total range of uses within the Planned Unit Development. The sharing of parking among the various uses within a Planned Unit Development may be permitted. The applicant shall provide justification to the satisfaction of the City that the shared parking proposed is sufficient for the development and will not impair the functioning of the development, and will not have a negative effect on traffic flow within the development and/or on properties adjacent to the development.*
17. *Innovative methods of stormwater management that enhance water quality shall be considered in the design of the stormwater system.*
18. *The proposed Planned Unit Development shall be in compliance with all applicable Federal, State and local laws and ordinances, and shall coordinate with existing public facilities.*

Items to be Addressed: *Planning Commission should review the application considering the standards.*

PHASE 1 PRELIMINARY SITE PLAN

In addition to the Concept Development Plan, the applicant is seeking Preliminary Development Plan (preliminary site plan) approval for Phase 1A. Phase 1A includes road layout and utility installation.



Approval of the Preliminary Development Plan (preliminary site plan) for Phase 1A would allow the applicant to grade the site, install the private roads, and underground utilities. Outside of lots/parcels designed for Constitutional Corporation use, each individual lot/parcel would come in for Preliminary Development Plan approval. The Planning Commission is a recommending body on the Preliminary Development Plan.

In discussions with the Oakland County Road Commission (OCRC), OCRC notes that the western most access point off Big Beaver will require both the closure of the adjacent Big Beaver cross-

over and improvements to the light at Big Beaver and Cunningham. The applicant has not shown the closed cross-over on the preliminary site plan.

SITE PLAN REVIEW STANDARDS

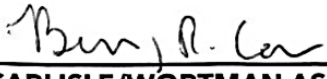
Section 8.06 outlines Site Plan Review Design Standards.

1. *Development shall ensure compatibility with existing commercial districts and provide a transition between land uses.*
 - a. *Building design shall enhance the character of the surrounding area in relation to building and parking placement, landscape and streetscape features, and architectural design.*
 - b. *Street fronts shall provide a variety of architectural expression that is appropriate in its context and prevents monotony.*
 - c. *Building design shall achieve a compatible transition between areas with different height, massing, scale, and architectural style.*
2. *Development shall incorporate the recognized best architectural building design practices.*
 - a. *Foster a lasting impact on the community through the provision of high quality design, construction, and detailing.*
 - b. *Provide high quality, durable materials, such as but not limited to stone, brick, glass, and metal. E.I.F.S. or material equivalent shall only be used as an accent material.*
 - c. *Develop buildings with creativity that includes balanced compositions and forms.*
 - d. *Design roofs that are appropriate to the architectural style of the building and create an appropriate visual exterior mass of the building given the context of the site.*
 - e. *For commercial buildings, incorporate clearly defined, highly visible customer entrances using features such as canopies, porticos, arcades, arches, wing walls, ground plane elements, and/or landscape planters.*
 - f. *Include community amenities that add value to the development such as patio/seating areas, water features, art work or sculpture, clock towers, pedestrian plazas with park benches or other features located in areas accessible to the public.*
3. *Enhance the character, environment and safety for pedestrians and motorists.*
 - a. *Provide elements that define the street and the pedestrian realm.*
 - b. *Create a connection between the public right of way and ground floor activities.*
 - c. *Create a safe environment by employing design features to reduce vehicular and pedestrian conflict, while not sacrificing design excellence.*
 - d. *Enhance the pedestrian realm by framing the sidewalk area with trees, awnings, and other features.*
 - e. *Improve safety for pedestrians through site design measures.*

Items to be Addressed: None.

SUMMARY

The Planning Commission should review the revised application and consider if the CDP meets the PUD Standards set forth in Section 11.03 and if Phase 1A meets preliminary site plan standards set forth in Section 8.06.


CARLISLE/WORTMAN ASSOC., INC.
Benjamin R. Carlisle, AICP, LEED AP
President

PLANNED UNIT DEVELOPMENT

5. **PLANNED UNIT DEVELOPMENT – (PUD021 JPLN2024-0012) – Proposed Somerset West Concept Development Plan and Preliminary Development Plan for Phase 1A, North side of Big Beaver, West side of Coolidge (3100 W. Big Beaver; PIN 88-20-19-476-002, 88-20-19-476-003 and 88-20-19-430-004), Section 19, Presently Zoned PUD (Planned Unit Development) Zoning District**

Mr. Carlisle explained the three step approval process of the Somerset West Planned Unit Development (PUD) application. He reviewed the proposed Concept Development Plan (CDP) and Preliminary Development Plan (PDP) for Phase 1A since last reviewed at the Planning Commission April 22, 2025 Regular meeting. Mr. Carlisle specifically addressed the applicant's responses to the eight conditions cited in the motion to postpone.

In summary, Mr. Carlisle asked the Planning Commission in its deliberations to consider if the Concept Development Plan meets the PUD Standards set forth in Section 11.03 and if the Preliminary Development Plan for Phase 1A meets the Site Plan Review Design Standards set forth in Section 8.06.

Some comments among Board and administration related to:

- Outline of 17 acres purchased by the University of Michigan (U of M Health).
- Open space requirements.
- Application of the PUD Agreement in relationship to the Zoning Ordinance requirements.

Ms. Dufrane suggested the Board incorporate in its Resolution any considerations it might want City Council to address.

Nate Forbes of Forbes Frankel Troy Ventures LLC addressed the company's continuing reinvestment in the Somerset Collection, their philosophical interest in the Big Beaver corridor and the City of Troy and the demolition of the former K-Mart Headquarters. He presented a video of the proposed mixed-use project, bringing attention to the pedestrian walkways and beautifully landscaped areas. The presentation included renderings of the mixed-use project, open space, medical facility, parking, elevations, building materials and color schemes.

Some comments during discussion related to the following:

- Expanse and vision of the open space.
- Demolition of the former K-Mart Headquarters at a cost of \$6.5 million.

- Townhomes and drive-through uses; applicant addressed reason to keep uses in the PUD Agreement.
- Construction of residential units as relates to the Consent Judgment.
- Parking; deck and surface only, no underground.
- Unknown economic and development climate.
- Installation of the infrastructure is not dependent on U of M Health development.
- U of M Health presence increases interest in Troy community and ancillary uses.
- High standards held by both U of M Health and the applicant.
- Concept Plan illustration; consideration to include pictures and renderings.

Ms. Dufrane expressed how the applicant and the administration are trying to achieve a balance between predictability and flexibility in the PUD Agreement. She reminded the Board that each phase of the development will be before them for consideration.

Mr. Forbes addressed how they are dependent on market fluctuations. He said they will find the balance and build an exceptional mixed-use project.

Chair Perakis opened the floor for public comment.

- Mary Ellen Barden, 2105 Babcock; addressed the impact of the project to her home during construction phase, shared pictures of existing unsightly condition behind her home, asked the applicant to provide an appropriate barrier to alleviate her concerns and concerns of the neighbors to the north.
- Jasper Gill, 3120 Newport; spoke in support of the proposed project, addressed its positive economic impact.

Chair Perakis closed the floor for public comment.

Resolution # PC-2025-05-030

Moved by: Fox

Support by: Faison

WHEREAS, The applicant Forbes Frankel Troy Ventures LLC submitted a Conceptual Development Plan application for a Planned Unit Development, located on the northwest corner of Big Beaver and Coolidge, in Section 19, approximately 40 acres in area; and

WHEREAS, The applicant also submitted a Preliminary Development Plan application for Phase 1A of the proposed Planned Unit Development, including internal roads and utilities; and

WHEREAS, The Concept Development Plan proposes multiple phases for a mixed-use development including up to 500,000 square feet of office, up to 300,000 square feet of retail, up to 750 residential units and up to 250 hotel rooms and open space public amenities; and

WHEREAS, The Concept Development Plan contemplates the development of up to 17 acres of the site by U of M Health, a constitutional corporation per the Michigan Constitution; and

WHEREAS, The Concept Development Plan will be implemented through submittal of Preliminary Development Plans for each phase of development; and

WHEREAS, Each Preliminary Development Plan will require a Planning Commission public hearing and City Council public hearing prior to approval; and

WHEREAS, The proposed Concept Development Plan meets the Standards for Approval set forth in Section 11.03.

THEREFORE BE IT RESOLVED, That the Planning Commission recommends to City Council that Concept Development Plan Approval for the proposed Somerset West Planned Unit Development be **granted**.

BE IT FINALLY RESOLVED, That the Planning Commission recommends to City Council that Preliminary Development Plan Approval for Phase 1A of the Somerset West Planned Unit Development be **granted**.

Discussion on the motion on the floor.

Ms. Dufrane clarified that each Preliminary Development Plan granted approval is given three years to complete construction per the Zoning Ordinance regulations. She said the applicant can request an extension of any approved Preliminary Development Plan and that request would be handled administratively. Ms. Dufrane said any substantial revisions to any approved plan would bring the item back to the Planning Commission for consideration.

Mr. Lambert said he feels the applicant should be granted flexibility because (1) the applicant has demolished the former K-Mart Building; (2) the applicant is bringing in the U of M Health facility as an important anchor; and (3) the applicant is providing multi uses for both businesses and residential units to supplement the Somerset Collection. Mr. Lambert said he is confident the applicant heard the comments expressed this evening from one neighbor to the north and is assured the applicant will accommodate all the neighbors to the north with a nice view of the project.

Vote on the motion on the floor.

Yes: All present (9)

MOTION CARRIED

**CITY OF TROY
PLANNED UNIT DEVELOPMENT
CONCEPT DEVELOPMENT PLAN (CDP) APPLICATION
AND APPLICATION TO AMEND THE ZONING DISTRICT MAP**

CITY OF TROY PLANNING DEPARTMENT
500 W. BIG BEAVER
TROY, MICHIGAN 48084
PHONE: 248-524-3364
E-MAIL: planning@troymi.gov



CONCEPT DEVELOPMENT PLAN FEE
\$3,000.00

ESCROW FEE
\$5,000.00

PRIOR TO THE SUBMISSION OF AN APPLICATION FOR APPROVAL OF A PLANNED UNIT DEVELOPMENT, THE APPLICANT SHALL HOLD A PRE-APPLICATION MEETING WITH THE PLANNING DEPARTMENT OF THE CITY AND ANY CITY STAFF AND OUTSIDE CONSULTANTS AS DEEMED APPROPRIATE BY THE CITY.

DATE OF PRE-APPLICATION MEETING: _____ *1/26/18*

REGULAR MEETINGS OF THE CITY PLANNING COMMISSION ARE HELD ON THE SECOND AND FOURTH TUESDAYS OF EACH MONTH AT 7:00 P.M. AT CITY HALL.

1. NAME OF THE PROPOSED DEVELOPMENT: Somerset West

2. LOCATION OF THE SUBJECT PROPERTY: 3100 Big Beaver, Troy Michigan 48084

3. ZONING CLASSIFICATION(S) OF THE SUBJECT PROPERTY: Planned Unit Development Subject to the terms of the Planned Unit Development agreement, dated October 17, 2007 and recorded with the Oakland County, Michigan Register of Deeds on October 26, 2007 at Liber 39703 in Page 493

4. TAX IDENTIFICATION NUMBER(S) OF SUBJECT PROPERTY: 88-20-19-476-002, 88-20-19-476-003 and 88-20-19-430-004

5. APPLICANT:	PROPERTY OWNER:
NAME _____	NAME _____
COMPANY <u>Forbes Frankel Troy Ventures LLC</u>	COMPANY <u>Forbes Frankel Troy Ventures LLC</u>
ADDRESS <u>100 Galleria Officentre, Suite 427</u>	ADDRESS <u>100 Galleria Officentre, Suite 427</u>
CITY <u>Southfield</u> STATE <u>MI</u> ZIP <u>48034</u>	CITY <u>Southfield</u> STATE <u>MI</u> ZIP <u>48034</u>
TELEPHONE <u>248-827-4600</u>	TELEPHONE <u>248-827-4600</u>
E-MAIL <u>nforbes@theforbescompany.com</u>	E-MAIL <u>nforbes@theforbescompany.com</u>

6. THE APPLICANT BEARS THE FOLLOWING RELATIONSHIP TO THE OWNER OF THE SUBJECT PROPERTY:
The Applicant and the Property Owner are the same entity.

7. ATTACHED HERETO IS A SIGNED STATEMENT BY THE APPLICANT INDICATING THE APPLICANT HAS THE AUTHORITY TO EXECUTE A BINDING AGREEMENT COVERING ALL PARCELS IN THE PROPOSED P.U.D.

8. SIGNATURE OF APPLICANT See Attached DATE _____

9. SIGNATURE OF PROPERTY OWNER *[Signature]* DATE 2/25/25

BY THIS SIGNATURE, THE PROPERTY OWNER AUTHORIZES PLACEMENT OF A SIGN ON THE PROPERTY TO INFORM THE PUBLIC AS TO THIS REQUEST FOR PLANNED UNIT DEVELOPMENT.


Notarial Certificate

(State of Michigan)
() ss
(County of Oakland)

On this 25th day of FEBRUARY, 20 25, personally
appeared before me:

NATHAN FORBES

Known [☐ or produced identification] to me to be the individual who executed the
foregoing document and acknowledged the same as a free act and deed for uses and
purposes therein expressed.


Notary Public

Brenda Walton
Notary Public – State of Michigan
Oakland County
My Commission Expires: October 1, 2029
Acting in the county of OAKLAND,

PLANNED UNIT DEVELOPMENT CONCEPT DEVELOPMENT PLAN (CDP) PRE-APPLICATION MEETING CHECKLIST

THE APPLICANT SHALL PROVIDE A MINIMUM OF THREE (3) COPIES OF THE FOLLOWING ITEMS, PLUS ONE (1) CD CONTAINING AN ELECTRONIC VERSION OF THE APPLICATION, TO THE PLANNING DEPARTMENT AT OR BEFORE THE PRE-APPLICATION MEETING. SEE SECTION 11.06(A).

- ☒ A SKETCH PLAN OF THE PROPOSED PLANNED UNIT DEVELOPMENT
- ☒ LEGAL DESCRIPTION OF THE PROPERTY, SCALE DRAWING AND THE TOTAL NUMBER OF ACRES IN THE PROJECT
- ☒ TOPOGRAPHICAL MAP OF THE PROJECT SITE
- ☒ A STATEMENT OF ALL PROPOSED USES IN THE PROJECT
- ☒ THE KNOWN DEVIATIONS SOUGHT FROM THE ORDINANCE REGULATIONS OTHERWISE APPLICABLE
- ☒ THE NUMBER OF ACRES TO BE PRESERVED AS OPEN OR RECREATIONAL SPACE AND THE INTENDED USES OF SUCH SPACE
- ☒ ALL KNOWN NATURAL RESOURCES, NATURAL FEATURES, HISTORIC RESOURCES AND HISTORIC FEATURES; WHICH ARE TO BE PRESERVED
- ☒ A LISTING AND SPECIFICATION OF ALL SITE DEVELOPMENT CONSTRAINTS

PLANNED UNIT DEVELOPMENT CONCEPT DEVELOPMENT PLAN (CDP) CHECKLIST

THE FOLLOWING INFORMATION AND MATERIALS ARE NECESSARY FOR SUBMISSION. FOR A DETAILED DESCRIPTION OF REQUIRED ITEMS, SEE SECTION 11.06(C) OF THE ZONING ORDINANCE.

- ☒ REQUIRED FEE
- ☒ ONE (1) CD CONTAINING AN ELECTRONIC VERSION OF THE APPLICATION AND ONE (1) COPY OF THE DRAFT DEVELOPMENT AGREEMENT (PDF Format)

The application shall include TWO (2) hard copies of the following information and materials, which shall be in a plan format together with a narrative explanation.

- ☒ Date(s) and location of all meetings with representatives of adjoining neighborhoods, minutes and attendance record(s) of such meeting(s). [3/6/2025 at Somerset Collection North](#)
- ☒ Certified boundary survey including legal description of the property, scale drawing and the total number of acres in the project.
- ☒ *Development concept:* A summary explanation of the development concept shall describe the project and explain how the project will meet the intent of the PUD option as set forth in Section 11.01 and the criteria for consideration as a PUD as set forth in Section 11.03 hereof, as those sections reasonably apply to the site.
- ☒ *Density:* The maximum density of the overall project and the maximum density for each proposed use and phase.
- ☒ *Road system:* A general description of the road system and circulation pattern; the location of roads, entrances, exits and pedestrian walkways; a statement whether roads are intended to be public or private. Efforts shall be made to ensure that multiple transportation modes are safely and effectively accommodated in an effort to provide alternate modes of access and alleviate vehicle traffic congestion particularly as it pertains to the improvements along major roads.
- ☒ *Utilities:* A general description and location of both on-site and off-site utilities including proposed water, sanitary sewer, storm sewer systems and utility lines; a general indication of the size and location of stormwater detention and retention ponds, and a map and text showing off-site utilities, existing and proposed, which will provide services to the project.
- ☒ *Open space/common areas:* A general description of proposed open space and common areas; the total area of open space; the total area of open space in each proposed phase; the proposed uses of open space and common areas.
- ☒ *Uses:* A list of all proposed uses; the location, type and land area to be devoted to each use, both overall and in each phase; a demonstration that all of the proposed uses are permitted under this Article.
- ☒ *Development guidelines:* A plan of the site organization, including typical setback and lot dimensions; the minimum lot sizes for each use; typical minimum and maximum building height and size; massing models; conceptual building design; and the general character and arrangement of parking; fencing; lighting; berming; and building materials.
- ☒ *Parking and Traffic:* A study of the parking requirements and needs; a traffic impact study and analysis.
- ☒ *Landscaping:* A general landscaping plan; a landscape plan for entrances; a landscape plan for overall property perimeters; any theme/streetscape design; any proposed irrigation.
- ☒ *Natural resources and features:* Floodway/floodplain locations and elevations; wetlands and watercourses; woodlands; location and description of other natural resources and natural features.

**PLANNED UNIT DEVELOPMENT
CONCEPT DEVELOPMENT PLAN (CDP) CHECKLIST
(page 2)**

- ☒ *Phasing information:* The approximate location, area and boundaries of each phase; the proposed sequence of development, including phasing areas and improvements; and the projected timing for commencement and completion of each phase.
- ☒ *Public services and facilities:* A description of the anticipated demand to be generated by the development for public sewer, water, off-site roads, schools, solid waste disposal, off-site drainage, police and fire; a description of the sufficiency of each service and facility to accommodate such demands; the anticipated means by which any insufficient services and facilities will be addressed and provided.
- ☒ *Historical resources and structures:* Their location, description and proposed preservation plan.
- ☒ *Site topography.*
- ☒ *Signage:* General character and location of entrance and internal road system signage; project identification signage; and temporary or permanent signage proposed for any other locations.
- ☒ *Amenities.*
- ☒ *Zoning classification:* Existing zoning classifications on and surrounding the site.
- ☒ *Specification of deviations:* A specification of all deviations proposed from the regulations which would otherwise be applicable to the underlying zoning and to the proposed uses, which are proposed and sought for any phase or component of the Planned Unit Development; the safeguards, features and/or planning mechanisms proposed to achieve the objectives intended to be accomplished by any regulation from which a deviation is being sought.
- ☒ *Community impact statement:* A community impact statement, which shall provide an assessment of the developmental, ecological, social, economic and physical impacts of the project on the natural environmental and physical improvements on and surrounding the development site. Information required for compliance with other ordinance provisions need not be duplicated in the community impact statement.

**ALL HARD COPY DRAWINGS SHALL BE FOLDED, STAPLED, SEALED AND SIGNED
BY A STATE OF MICHIGAN PROFESSIONAL ENGINEER, REGISTERED ARCHITECT,
REGISTERED LANDSCAPE ARCHITECT, OR PROFESSIONAL COMMUNITY PLANNER**

PLANNING COMMISSION AGENDAS ARE ELECTRONIC

Project Vision

Somerset Collection West is intended to build on the rich heritage of the Somerset Collection and the Big Beaver Corridor.

With a strong sense of place and a mix of uses, Somerset West will be a unique destination for the local community, and the region.

A distinctive environment that focuses on walkability, open space, connectivity, and beautiful landscaping will highlight a blend of architecture consistent with the Somerset aesthetic.

Somerset West will be a regional destination supported by all aspects of good planning, unique architecture, open space, and sustainability to attract year-round activity and living.

Executive Summary

Somerset Collection West will be a destination for the local and regional communities alike. A mix of uses, including a world-class medical facility, highly amenitized residential living, food and beverage options and support services, will highlight the parcel of land formerly known as the Kmart Headquarters.

A carefully blended mix of medical office, residential, hospitality, service retail, food and beverage and health & wellness, will be a source of pride for local residents and the broader community.

This exemplary development promises to build on the rich history of the Somerset Collection and will certainly provide a stimulus to the Big Beaver Corridor. An increased tax base and a wide range of job opportunities, living options combined with the re-birth of an obsolete property will highlight the continuation of the development of the Big Beaver Corridor.

Somerset West will provide the City of Troy an unparalleled development that will include:

- Walkability for local residents and year-round community activities.
- Open space for residents, employees, and the community to enjoy.
- A mix of uses will highlight a generous amount of green space.
- Somerset West will be a catalyst for future investments and set a benchmark for further development along the Big Beaver Corridor.

Somerset West is designed to take advantage of its premier location by building a mix of uses in a highly intended active blend of open space connecting all its uses at urban/suburban scale.

Amenities

A world-class healthcare facility developed by University Michigan Medicine, which is their first endeavor into Oakland County. University of Michigan Medicine currently does not have a facility east of I-275, this facility will service Oakland County and save patients countless hours of not having to travel to and from Ann Arbor. It will also provide much needed employment opportunities for highly educated and a highly skilled workforce. The site will be a walkable live, work, and play community with a generous park and open spaces. The park will have unlimited programming opportunities and over an acre of green space, it will serve as a meeting place for many. The site will have world class landscape design, contemporary street and pedestrian lighting and public seating. Residential components will complement the medical facility and consist of several opportunities of best in class rental units and for sale units. Best in class dining will complement the Somerset Collection to the east with outdoor dining opportunities and generous sidewalks to contribute to a world class develop.

Land Use

Somerset West PUD provides a wide variety of uses arranged horizontally and vertically to ensure compatibility with the PUD and the adjacent neighbors. A community park setting with pedestrian access surrounded by medical treatment facility and office, retail shops, offices, restaurants, fitness center, hotel, and residences of varying types. Uses shall be located in appropriate locations on the site, per the Use Diagram.

Permitted Use

Office Uses (Up to 500,000 square feet)

- General, professional, medical treatment facility, ambulatory care center with multiple medical specialties, and medical offices (including, but not limited to clinics, laboratories, and offices for similar professions, including veterinarians)
- Research facility.
- Financial institutions, such as banks or credit unions, drive through windows are permitted at one facility.
- Publicly owned and operated facility, including post office, libraries, museums, community and meeting, government offices, meeting, facilities, and recreation facilities.
- Schools, including university.
- Similar uses to the above, consistent with the intent of this PUD, as determined by the Planning Commission, provided parking is sufficient.

Retail Uses (Up to 300,000 square feet)

- General and specialty retail, including, but not limited to the following:
- Professional convenience services such as salons, spas, retail dry cleaners.
- Sales of hard and soft goods and other merchandise such as apparel, crafts, electronics, gifts, home furnishing, medical supplies, toys, pharmaceuticals, limited to 20,000 SF per floor.
- Food Stores such as grocery store and specialty or gourmet markets, bakery, flowers shops, shops, nursery, delis, coffee shops, cafés, etc.
- Full-service restaurants, bars, breweries, and distilleries.
- Restaurants – takeout, coffee, shops, ice cream shops, deli, or café (drive-through windows are not permitted)
- Entertainment uses – cinemas, live theaters, performing arts center, indoor recreation, billiard halls, and dance studios.
- Accessory structures and uses customarily incidental to the listed uses, and otherwise compatible with a pedestrian orientation environment, such as temporary and permanent outdoor pavilions, plazas, outdoor seating, outdoor performance stages, kiosk, sales stands, mobile sales cards, outdoor café, seating, food trucks, to be approved administratively.
- Similar uses to the above, consistent with the intent of this PUD, as determined by the Planning Commission, provided parking is sufficient.

Residential Uses (Up to 750 units)

- Multifamily Buildings (Condominiums Apartments)
- Townhomes and lofts
- Live work units
- Senior housing (independent and assisted-living)
- Similar uses to the above, consistent with the intent of this PUD, as determined by the Planning Commission, provided parking is sufficient.

Hotel Uses (Up to 250 rooms)

- Hotel
- Similar uses to the above, consistent with the intent of this PUD, as determined by the Planning Commission, provided parking is sufficient.

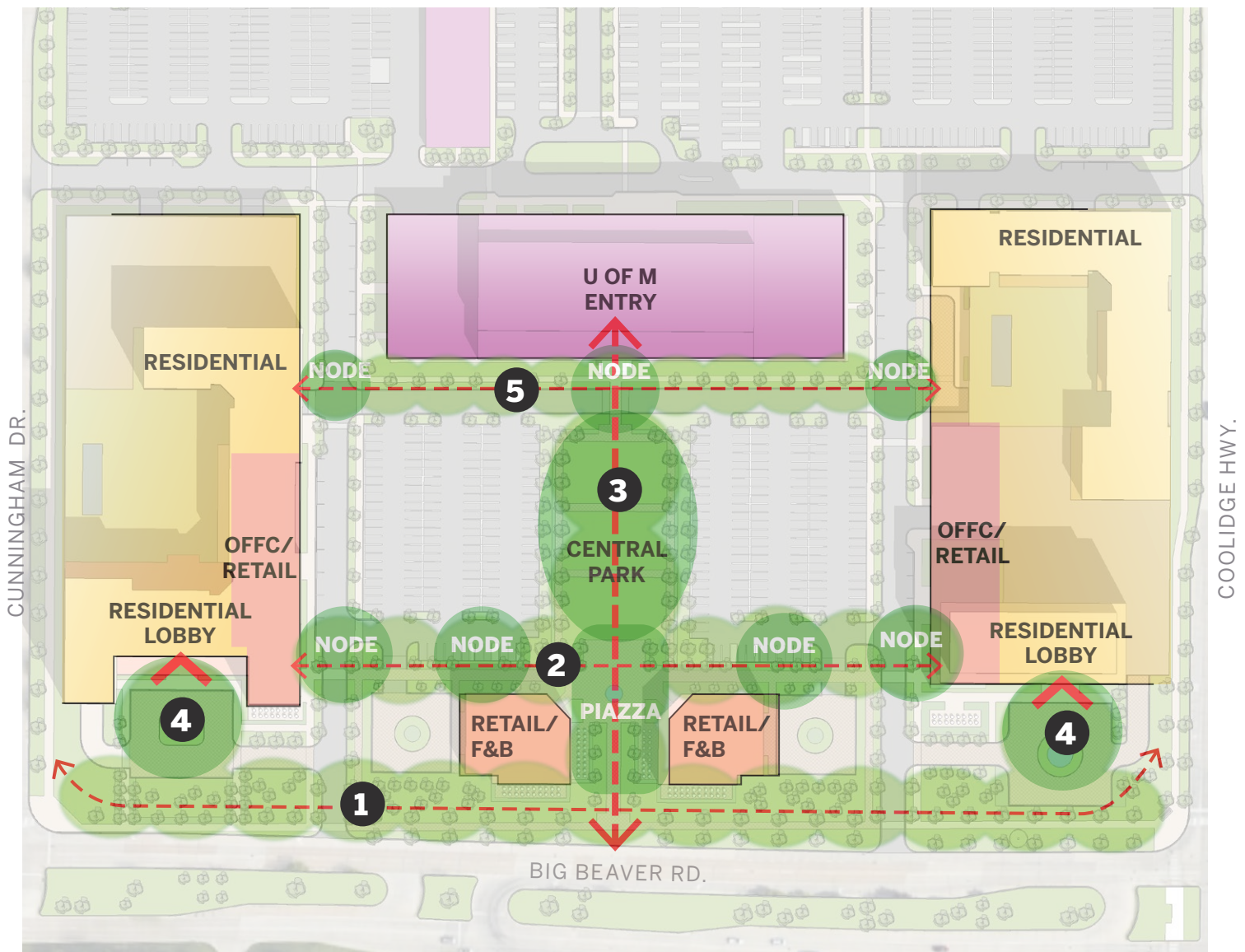
Public Benefit and Public Impact Statement

The Somerset West PUD will offer a best in class healthcare facility by University Michigan Medicine, which is currently not available in Oakland county. The public benefit of a medical facility by the University of Michigan is unmeasurable and will have a positive impact on the health and well-being of hundreds of thousands City of Troy and Oakland County residences. Not to mention the removal of a blighted 975,000 square foot building, parking structure and surface lots. The development will provide increased tax revenue for The City of Troy, Oakland County and The State of Michigan. This development will provide a one of a kind live, work, and play environment not currently found in southeastern Michigan, with best in class for rent apartments, best in class for sale condominium units and best in class dining options.

Design and Place Making

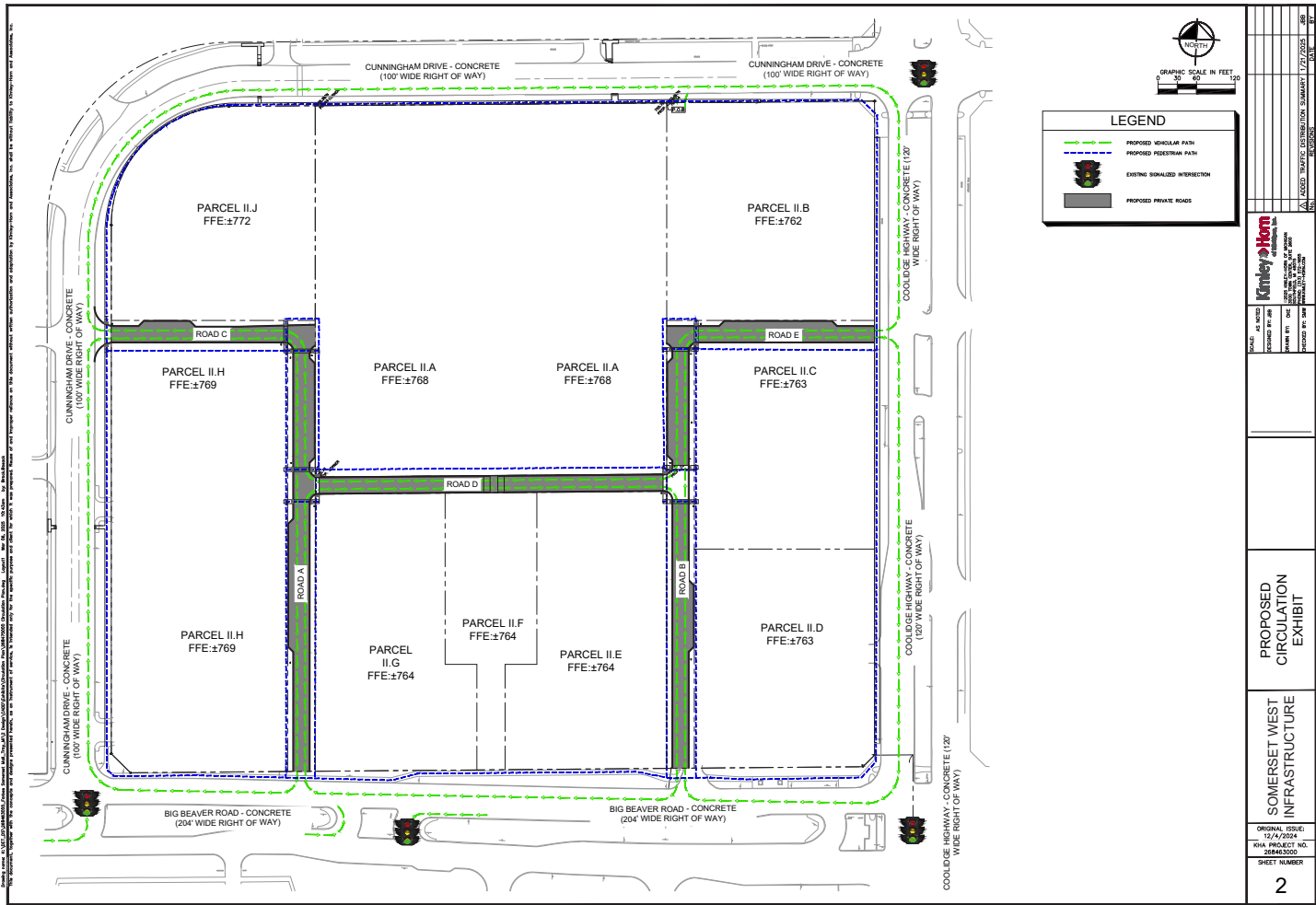
The design ideas of the master plan will focus on creating vibrant “nodes” of activity with an identifiable character. The development allows both residents and guest to meet several daily needs, emphasizing walkability and connectivity.

1. Big Beaver Landscape Corridor
2. Promenade / Restaurant Row – East-West connection with intermediate landscaped nodes and center piazza
3. Central Park / Pedestrian Spine – North-South connection from piazza through central park to university of Michigan medical facility entry
4. Landscaped Drop Off Zones – Residential Drop Off Zones set back from Big Beaver Road
5. Residential Walk – University of Michigan medical facility entry court and east-west residential connector



Site Circulation

Site-generated traffic is expected to predominantly (80%) approach the site via the Big Beaver corridor. Approximately 20% of site-generated traffic is expected to approach the site via Coolidge Highway. The distribution assumptions are based on a review of surrounding land uses, prevailing traffic volumes/patterns, characteristics of the street system, and the ease with which motorists can travel over various sections of that system. The internal site circulation plan provides connectivity between uses, promotes pedestrian activity, and emphasizes a park environment for residents, employees, and visitors to visit multiple uses in a single trip.



CUNNINGHAM DRIVE | PROPOSED CROSS SECTION
STA. 0+00 TO APPROX. STA. 8+00
N.T.S.

CUNNINGHAM DRIVE | PROPOSED CROSS SECTION
APPROX. STA. 8+00 TO STA. 22+37
N.T.S.

CUNNINGHAM DRIVE - CONCRETE
(100' WIDE RIGHT OF WAY)

COOLIDGE HIGHWAY - CONCRETE
(120' RIGHT OF WAY)

BIG BEAVER ROAD - CONCRETE
(204' RIGHT OF WAY)

WEST R.O.W. LINE CUNNINGHAM DR.

EAST R.O.W. LINE CUNNINGHAM DR.

NORTH R.O.W. LINE CUNNINGHAM DR.

SOUTH R.O.W. LINE CUNNINGHAM DR.

GRAPHIC SCALE IN FEET
0 30' 60' 120'

REVISIONS

NO.	DATE	BY	CHKD	DESCRIPTION
1	12/14/2024	WMA	WMA	ISSUED FOR PERMIT

PROJECT INFORMATION

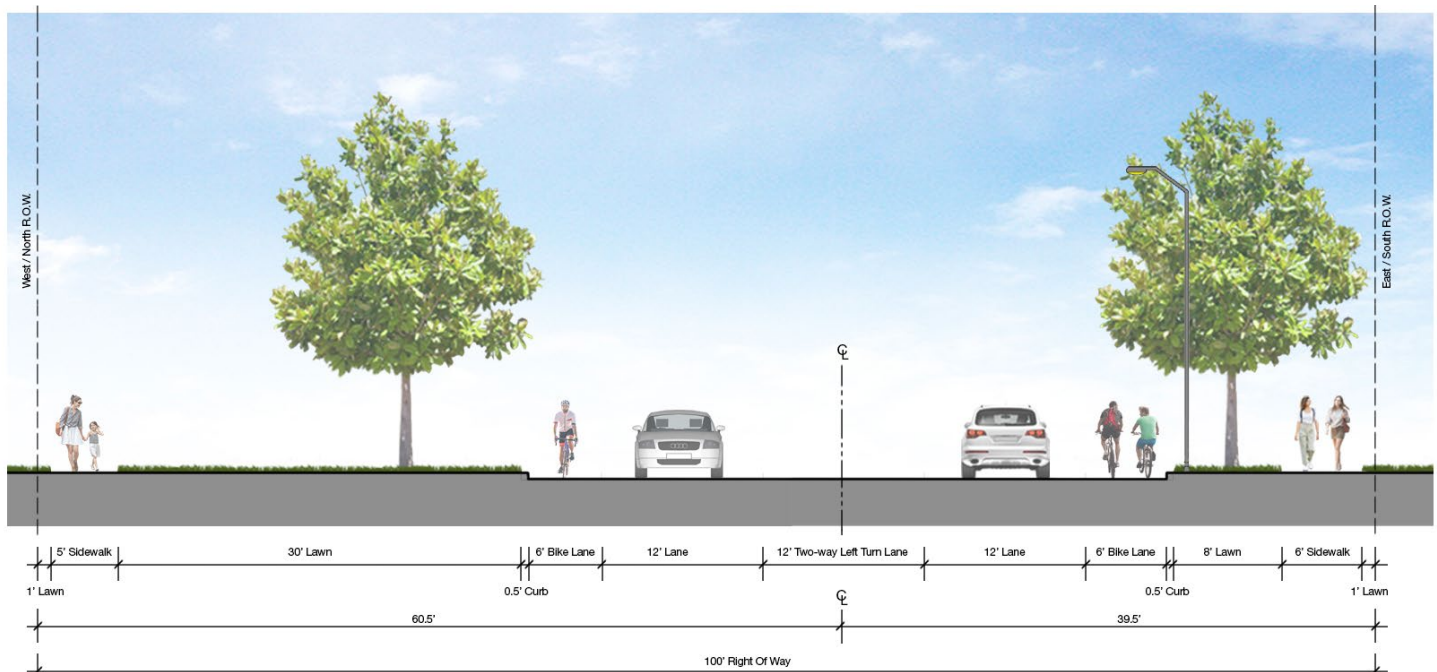
PROJECT NAME: CUNNINGHAM DRIVE PROPOSED ROAD DIET EXHIBIT

PROJECT LOCATION: SOMERSET WEST INFRASTRUCTURE

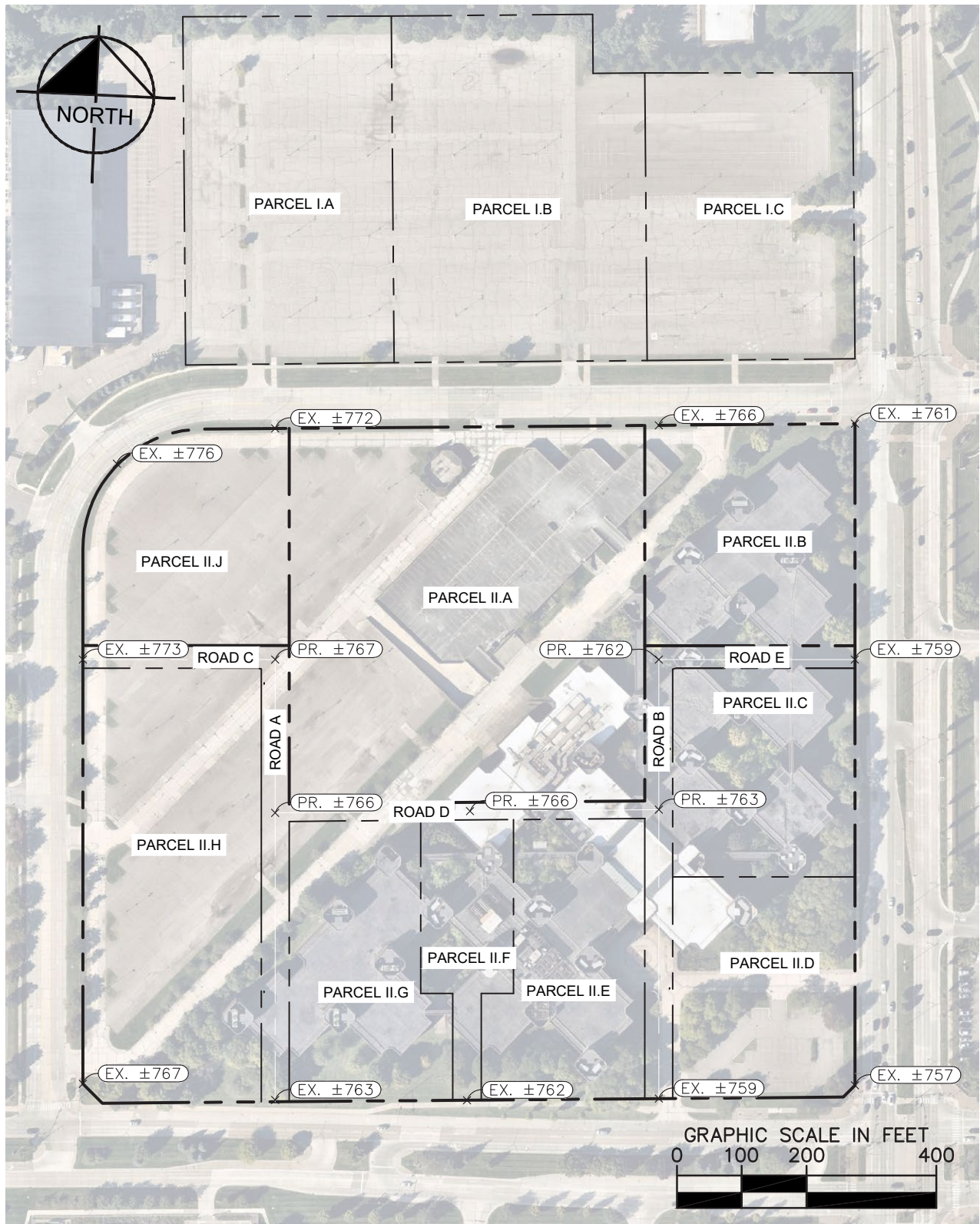
ORIGINAL ISSUE: 12/14/2024

WMA PROJECT NO.: 268463000

SHEET NUMBER: RD-1



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KIMLEY-HORN OF MICHIGAN › MARCH 7, 2025



SHEET
NUMBER

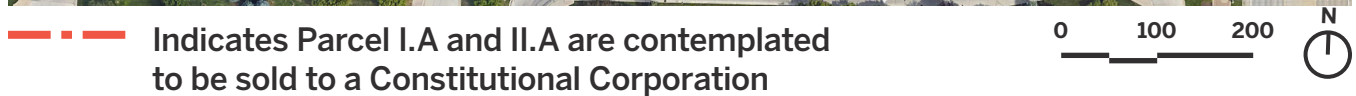
1

PUD TOPOGRAPHIC PLAN

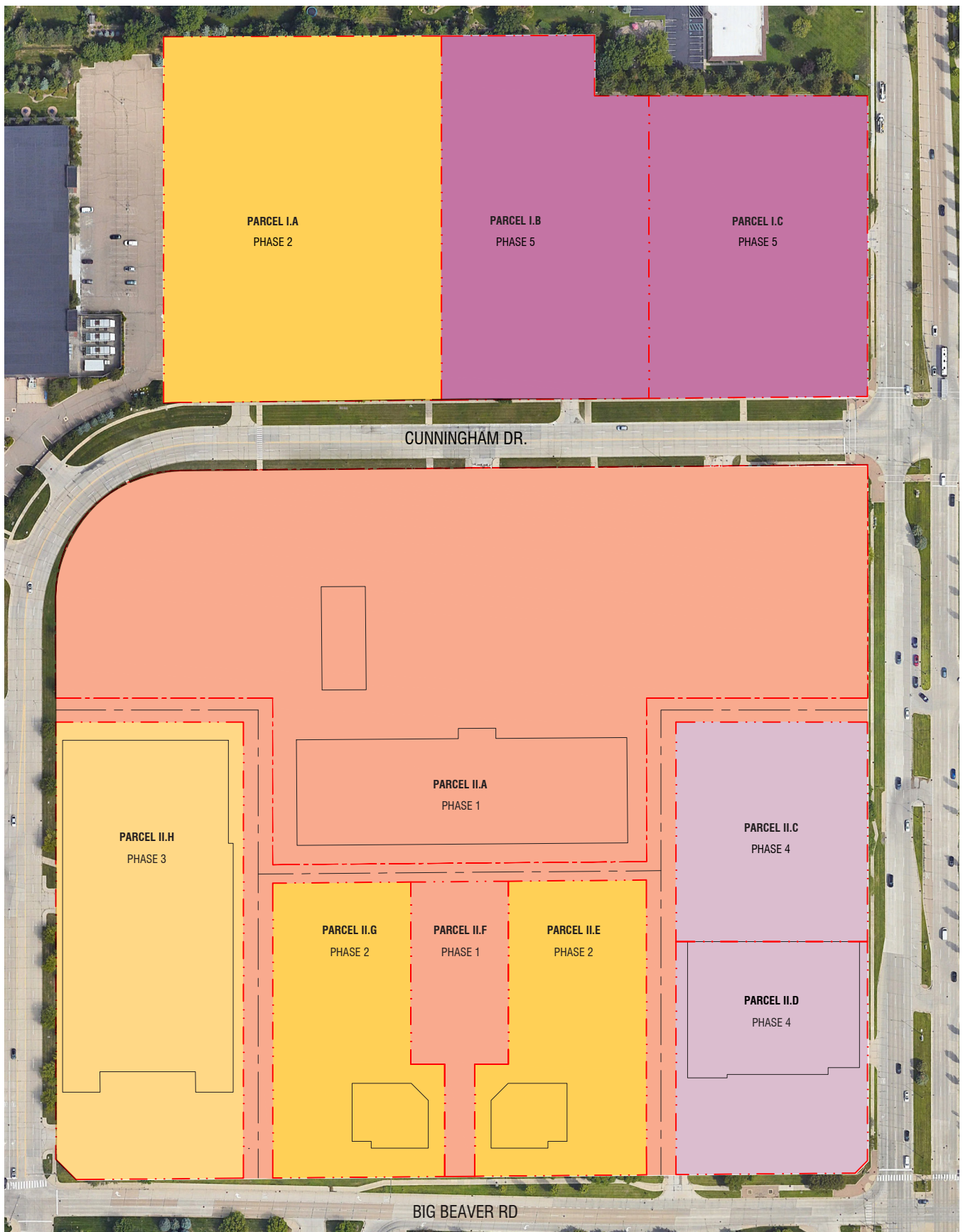
SOMERSET WEST

Kimley»Horn

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3000 TOWN CENTER, SUITE 2600, SOUTHFIELD, MI 48075
PHONE: 313-572-1560
WWW.KIMLEY-HORN.COM

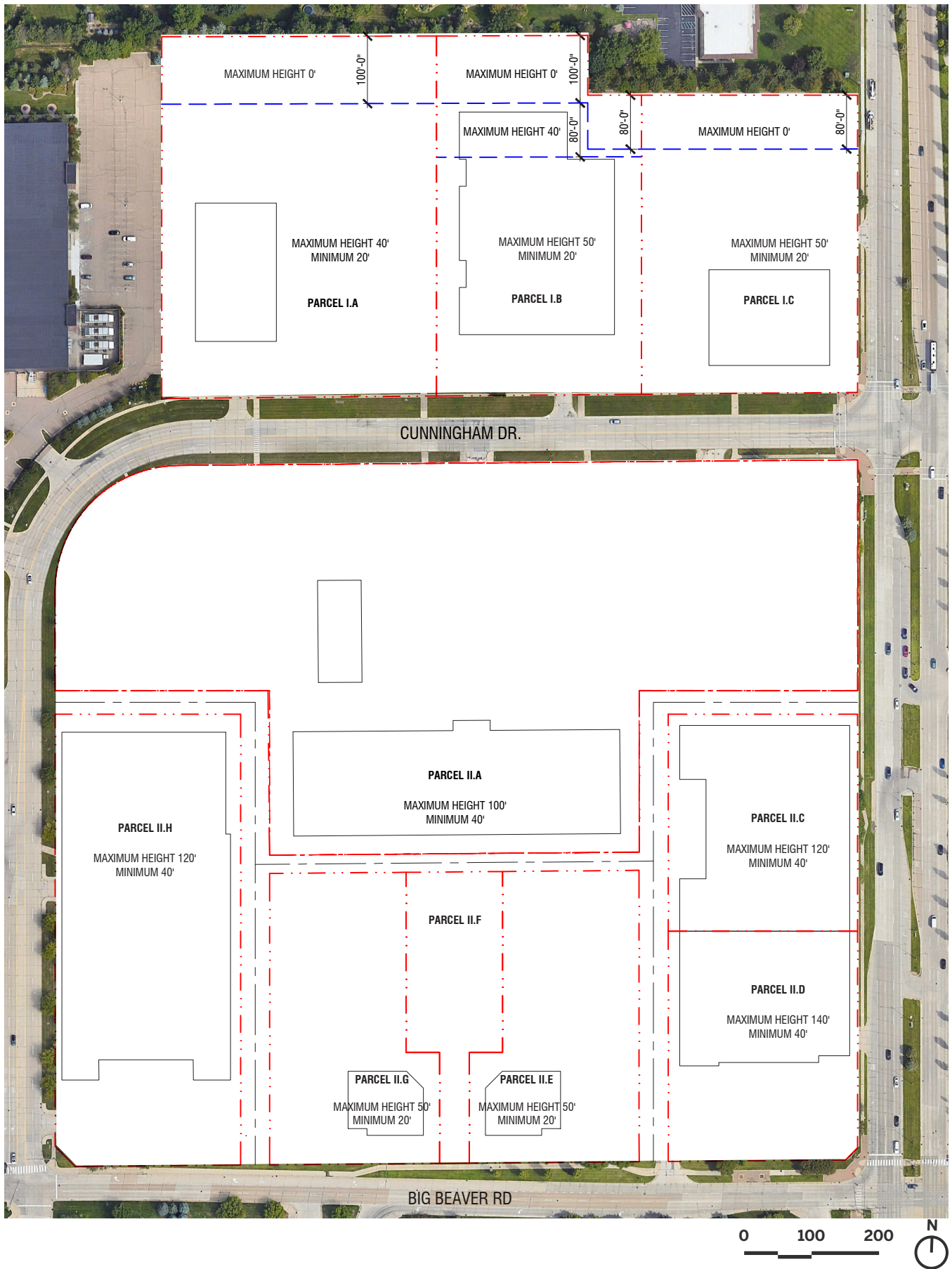


SOMERSET WEST › THE FORBES COMPANY
ELKUS MANFREDI ARCHITECTS › MARCH 7, 2025



- Phase 1 (Applicant seeks concurrent PDP Approval for Phase 1 with CDP Approval)
- Phase 2
- Phase 3
- Phase 4
- Phase 5

Phasing Diagram

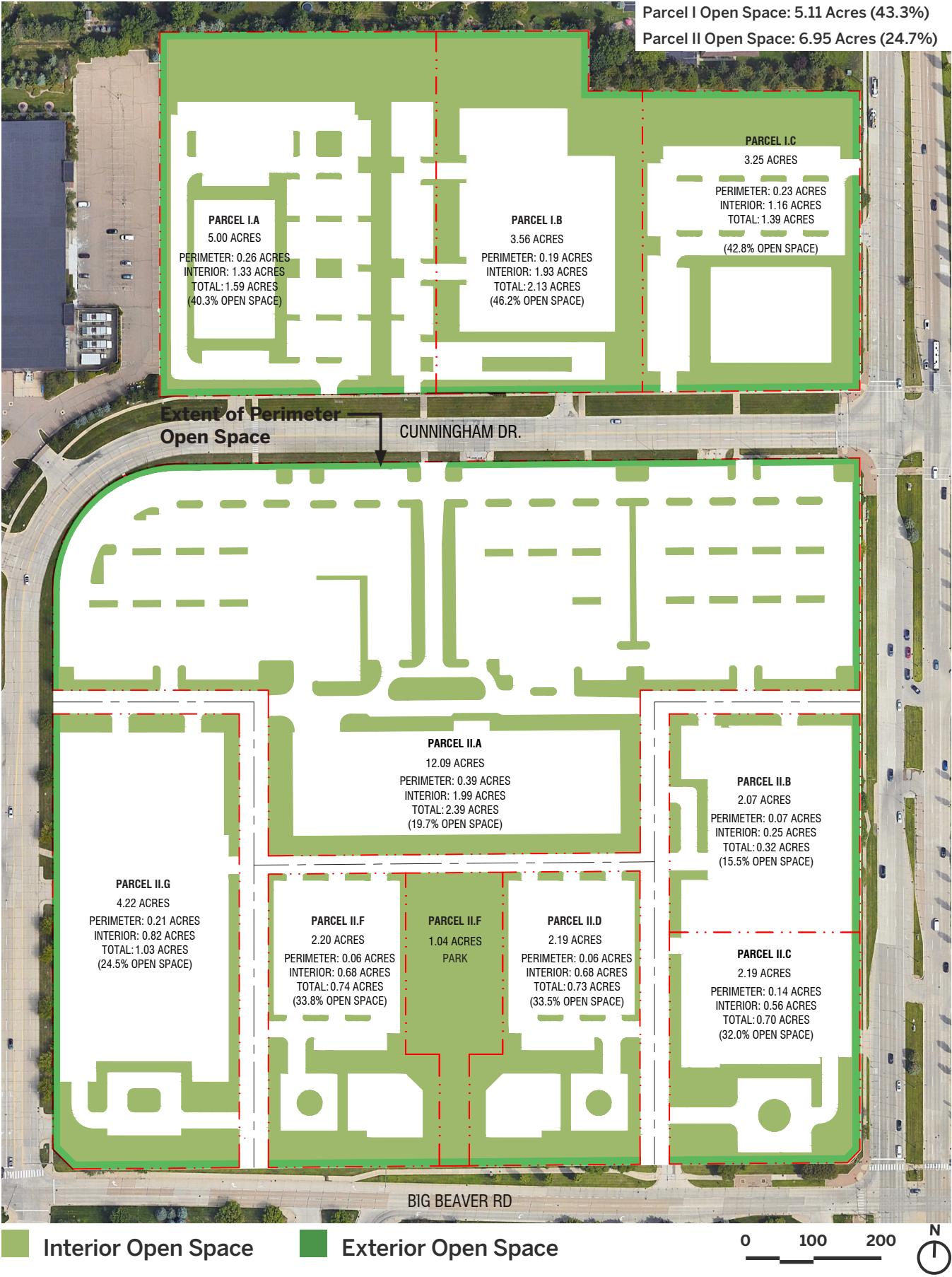


Height Diagram



3D Height Diagram

Open Space elements will be provided throughout the entire site. Open Space will exceed the minimum 15% requirement of the Big Beaver Zoning District



Open Space Diagram



**1. Masonry
(Red Brick)**



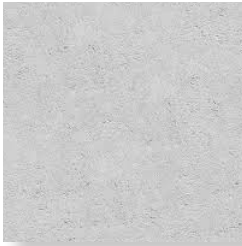
**2. Masonry
(Brown Brick)**



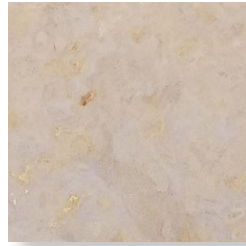
**3. Masonry
(Charcoal Brick)**



**4. Masonry
(White Brick)**



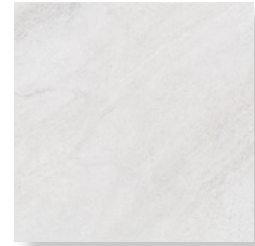
**5. Cast-In-Place or
Precast Concrete
(Light Gray)**



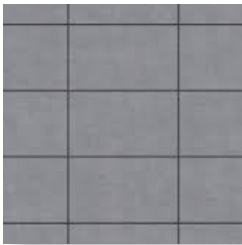
**6. Stone
(Cream)**



**7. Stone
(Light Gray)**



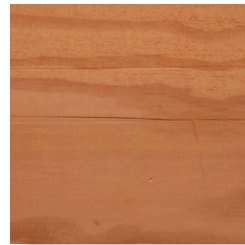
**8. Stone
(Off White)**



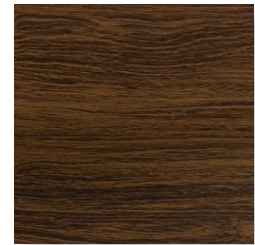
**9. Metal
(Gray)**



**10. Metal
(Dark Gray)**



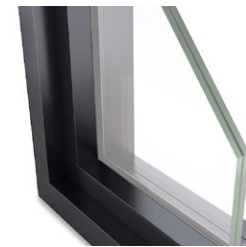
**11. Wood
(Light Brown)**



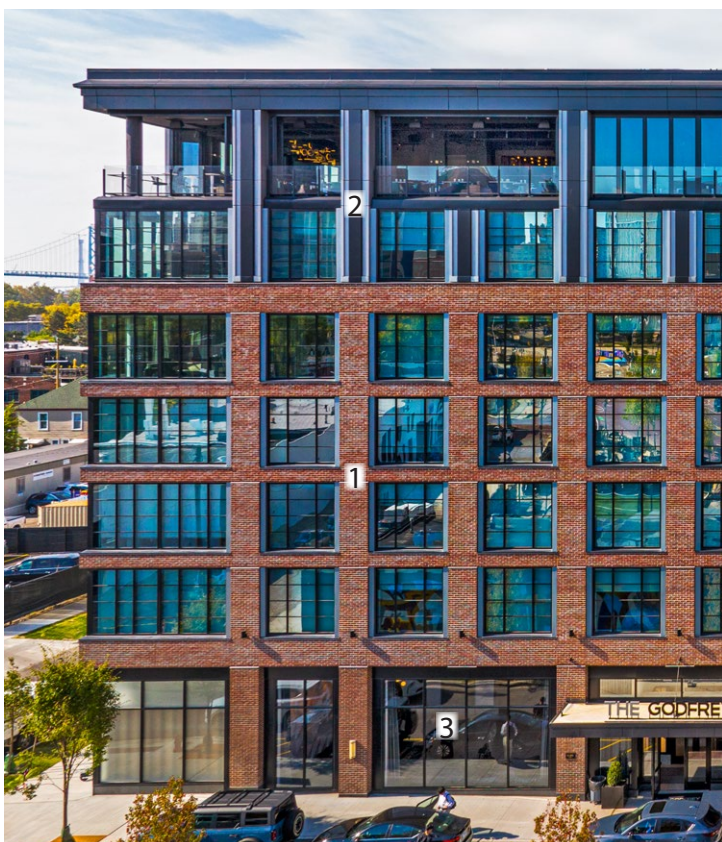
**12. Wood
(Brown)**



**13. Fiber
Cemente**



14. Glass

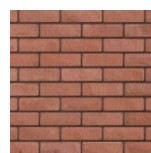


Architectural Characteristics and Materials

The general architectural character will reflect the fine qualities and traditions in the City of Troy and neighboring communities. Each structure will have its own identifying architecture that will work in harmony with buildings throughout the PUD to provide a cohesive and pleasant visual appearance. Building façade characteristics will offer a high degree of three dimensionality; scale and proportions suitable for each use; shade and shadow; and textures found in best-in-class architecture.

Building architecture to comply with the Big Beaver Corridor standards, however the City Council based on recommendations from the Planning Commission may waive certain requirements in lieu of good architectural design and quality materials.

Note Key:



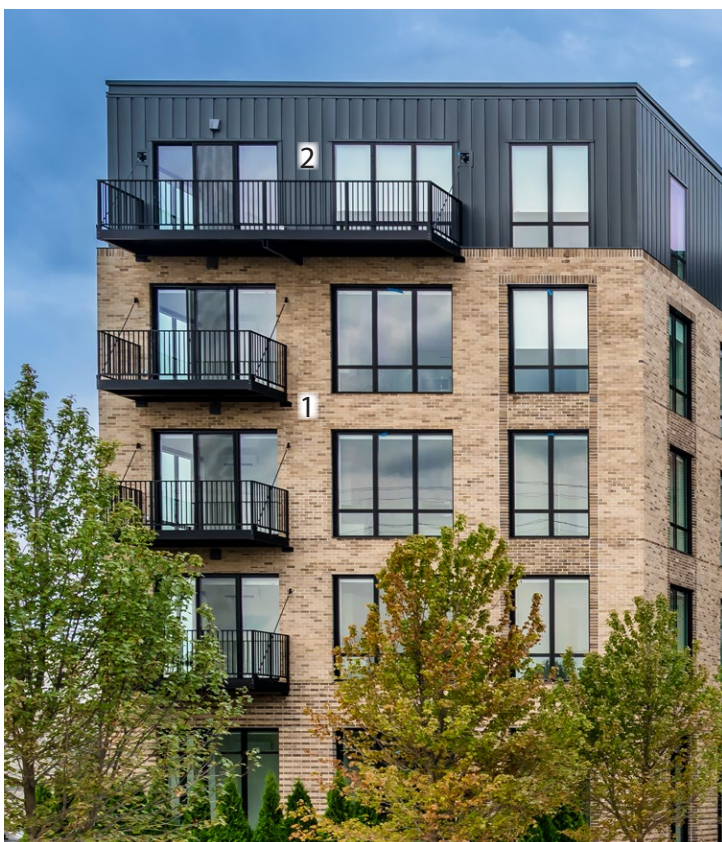
1. Masonry



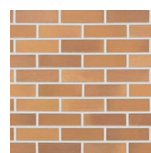
2. Metal



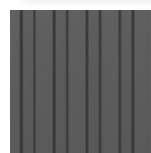
3. Glass



Note Key:



1. Masonry



2. Metal



Note Key:



1. Metal



2. Fiber Cement



3. Glass



Note Key:



1. Masonry



2. Glass



Architectural Characteristics



Note Key:



1. Metal



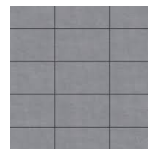
2. Wood



3. Glass



Note Key:



1. Metal



2. Glass

Architectural Characteristics

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Note Key:



1. Masonry



2. Wood



3. Glass



Note Key:



1. Precast
Concrete



2. Glass

Architectural Characteristics

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Aerial Looking Northwest



Aerial Looking North

Overall Views



Aerial Looking North



Pedestrian Spine Looking North

Center Pedestrian Spine Views

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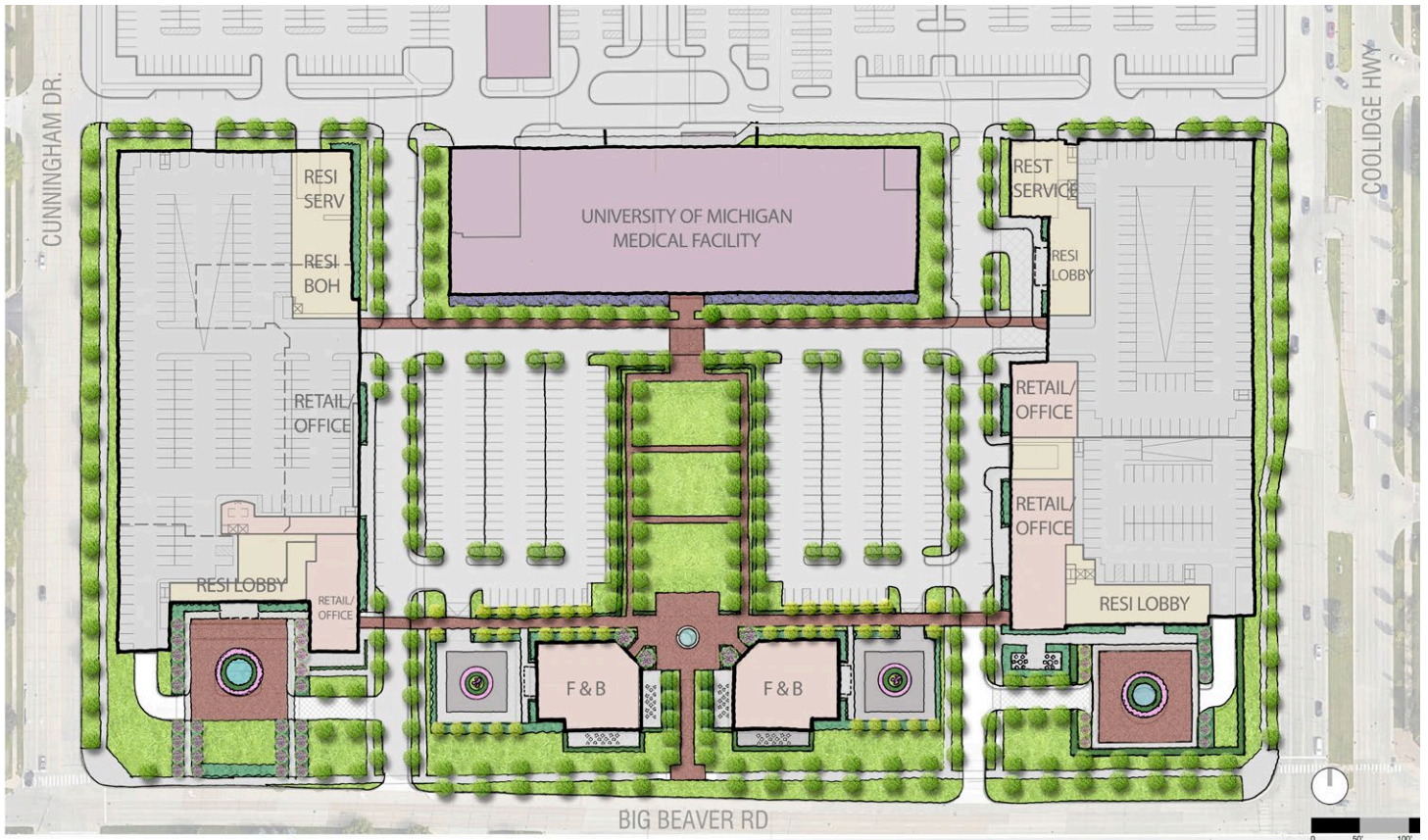


Piazza Looking Northeast



Piazza Looking Southwest

Piazza Views



Landscape Design Aesthetic

The general landscape design aesthetic throughout the site will be one that is cohesive, unifies the site and complements the architecture. A mix of deciduous shade and ornamental trees, evergreen trees, shrubs, perennials, annuals, and groundcovers will be utilized to provide an organizing framework with seasonal interest throughout the site.



Plant Material

Evergreen and/or deciduous hedges will be incorporated to screen potentially objectionable views into parking lots and service areas and help define pedestrian / vehicular zones. Various plant types will be included to complement the character of the buildings. The landscape will include plant materials that are hardy to the Midwest region, utilizing native plants where appropriate. Planting materials will be specified to help conserve water.

Tree and shrub sizes will meet or exceed the minimum city standards. The size, quantity and spacing will be appropriate for the location in the initial placement and its projected appearance at maturity.



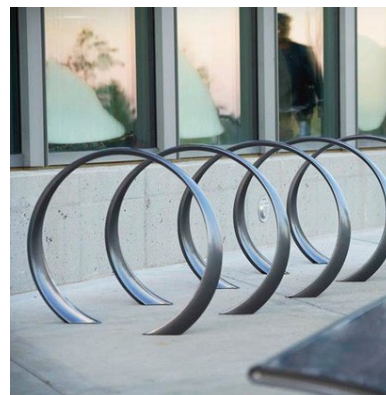
Open Park Space

A central open park space will be provided within the development to provide opportunities for residents, business employees, and visitors as well as the general public to enjoy a moment of respite during the day or experience a multitude of programmed or non-programmed activities during the evenings and /or weekends. The large, central, open park area will allow for flexibility in programming and usage of the park. The park will consist of appropriately scaled pedestrian walkways, lighting and trees for shade and scale. A hedge will line the outside perimeter of the park to help define the edges between pedestrian and vehicular zones as well as screen views into the adjoining parking lots. Both intimate as well as more interactive seating opportunities will also be incorporated throughout the park.



Site Furnishings

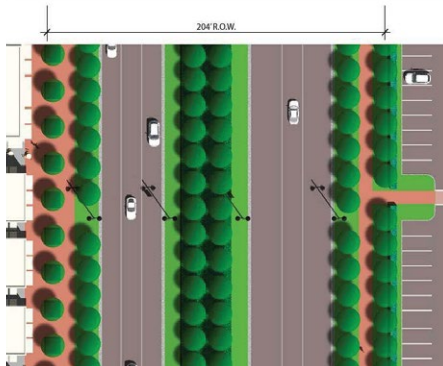
Pedestrian scaled site furnishings will be located strategically throughout the site and align with other elements along the streets and within the park. Seating will be durable, comfortable, attractive, anchored, and easy to maintain. A variety of bench types, low seat walls or other seating types will be provided in public and common spaces. Trash receptacles will be conveniently located near benches and other activity nodes, but not immediately adjacent to seating. Trash receptacles, bike racks and other potential site amenities will be of similar product family or style and will be complementary with the street lighting.



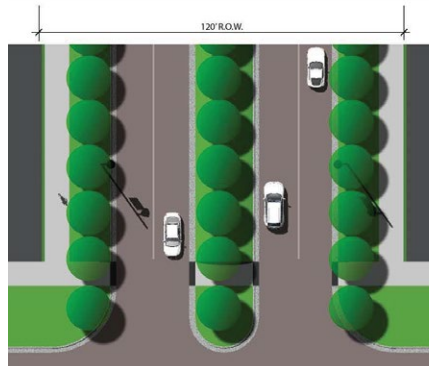
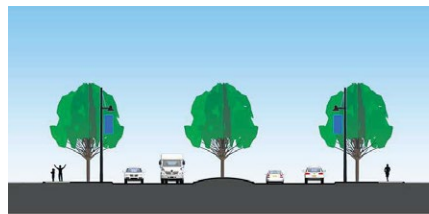
Greenbelts

Greenbelt landscape will be provided along Big Beaver Rd., Coolidge Highway, and Cunningham Drive per city ordinance. These greenbelts will be developed to follow the intent of The Big Beaver Design Guidelines and provide visual relief and interest for the development.

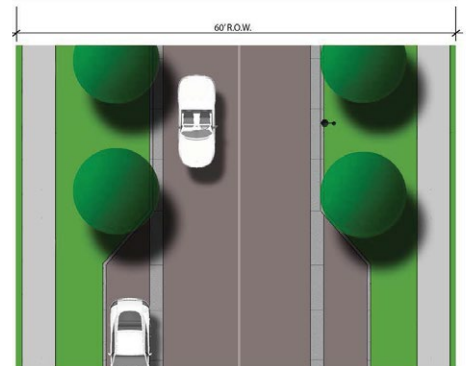
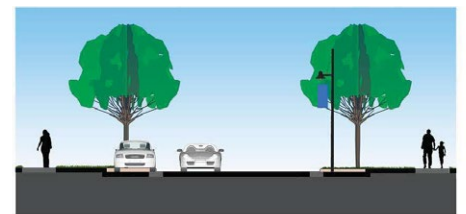
- **Big Beaver (Primary Corridor A - 204' ROW)**- A double row of large shade trees will line both sides of the widened sidewalk along the north side of Big Beaver to help create a unified aesthetic along Big Beaver, toward transforming the road into a world-class blvd.
- **Coolidge Highway (Arterial Road – 120' ROW)** – A single row of large, shade trees to help buffer, soften and scale down the buildings and parking deck will line Coolidge Highway. Shrub plantings will be installed along the base of the buildings and parking deck to soften and present a more pedestrian scale feel along the roadway and sidewalk.
- **Cunningham Drive (Collector Road – 60' ROW)** – A single row of large, shade trees to help buffer, soften and scale down the buildings and parking deck will line Cunningham Drive. Shrub plantings will be installed along the base of the buildings and parking deck to soften and present a more pedestrian scale feel along the roadway and sidewalk.



Primary Corridor A



Arterial Road



Collector Road

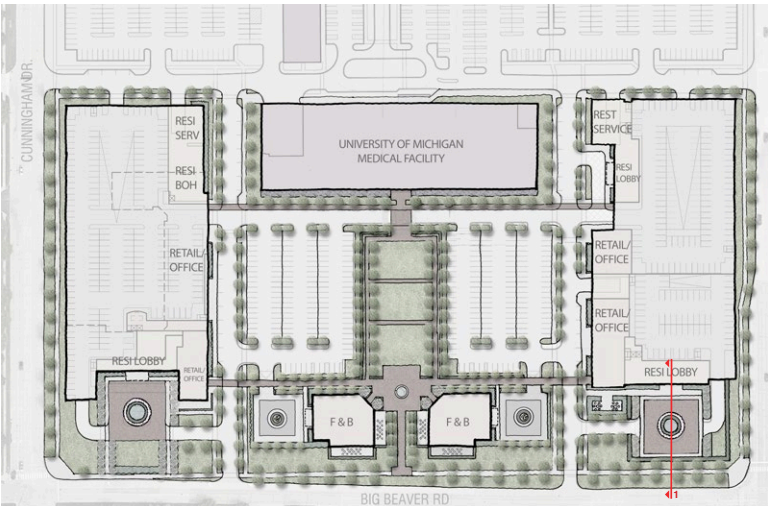
All greenbelts will include appropriately scaled sidewalks, landscaping, lighting, and street amenities consistent with the Big Beaver Design guidelines.

Thoughtful consideration will be used in addressing the views into the site from the major intersections and roadways. Key views into the site will occur at the intersections of Coolidge Highway and Big Beaver Rd. as well as Cunningham Dr. and Big Beaver Rd. to help connect the residential developments to the surrounding community. A purposeful opening in the landscape will also occur mid-block along Big Beaver Rd. to allow for visual and pedestrian connections deep into the site and up to the proposed U of M medical facility.



Note Key:

1. Double Row of Shade Trees in Lawn Along Big Beaver Road
2. 8' Wide Concrete Sidewalk
3. Center Island Landscape - Mix of Evergreen, Deciduous, and Ornamental Plants
4. Low Evergreen Hedge to Screen Parking Areas
5. Shade Trees Along Entry Drive Aisle Beyond
6. Ornamental Building Foundation Plantings



Key Map

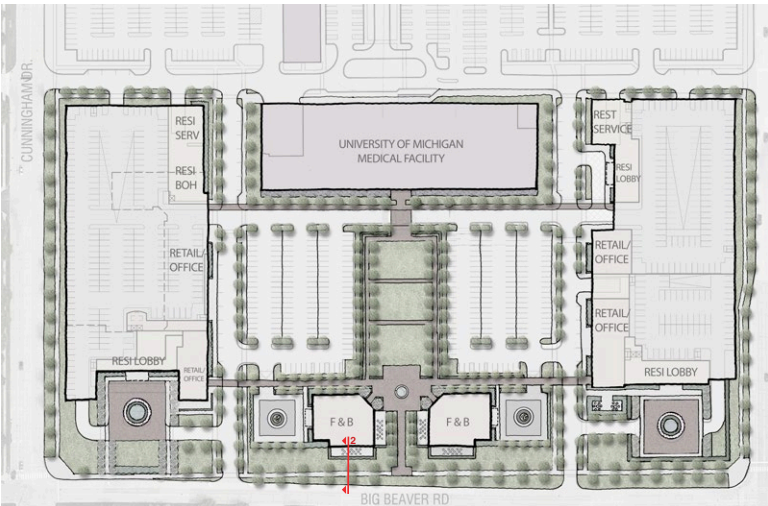
General Note:

All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines



Note Key:

- 1. Double Row of Shade Trees in Lawn
- 2. 8' Wide Concrete Sidewalk
- 3. Evergreen / Deciduous Hedge with Ornamental Foreground Plantings
- 4. Outdoor Seating / Dining
- 5. Restaurant



Key Map

General Note:

All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines

Section 2
Restaurant Terrace | Big Beaver Rd.

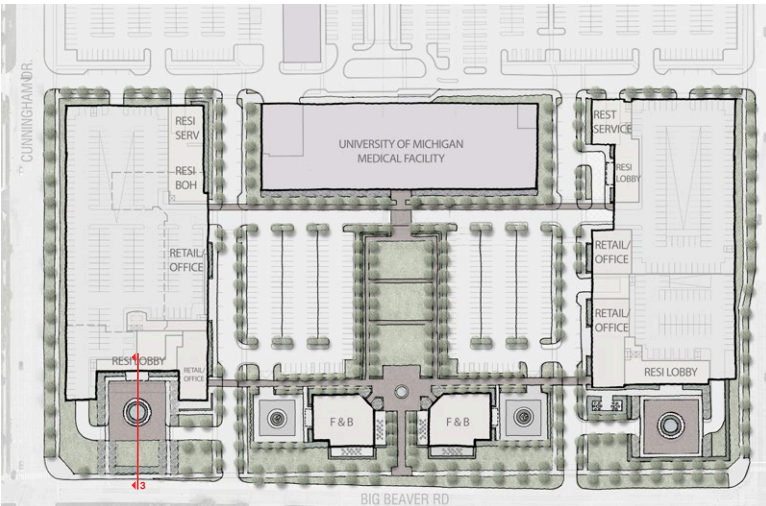


Note Key:

- 1. Shade Trees Beyond
- 2. 8' Wide Concrete Sidewalk
- 3. Evergreen / Deciduous Hedge with Ornamental Foreground Plantings
- 4. Ornamental Foundation Plantings
- 5. Center Island Landscape - Mix of Evergreen, Deciduous, and Ornamental Plants

Residential / Restaurant Drop-off Zones

All drop off zones will be landscaped to provide a welcoming environment. Ornamental trees, shrubs, perennials, annuals, and groundcovers will be incorporated to provide scale and seasonal interest.



Key Map

General Note:

All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines

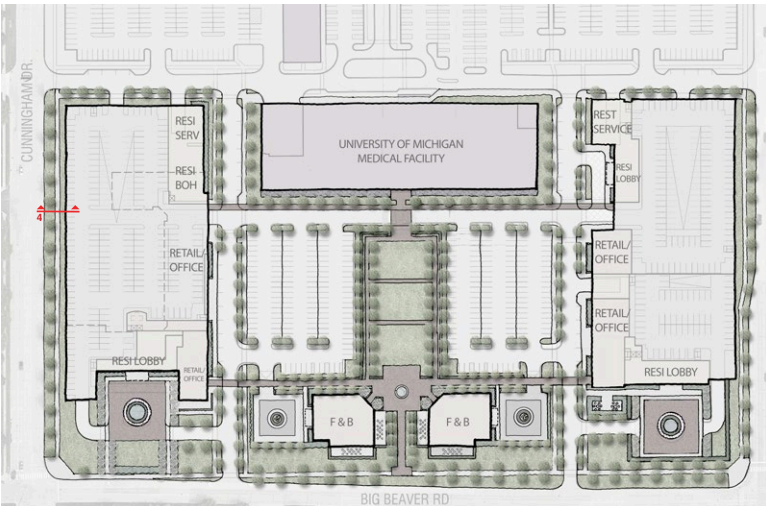
Section 3

Drop-off Zones | Big Beaver Rd.



Note Key:

- 1. Single Row of Large Shade Trees in Lawn
- 2. Minimum 5' Wide Concrete Sidewalk
- 3. 6' Wide Bike Lane
- 4. Foundation Plantings
- 5. Existing Street Lighting



Key Map

General Note:

All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines



Note Key:

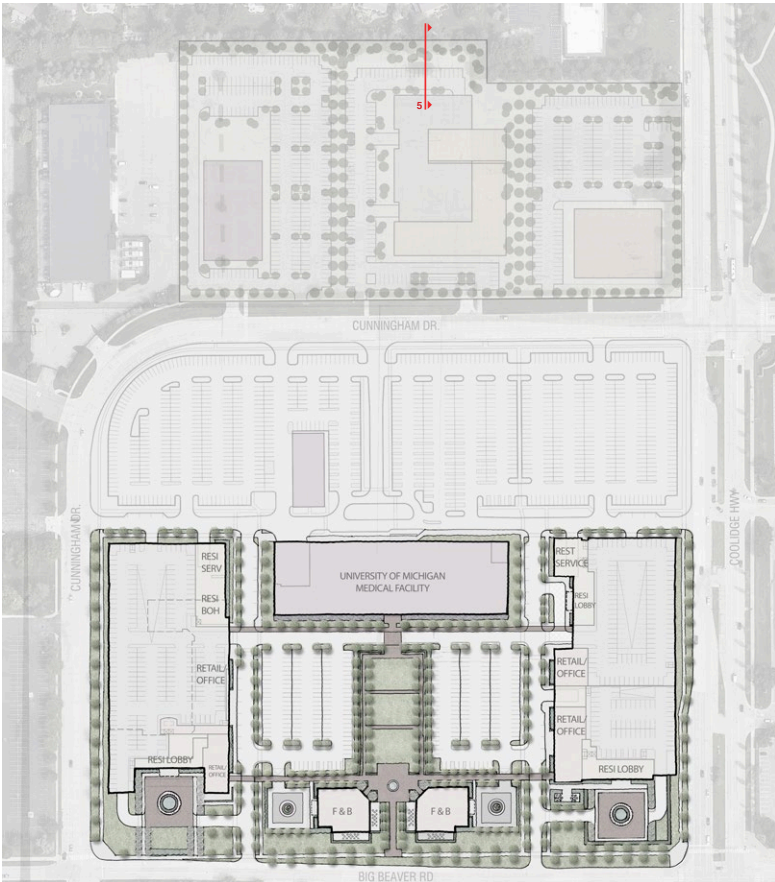
- 1. Mix of Existing Deciduous and Evergreen Trees on Berm
- 2. Mix of Shade and Understory Trees in Lawn
- 3. Future Building and Foundation Plantings

General Note:

All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines

Northern Buffer Zone

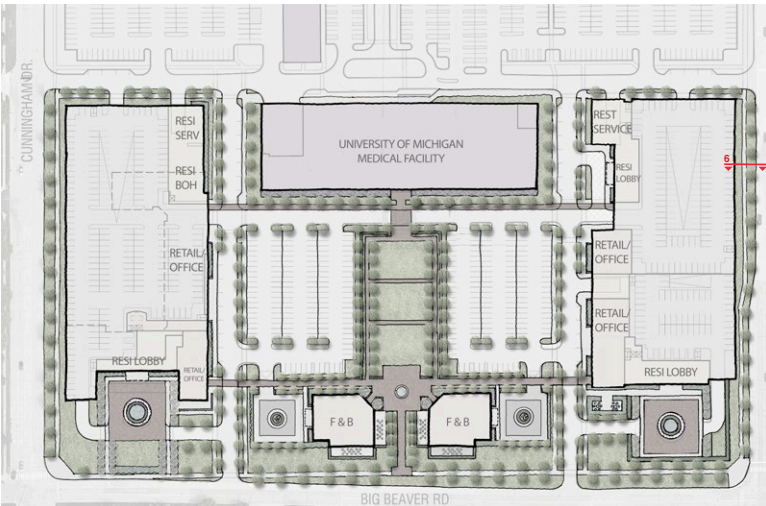
Currently the site has a landscaped berm on the north end of the site adjacent to the residential neighborhood. The berm will be maintained, and additional plantings will be added, if required, in accordance with the current zoning ordinance. A 100-foot set back from the property line to the face of any proposed buildings will be implemented relative to residential houses. A 40-foot set back from the property line to the building face of any proposed buildings will be implemented relative to the existing church.





Note Key:

- 1. Single Row of Large Shade Trees in Lawn
- 2. 8' Wide Concrete Sidewalk
- 3. Foundation Plantings



Key Map

General Note:

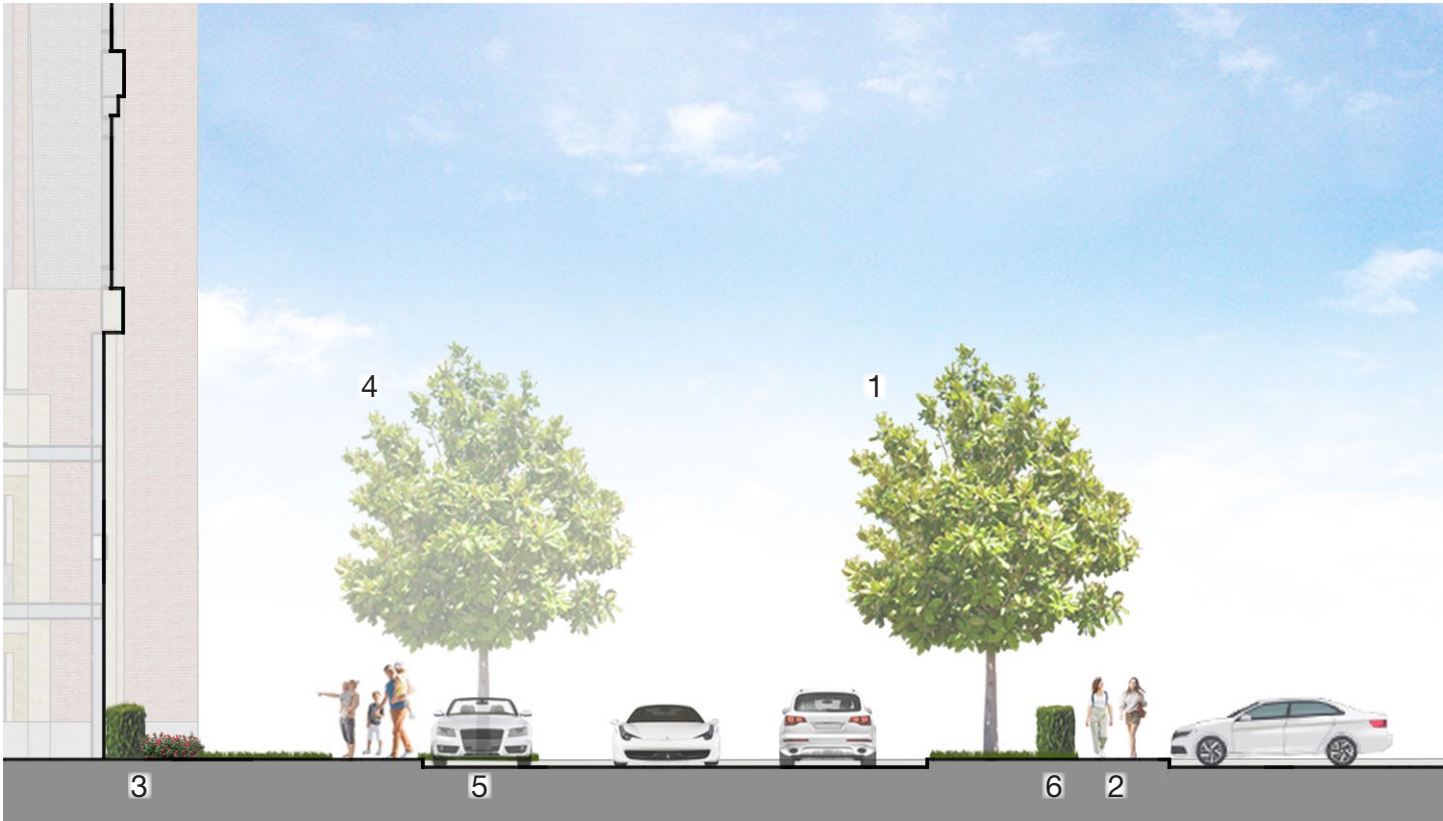
All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines



Interior Streetscapes

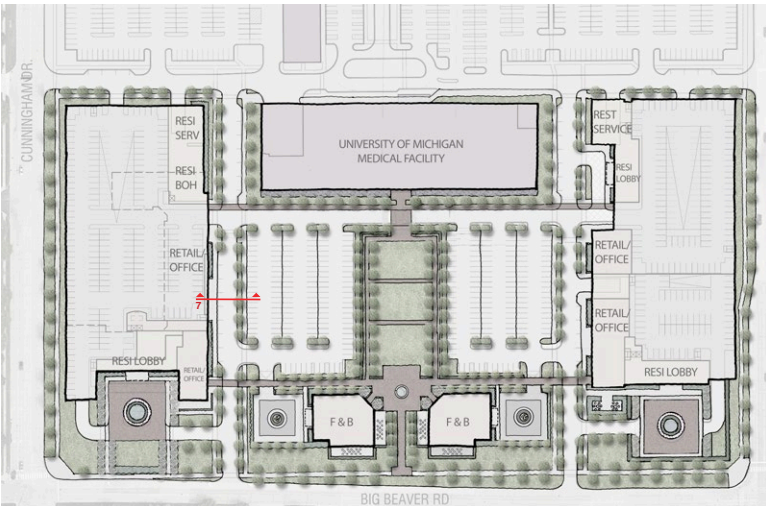
The development's interior streetscape will integrate trees, site furnishings and pedestrian scaled street lighting to create a unified design. Street trees and plantings will be used in locations to provide scale and unify pedestrian areas. Sidewalks will be a generous eight feet wide with street trees planted in lawn buffer zones adjacent to the street to separate pedestrians from vehicular traffic. In locations where parallel parking occurs, sidewalks will abut the parking areas to allow for clear access in and out of vehicles.





Note Key:

- 1. Single Row of Large Shade Trees in Lawn
- 2. Minimum 6' Wide Concrete Sidewalk
- 3. Ornamental Foundation Plantings
- 4. Street Trees Beyond
- 5. Parallel Parking
- 6. Evergreen Hedge to Screen Parking



Key Map

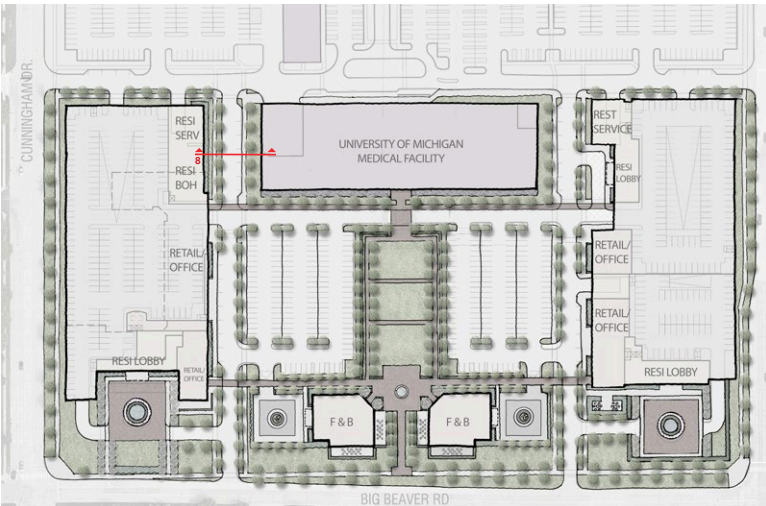
General Note:

All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines



Note Key:

- 1. Single Row of Large Shade Trees in Lawn
- 2. Minimum 6' Wide Concrete Sidewalk
- 3. Ornamental Foundation Plantings
- 4. Street Tree Beyond
- 5. Parallel Parking
- 6. University of Michigan Medical Facility



Key Map

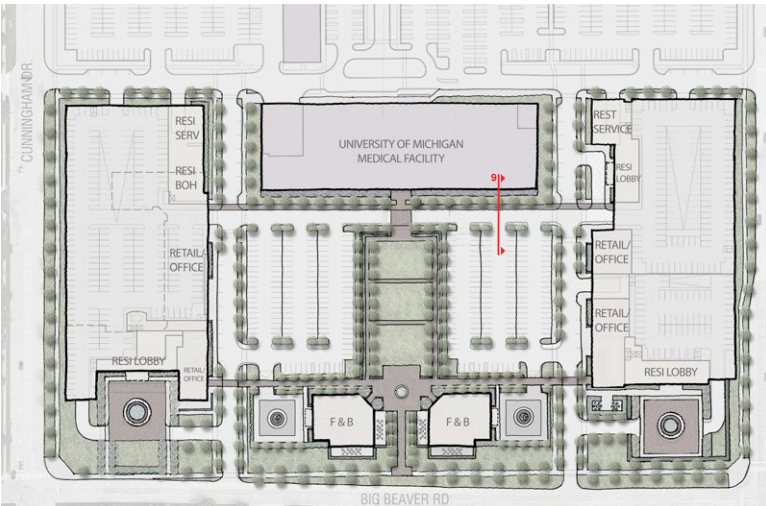
General Note:

All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines



Note Key:

1. Single Row of Large Shade Trees in Lawn
2. Minimum 6' Wide Concrete Sidewalk
3. University of Michigan Medical Facility
4. Ornamental Foundation Plantings
5. Large Shade Trees and Lawn in Parking Lot Islands
6. Street Trees Beyond
7. Parking Lot



Key Map

General Note:

All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines

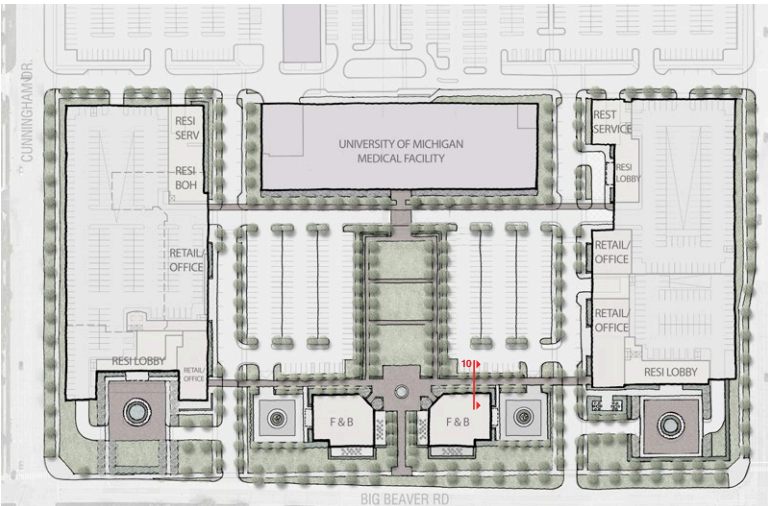
Section 9
Typ. Interior Streetscape



Note Key:

- 1. Double Row of Shade Tree
- 2. Specialty Sidewalk Paving Along Promenade
- 3. Evergreen Hedge to Screen Parking
- 4. Ornamental Foundation Plantings
- 5. Pedestrian Lighting
- 6. Seating Along Promenade
- 7. Restaurant

Sidewalk and Specialty Paving
 Sidewalk paving throughout the development will incorporate typical medium broom finished concrete. Key intersection crosswalks, the promenade, plaza, and residential building entrances will consist of a variety of specialty paving materials, ranging from exposed aggregate concrete to clay brick or precast concrete pavers. Varying patterns and materials will help distinguish pedestrian passageways and gathering spaces to create interest, emphasize entries and differentiate use areas.



Key Map

General Note:

All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines

Section 10
East/West Pedestrian Promenade

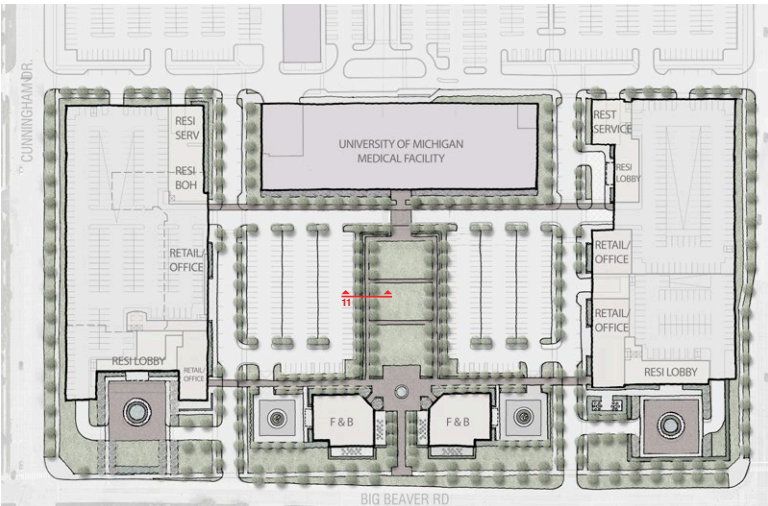


Note Key:

1. Double Row of Large Shade Trees in Lawn
2. Minimum 6' Wide Sidewalk
3. Evergreen Hedge to Screen Parking
4. Open Lawn Park Space

Parking Lot Landscaping

The parking lots will be screened from surrounding perimeter streets to the largest extent possible, to create a more pedestrian focused atmosphere. Moderate height evergreen or deciduous shrub hedges will be implemented for this purpose. Perimeter streets as well as interior parking lot islands will be landscaped with lawns, landscape bed plantings, and trees.



Key Map

General Note:

All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines

**CITY OF TROY
PLANNED UNIT DEVELOPMENT
PRELIMINARY DEVELOPMENT PLAN (PDP) APPLICATION**

CITY OF TROY PLANNING DEPARTMENT
500 W. BIG BEAVER
TROY, MICHIGAN 48084
248-524-3364
FAX: 248-524-3382
E-MAIL: planning@troymi.gov



PRELIMINARY DEVELOPMENT PLAN FEE
\$1,500.00
ESCROW FEE
\$5,000.00

REGULAR MEETINGS OF THE CITY PLANNING COMMISSION ARE HELD ON THE SECOND AND FOURTH TUESDAYS OF EACH MONTH AT 7:00 P.M. AT CITY HALL.

PLEASE FILE A COMPLETE PLANNED UNIT DEVELOPMENT PRELIMINARY DEVELOPMENT PLAN APPLICATION, TOGETHER WITH THE APPROPRIATE FEES, NOT LESS THAN THIRTY (30) DAYS PRIOR TO THE DATE OF THAT MEETING.

1. NAME OF THE PROPOSED DEVELOPMENT: Phase 1A- Somerset West Infrastructure
2. LOCATION OF THE SUBJECT PROPERTY: 3100 W. Big Beaver, Troy, Michigan 48084
3. DATE OF CONCEPT DEVELOPMENT PLAN APPROVAL BY CITY COUNCIL: Owner seeks concurrent approval of Phase 1A with CDP Approval
4. DESCRIPTION OF PROJECT PHASE: Underground utilities, storm detention, roadways and curbs
5. TAX IDENTIFICATION NUMBER(S) OF SUBJECT PROPERTY: 88-20-19-476-002 and 88-20-19-476-003

- | | |
|--|--|
| 6. APPLICANT:
NAME <u>Nathan Forbes</u>
COMPANY <u>Forbes Frankel Troy Ventures LLC</u>
ADDRESS <u>100 Galleria Officentre, Suite 427</u>
CITY <u>Southfield</u> STATE <u>MI</u> ZIP <u>48034</u>
TELEPHONE <u>248-827-4600</u>
E-MAIL <u>nforbes@theforbescompany.com</u> | PROPERTY OWNER;
NAME <u>Nathan Forbes</u>
COMPANY <u>Forbes Frankel Troy Ventures LLC</u>
ADDRESS <u>100 Galleria Officentre, Suite 427</u>
CITY <u>Southfield</u> STATE <u>MI</u> ZIP <u>48034</u>
TELEPHONE <u>248-827-4600</u>
E-MAIL <u>nforbes@theforbescompany.com</u> |
|--|--|

7. THE APPLICANT BEARS THE FOLLOWING RELATIONSHIP TO THE OWNER OF THE SUBJECT PROPERTY:

8. SIGNATURE OF APPLICANT _____ DATE _____
9. SIGNATURE OF PROPERTY OWNER Nathan Forbes DATE 2/25/25

BY THIS SIGNATURE, THE PROPERTY OWNER AUTHORIZES THE PLACEMENT OF A SIGN ON THE PROPERTY TO INFORM THE PUBLIC AS TO THIS REQUEST FOR PLANNED UNIT DEVELOPMENT PRELIMINARY DEVELOPMENT PLAN APPROVAL.

Notarial Certificate

(State of Michigan)
() ss
(County of Oakland)

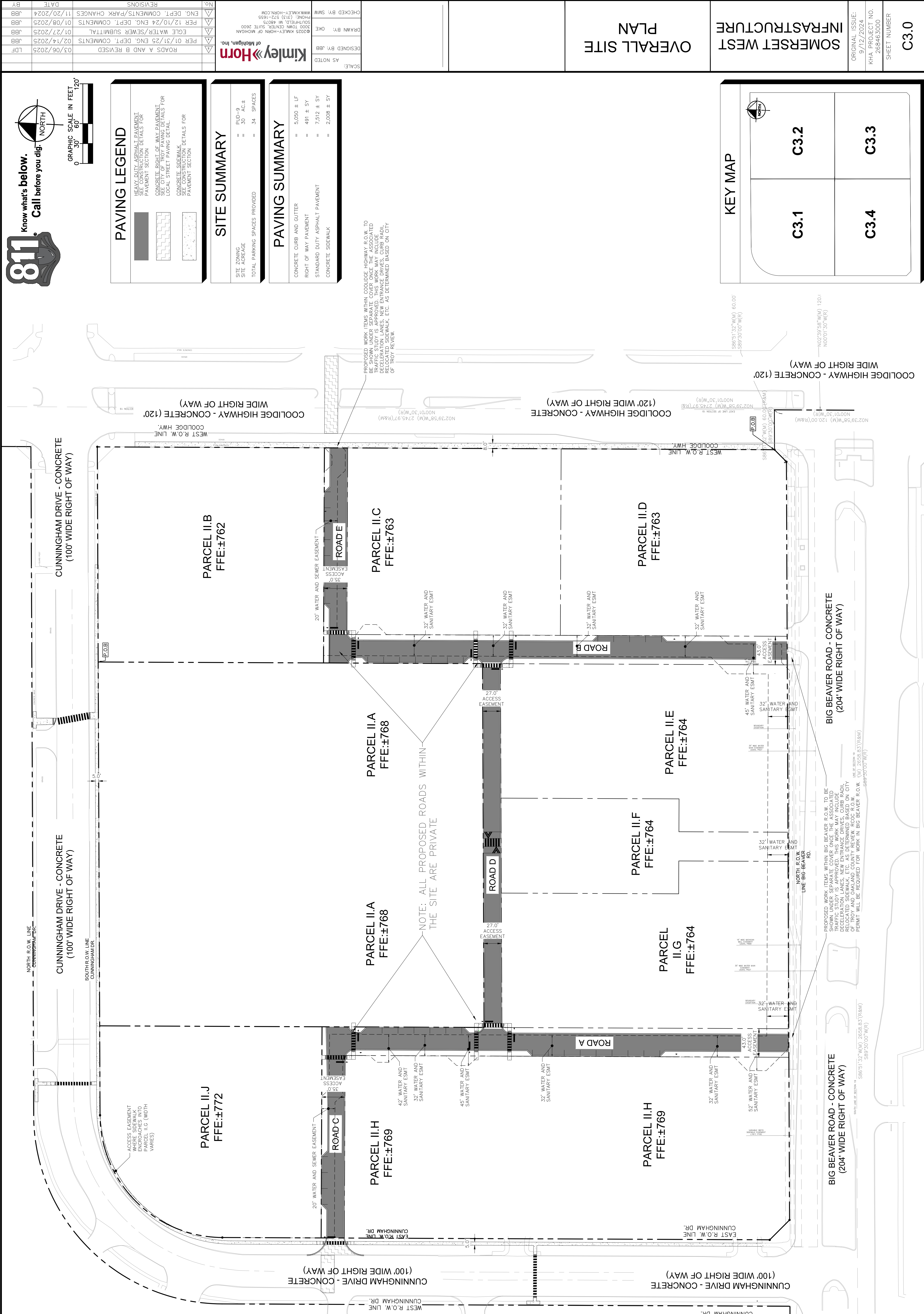
On this 25th day of FEBRUARY, 20 25, personally
appeared before me:

NATHAN FORBES

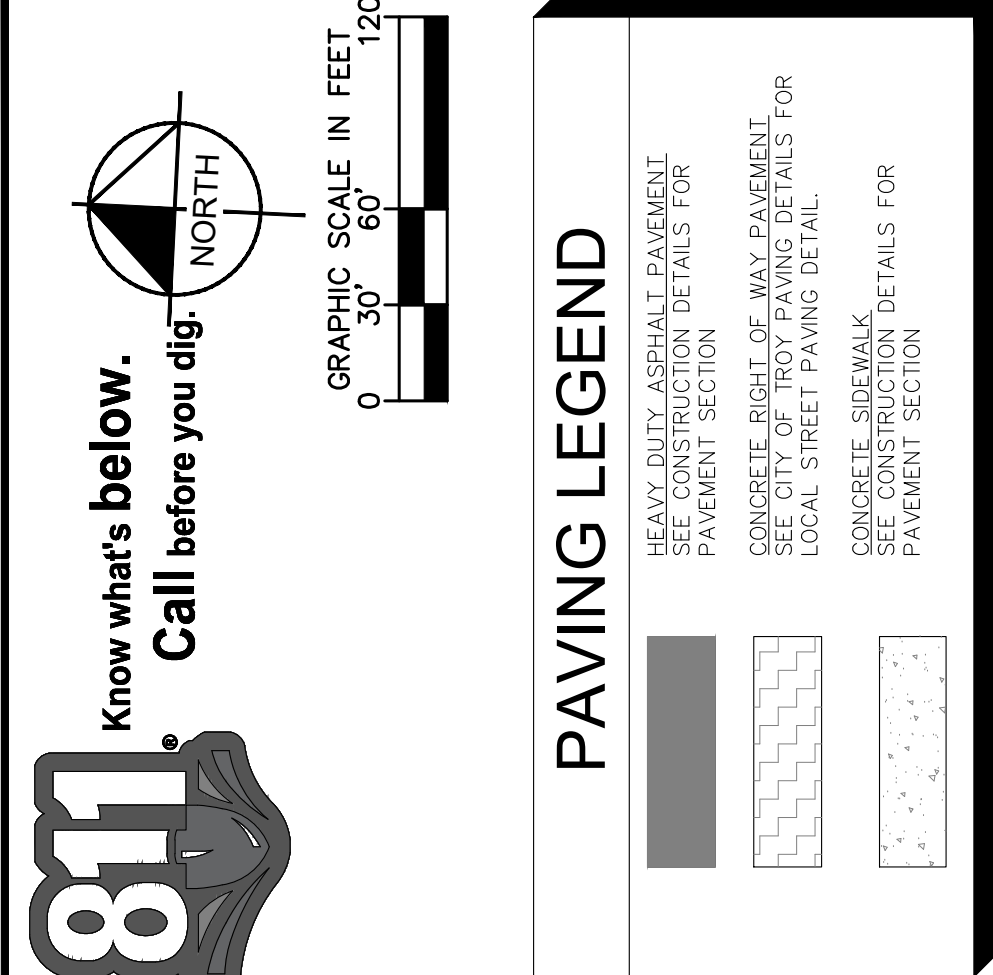
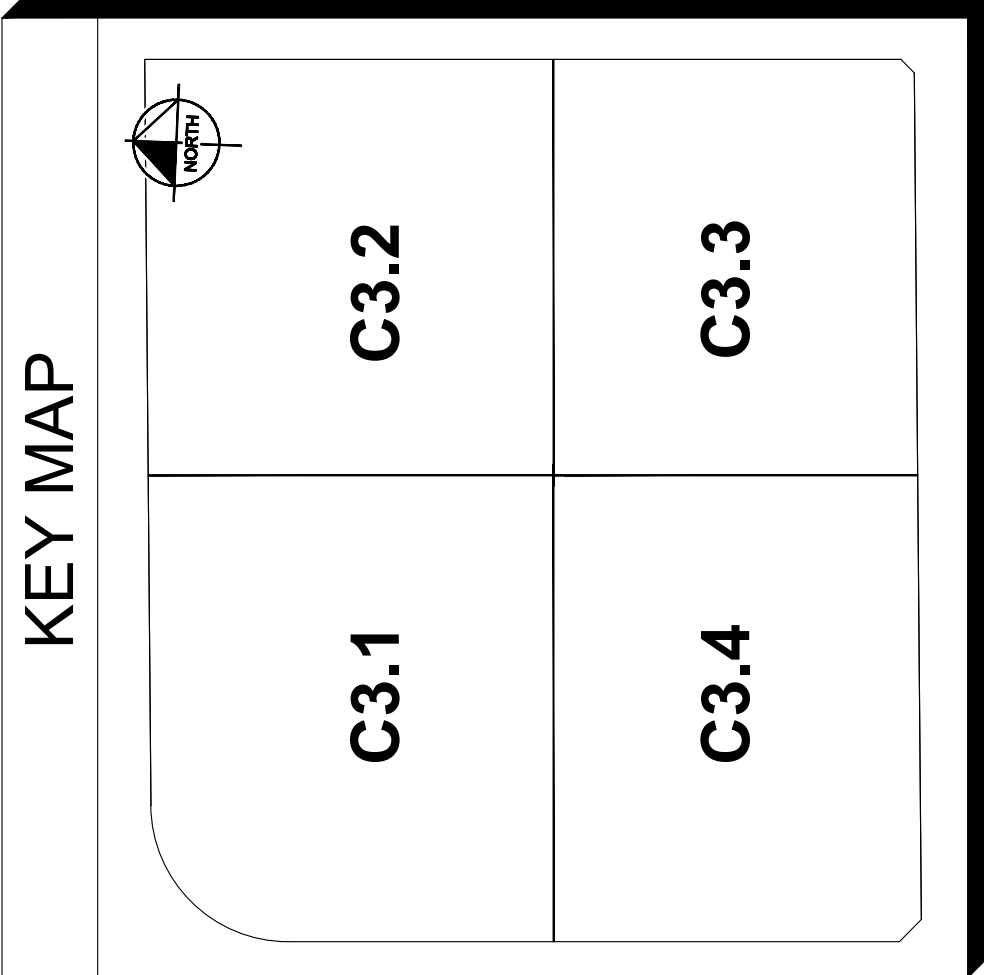
Known [☐ or produced identification] to me to be the individual who executed the
foregoing document and acknowledged the same as a free act and deed for uses and
purposes therein expressed.


Notary Public

Brenda Walton
Notary Public – State of Michigan
Oakland County
My Commission Expires: October 1, 2029
Acting in the county of OAKLAND.



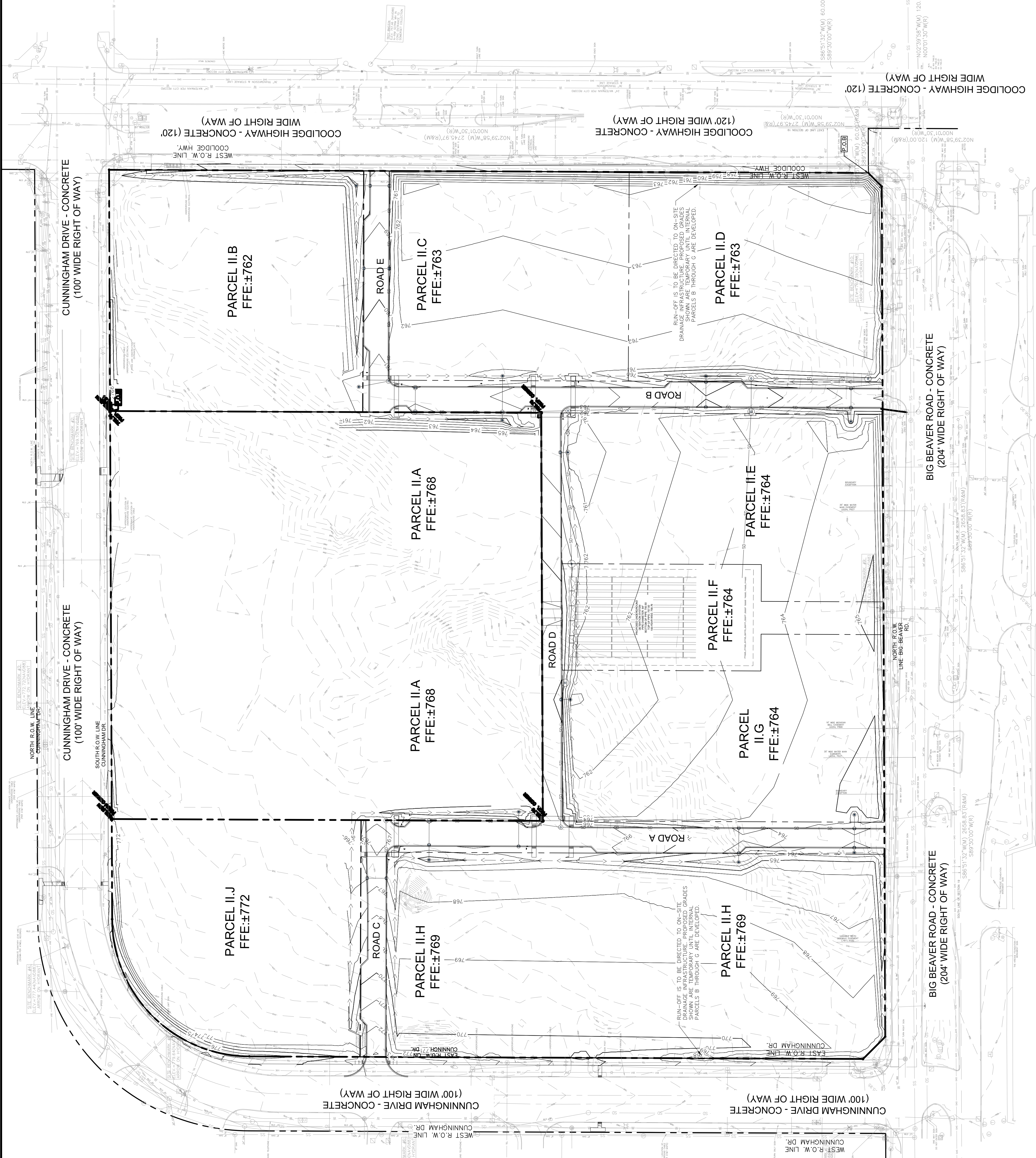
C3.0		SHEET NUMBER 268463000		KHA PROJECT NO. 268463000		ORIGINAL ISSUE: 9/12/2024	
SOMERSET WEST		INFRASTRUCTURE		OVERALL SITE PLAN			
SCALE: AS NOTED		DESIGNED BY: JBB		DRAWN BY: OKE		CHECKED BY: SMW	
WWW.KIMLEY-HORN.COM		KIMLEY-HORN OF MICHIGAN 1300 TOWN CENTER, SUITE 2600 SOUTHFIELD, MI 48075 (313) 972-1659		© 2025 KIMLEY-HORN OF MICHIGAN 1300 TOWN CENTER, SUITE 2600 SOUTHFIELD, MI 48075 (313) 972-1659		WWW.KIMLEY-HORN.COM	
No.		REVISIONS		DATE		BY	
1		ROADS A AND B REVISED		03/06/2025		LDF	
2		PER 01/31/25 ENG. DEPT. COMMENTS		02/14/2025		JBB	
3		PER 01/27/2025		01/27/2025		JBB	
4		PER 12/10/24 ENG. DEPT. COMMENTS		01/08/2025		JBB	
5		ENG. DEPT. COMMENTS/PARK CHANGES		11/20/2024		JBB	



SITE SUMMARY	
SITE ZONING	= R1D-9
SITE ACREAGE	= 30 AC.±
TOTAL PARKING SPACES PROVIDED	= 34 SPACES

PAVING SUMMARY	
CONCRETE CURB AND GUTTER	= 5,050 ± LF
RIGHT OF WAY PAVEMENT	= 491 ± SY
STANDARD DUTY ASPHALT PAVEMENT	= 7,512 ± SY
CONCRETE SIDEWALK	= 2,008 ± SY

NO.	REVISIONS	PER 01/31/25 ENG. DEPT. COMMENTS	ROADS A AND B REVISED
1	ENG. DEPT. COMMENTS/PARK CHANGES	PER 12/10/24 ENG. DEPT. COMMENTS	PER 01/31/25 ENG. DEPT. COMMENTS
2	DATE	DATE	DATE
BY	DATE	DATE	DATE



SITE BENCHMARKS: (LOCATIONS SHOWN ON SURVEY)

SBM #1 ARROW ON HYDRANT, NORTH ROW OF CUNNINGHAM DRIVE & 140 FEET WEST OF COOLIDGE ROAD WEST ROW.
ELEVATION: 767.31 (NAV988)

SBM #2 ARROW ON HYDRANT, NORTH ROW OF CUNNINGHAM DRIVE & 400 FEET WEST OF COOLIDGE ROAD WEST ROW.
ELEVATION: 768.10 (NAV988)

SBM #3 ARROW ON HYDRANT, NORTH ROW OF CUNNINGHAM DRIVE & 750 FEET WEST OF COOLIDGE ROAD WEST ROW.
ELEVATION: 771.72 (NAV988)

SBM #4 ARROW ON HYDRANT, NORTH ROW OF CUNNINGHAM DRIVE & 1050 FEET WEST OF COOLIDGE ROAD WEST ROW.
ELEVATION: 777.44 (NAV988)

SBM #5 ARROW ON HYDRANT, NORTH ROW OF CUNNINGHAM DRIVE & 1350 FEET WEST OF COOLIDGE ROAD WEST ROW.
ELEVATION: 779.84 (NAV988)

SBM #6 ARROW ON HYDRANT, WEST ROW OF CUNNINGHAM DRIVE & 650 FEET NORTH OF BIG BEAVER ROAD NORTH ROW.
ELEVATION: 775.36 (NAV988)

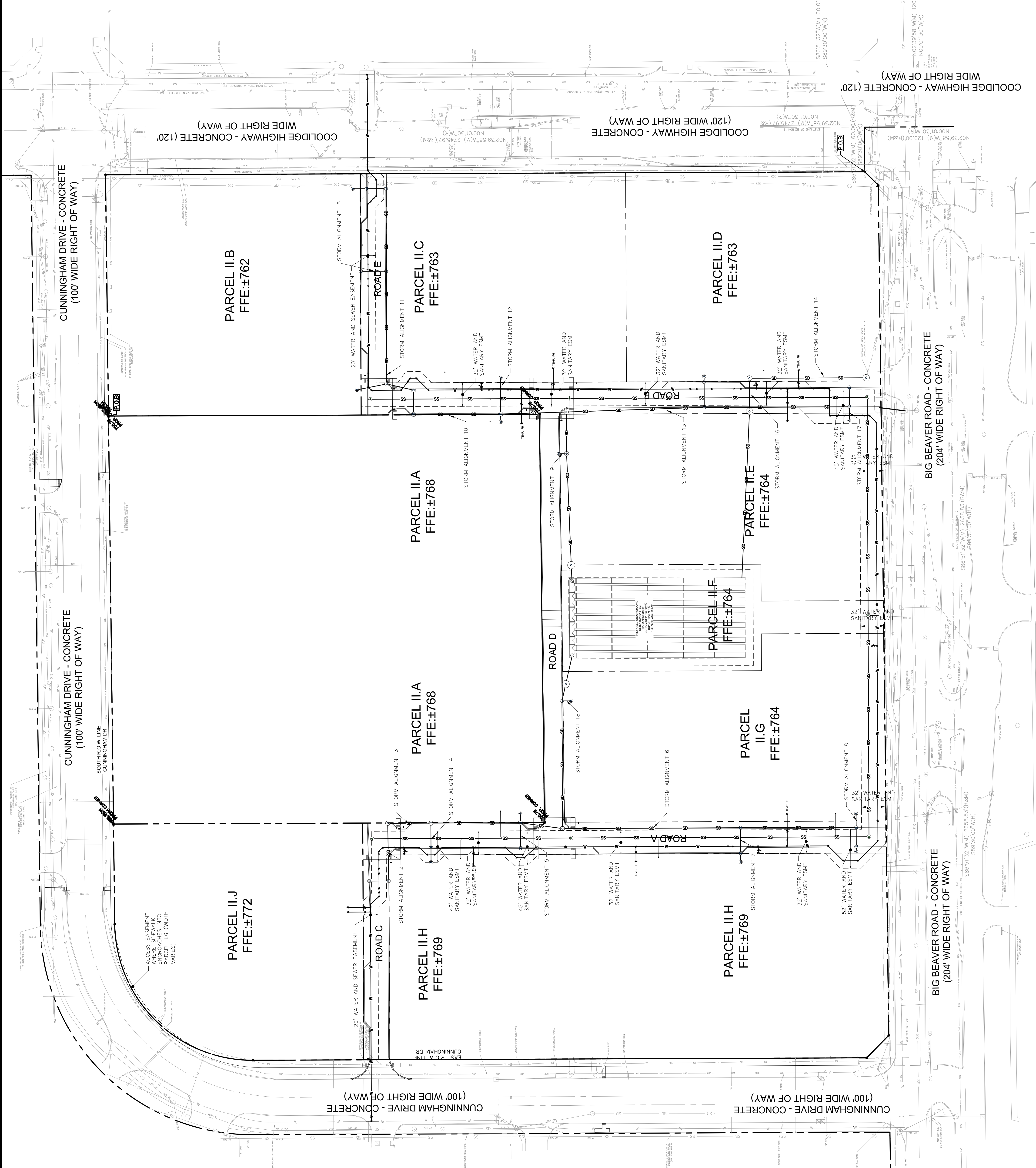
SBM #7 ARROW ON HYDRANT, WEST ROW OF CUNNINGHAM DRIVE & 50 FEET NORTH OF BIG BEAVER ROAD NORTH ROW.
ELEVATION: 768.22 (NAV988)

SBM #8 ARROW ON HYDRANT, NORTH ROW OF BIG BEAVER ROAD & 250 FEET EAST OF CUNNINGHAM DRIVE EAST ROW.
ELEVATION: 765.70 (NAV988)

SBM #9 ARROW ON HYDRANT, NORTH ROW OF BIG BEAVER ROAD & 250 FEET WEST OF COOLIDGE HIGHWAY WEST ROW.
ELEVATION: 760.39 (NAV988)

TROY BM0334 ARROW N-RIM STORM MH IN CONC ENTRANCE TO TROY WASTEWATER TREATMENT PLANT.
ELEVATION: 757.47 (NAV988)

TROY BM0951 N-RIM BELL MH, CORNER OF BIG BEAVER ROAD & COOLIDGE HIGHWAY.
ELEVATION: 760.39 (NAV988)



NO.	REVISIONS
1	ROADS A AND B REVERSED
2	PER 01/31/25 ENG. DEPT. COMMENTS
3	ENG. DEPT. COMMENTS/PARK CHANGES
4	DATE
5	BY

DESIGNED BY: JBB

CHECKED BY: SMW

DRAWN BY: OKE

SCALE:

AS NOTED

DESIGNED BY: JBB

CHECKED BY: SMW

DRAWN BY: OKE

SCALE:

Kimley-Horn

of Michigan, Inc.

65235 KIMLEY-HORN OF MICHIGAN
3000 TOWN CENTER, SUITE 2600
SOUTHFIELD, MI 48075
PHONE: (313) 972-7650
WWW.KIMLEY-HORN.COM

811

Know what's below.
Call before you dig.

GRAPHIC SCALE IN FEET

0 30' 60' 120'

UTILITY LEGEND

PROPOSED SWALE

PROPOSED STORM SEWER LINE

STRUCTURE ID

PROPOSED STORM STRUCTURES

PROPOSED SANITARY SEWER LINE

PROPOSED SANITARY LATERAL LINE

PROPOSED SANITARY MANHOLE

PROPOSED STORM/SANITARY CLEANOUT

PROPOSED WATER LINE

PROPOSED WATER VALVE BOX, P.V. METER
FIRE HYDRANT, FIRE DEPT CONN. & VALVT

PROPOSED WATER BENDS & TEE

BASIS OF DESIGN

Parcel	Site Area (if applicable)	Number of Employees on site	Unit Type	Relu rate per Relu
Parcel II.A	20,000	100	0.001, 0.002 SF	0.001
Parcel II.B	20,000	100	0.001, 0.002 SF	0.001
Parcel II.C	20,000	100	0.001, 0.002 SF	0.001
Parcel II.D	20,000	100	0.001, 0.002 SF	0.001
Parcel II.E	20,000	100	0.001, 0.002 SF	0.001
Parcel II.F	20,000	100	0.001, 0.002 SF	0.001
Parcel II.G	20,000	100	0.001, 0.002 SF	0.001
Parcel II.H	20,000	100	0.001, 0.002 SF	0.001
Parcel II.I	20,000	100	0.001, 0.002 SF	0.001
Parcel II.J	20,000	100	0.001, 0.002 SF	0.001
Site Area	200,000	1,000	0.001, 0.002 SF	0.001

Sanitary Sewer Basis of Design per Site-wide REU

REU for the site: 492 REUs
3.5 people
100 gal/day/person
350 gal/day

Sanitary flows per REU
Assuming use per person =

Average daily flow
172,200 gal/day
0.172 MGD
0.336 cfs

P = population served
= number of people per REU * site REU
Peak daily flow = P * 1.5
Peak hourly flow = P * 3.0
where P is in thousands of people

Maximum daily flow using Peaking Factor
636,019 gal/day
0.636 MGD
0.97 cfs

Capacity of 8" PVC pipe at 0.65% out from St. 51 =
1.0 cfs

Water Main Basis of Design per Site-wide REU

REU for the site: 492 REUs
3.5 people
100 gal/day/person
350 gal/day

Water use per REU
Assuming use per person =

Average daily flow, ADF
172,200 gal/day
0.172 MGD
0.286 cfs

Peaking factor = ADF*2
Maximum daily flow
344,400 gal/day
0.344 MGD
0.533 cfs

BASIS OF DESIGN

THE ABOVE DESIGN CALCULATIONS UTILIZE THE UNIT FACTOR METHOD. THE UNIT FACTOR METHOD ASSUMES THAT THE AVERAGE DAILY WATER CONSUMPTION IS 100 GALLONS PER PERSON PER DAY. UNIT ASSIGNMENTS WERE ASSUMED BASED ON OAKLAND COUNTY'S SCHEDULE OF UNIT ASSIGNMENT FACTORS.

GENERAL PLAN NOTES

REFER TO GENERAL NOTES SHEET FOR MORE INFORMATION INCLUDING THE
GENERAL NOTES, LEGEND, BENCHMARK INFORMATION, AND SPECIFIC
GENERAL PLAN NOTES.

OVERALL UTILITY
PLAN

SOMERSET WEST
INFRASTRUCTURE

ORIGINAL ISSUE:
9/12/2024

KHA PROJECT NO.
268463000

SHEET NUMBER
C6.0

AMENDED AND RESTATED
PLANNED UNIT DEVELOPMENT AGREEMENT

Between

FORBES/FRANKEL TROY VENTURES LLC,
a Michigan limited liability company

and

THE CITY OF TROY,
a Michigan municipal corporation

When recorded return to:

CITY OF TROY
CITY CLERK
500 W. BIG BEAVER ROAD
TROY, MI 48084

AMENDED AND RESTATED
PLANNED UNIT DEVELOPMENT AGREEMENT

This Amended and Restated Planned Unit Development Agreement (this “Agreement”) is made the ____ day of _____, 2025 (the “Effective Date”), by and between FORBES/FRANKEL TROY VENTURES LLC, a Michigan limited liability company (“Owner”), whose address is 100 Galleria Officentre, Suite 427, Southfield, Michigan 48034, and the CITY OF TROY, a Michigan municipal corporation (the “City”), whose address is 500 West Big Beaver Road, Troy, Michigan 48084.

RECITALS

A. Diamond Troy JV LLC, a Delaware limited liability company (“Diamond”), and the City entered into that certain Planned Unit Development Agreement, dated October 17, 2007 and recorded with the Oakland County, Michigan Register of Deeds on October 26, 2007 at Liber 39703, Page 493 (the “Original PUD Agreement”), with respect to certain real property described on **Exhibit A** attached hereto (the “Original PUD Property”).

B. The Original PUD Property consisted of approximately 40 acres on two (2) parcels of property, commonly known as Parcel I which was approximately 12 acres and Parcel II which was approximately 28 acres (the “Original Parcel II”).

C. The Original PUD Property was previously used for office purposes, as the former Kmart World Headquarters, which was originally constructed between approximately 1972 and 1976, together with related accessory site improvements, including roads, parking areas, landscaping, sidewalks and signage.

D. The former Kmart World Headquarters was closed and vacated by the Kmart Corporation (now known as Sears Holdings Management Corporation), and was recently demolished by Owner.

E. On December 29, 2009, Diamond conveyed the entire Original PUD Property (Parcel I and Parcel II) to Owner by that certain Covenant Deed by Diamond to Owner which was recorded on January 26, 2010 in Liber 41795 at Page 206 with the Oakland County, Michigan Register of Deeds.

F. Diamond intended to develop the Original PUD Property in accordance with The Concept Development Plan for The Pavilions of Troy that was approved by the City Council on October 15, 2007 (the “Original CDP”) and the Conceptual Plan that was part of the Original CDP which was approved by the City and included in The Pavilions of Troy CDP Book (the “Original Conceptual Plan”).

G. Owner does not desire to develop the PUD Property in accordance with the Original CDP or the Original Conceptual Plan.

H. The City and Owner desire to terminate the Original CDP and the Original Conceptual Plan.

I. On April 29, 2024, Owner submitted to the City a Planned Unit Development Concept Development Plan (CDP) Application and Application to Amend the Zoning District Map in order to amend the Original PUD Agreement (the “Application”). The Application included an amended concept development plan for the development of the Original PUD Property, as generally shown on **Exhibit B** attached hereto (the “Amended Concept Development Plan” or the “Amended CDP”), and a Preliminary Development Plan

(as defined below) for Phase I of the development of the PUD Property which includes infrastructure and roads which is attached hereto as **Exhibit C** (the “Infrastructure PDP”).

J. On May 10, 2024, the Original Parcel II was subdivided and split into two (2) parcels, resulting in (i) the creation of a new parcel of property, containing approximately 7.28 acres, which has a separate tax parcel identification number of 20-19-476-003 and is shown on the Amended CDP as Parcel II.A (“Parcel II.A”) and (ii) the remaining portion of the Original Parcel II comprising Parcel II.B, Parcel II.C, Parcel II.D, Parcel II.E, Parcel II.F, Parcel II.G, Parcel II.H and Parcel II.J, each as shown on the Amended CDP, and retaining its existing tax parcel identification number of 88-20-19-476-002 (the “Remaining Parent Parcel”).

K. On or about June 6, 2025, a portion of the Remaining Parent Parcel was further subdivided to create two (2) additional parcels of property as shown on the Amended CDP as Parcel II.B and Parcel II.J which subdivided parcels were consolidated with and became a part of Parcel II.A, resulting in Parcel II.A containing approximately 12.089 acres in total.

L. As of the date hereof, Owner is the fee simple owner of the entire Original PUD Property which currently consists of approximately 40 acres in total including Parcel I which is approximately 12 acres, the Remaining Parent Parcel which is the remaining portion of the Original Parcel II and currently consists of approximately 15.911 acres (the “Modified Remaining Parent Parcel”) and Parcel II.A which currently consists of approximately 12.089 acres as shown on the Amended CDP and more particularly described on Exhibit F attached hereto (collectively, the “PUD Property”).

M. Owner intends to execute and record a Declaration against the Modified Remaining Parent Parcel and Parcel II.A.

N. On March 6, 2025, Owner held an informal meeting with representatives of the adjoining neighborhoods to the PUD Property at the Somerset North community room, soliciting their comments to the Amended Concept Development Plan and the Infrastructure PDP in accordance with Section 11.06(B) of Troy's Zoning Ordinance (as defined below).

O. In accordance with Chapter 39, Article 11, Section 11.06 of Troy's Zoning Ordinance that is in effect as of the Effective Date (collectively, "Troy's Zoning Ordinance"), Owner attended several pre-application meetings with the Planning Department of the City, together with the staff and outside consultants, prior to submitting the Amended Concept Development Plan and the Infrastructure PDP to the Planning Commission.

P. The City and Owner have sought and received extensive review, counsel and advice from their respective representatives, staff, officials, attorneys and consultants.

Q. Pursuant to Section 11.06(B) of Troy's Zoning Ordinance, and after review of the Amended Concept Development Plan and the Infrastructure PDP, the Planning Commission held a public hearing on May 13, 2025 with respect to the Amended Concept Development Plan, the Infrastructure PDP and this Agreement where the Planning Commission recommended to the City Council (as defined below) the approval of the Amended Concept Development Plan, the Infrastructure PDP and this Agreement as provided in the Planning Commission Minutes which are attached hereto as **Exhibit D**.

R. The City Council received and reviewed the Planning Commission recommendation and held a public hearing on June 9, 2025, with proper notice, to consider the Amended Concept Development Plan, the Infrastructure PDP and this Agreement.

S. On June 9, 2025, after review of the Amended Concept Development Plan, the Infrastructure PDP and this Agreement and the full consideration of the Planning Commission recommendation, the City Council approved the Amended Concept Development Plan, the Infrastructure PDP and this Agreement. A copy of the City Council Resolution No. _____ is attached hereto as **Exhibit E**.

T. The City and Owner desire to amend and restate the Original PUD Agreement in its entirety in order to provide for the development of a mix of uses on the PUD Property as generally shown on the Amended Concept Development Plan and in accordance with the terms set forth herein.

U. All references to ordinance sections in this Agreement, unless otherwise stated, are to Troy's Zoning Ordinance.

NOW, THEREFORE, the City and Owner, in consideration of mutual covenants of, and benefits derived by each of the Parties to this Agreement, agree to amend and restate the Original PUD Agreement as follows:

I. DEFINITIONS

The following definitions shall apply to this Agreement, all defined terms used in this Agreement shall have the definitions described in this Article I:

“Agreement” shall mean this Amended and Restated Planned Unit Development Agreement, together with all attached exhibits, which are incorporated herein by reference, and any amendments thereto.

“Application” has the meaning set forth in Recital I.

“Amended Concept Development Plan” or “Amended CDP” has the meaning set forth in Recital I.

“City” shall mean the City of Troy, a Michigan municipal corporation.

“City Council” shall mean the City of Troy City Council.

“Consent Judgment” shall mean that certain Consent Judgment pertaining only to Parcel I, dated May 9, 1973, entered by the Oakland County, Michigan Circuit Court (the “Court”) pursuant to the agreement of Sheffield Development Company, a Michigan Co-Partnership, as Plaintiff, and the City of Troy, a Michigan municipal corporation, as Defendant, Oakland County Circuit Court Civil Action No. 70-69246, as amended by that Order Amending Judgment, dated November 22, 1977, entered by the Court, as further amended by that Stipulation to Modify Judgment and Order, dated September 25, 1980, entered by the Court, as further amended by that Third Order Amending Judgment, dated November 4, 1992, entered by the Court (Successor Plaintiff substituted: The Prudential Insurance Company of America, a New Jersey corporation), as further amended by that Consent Fourth Order Amending Judgment, dated December 10, 1998, entered by the Court (Successor Plaintiffs substituted: WHC-SIX Real Estate Limited Partnership, a Delaware limited partnership, and Kmart corporation, a Michigan corporation), as further amended by that Fifth Order Amending Consent Judgment, dated November 28, 2006, entered by the

Court (Successor Plaintiffs substituted: Diamond Troy JV LLC, a Delaware limited liability company, GM Equities LLC, a Michigan limited liability company, Kmart Corporation, a Michigan corporation, and Sheffield Office II, L.L.C., a Delaware limited liability company), as further amended by that Sixth Order Amending Consent Judgment, dated January 7, 2013, entered by the Court (Successor Plaintiffs substituted: Sears Holdings Management Corporation, a Delaware corporation, Owner and Sheffield Owner, LLC, a Delaware limited liability company).

“Declaration” shall mean a Declaration of Easements, Covenants, Conditions and Restrictions by Owner which may be recorded by Owner against the Modified Remaining Parent Parcel and Parcel II.A subsequent to the Effective Date. In the event of any conflict between the Declaration and the terms of this Agreement, the terms of this Agreement shall control.

“Development Standards” shall mean, collectively, the City of Troy Development Standards, Details and Specifications for the engineering, design and construction of public improvements and private improvements within the City which are set forth in Troy’s Zoning Ordinance and are in effect as of the Effective Date. Subject to any deviations permitted under this Agreement or Troy’s Zoning Ordinance, the development of the PUD Property under this Agreement shall be consistent with the Development Standards that are in effect as of the Effective Date and the development of the PUD Property will not be subject to any modifications, changes or amendments to such Development Standards from and after the Effective Date unless Owner agrees in writing to such modifications, changes or amendments.

“Effective Date” has the meaning set forth in the preamble.

“Final Development Plan” and/or “FDP” shall mean one or more Final Development Plans, as defined in Section 11.08 of Troy’s Zoning Ordinance, that are submitted by Owner for all or any portion of the PUD Property.

“Infrastructure Improvements” shall mean the sanitary sewer, storm sewer, water system, and other utility improvements to be installed by Owner within the PUD Property, if any, which the City acknowledges may include renovations or improvements to the existing utility facilities.

“Infrastructure PDP” has the meaning set forth in Recital I.

“Master Deed” shall mean any Master Deed which may be recorded by Owner against all or any portion of the PUD Property subsequent to the Effective Date. In the event of any conflict between the Master Deed(s) and the terms of this Agreement, the terms of this Agreement shall control.

“Master Plan” shall mean the City of Troy’s Master Plan, Plan Troy 2040, as adopted and revised in accordance with the Michigan Planning Enabling Act, PA 33 of 2008.

“Original Concept Development Plan” or “Original CDP” has the meaning set forth in Recital G.

“Original Parcel II” has the meaning set forth in Recital B.

“Owner” shall mean Forbes/Frankel Troy Ventures LLC, a Michigan limited liability company, and its successors and assigns with respect to all or any portion of the PUD Property.

“Parcel I” shall mean that portion of the PUD Property consisting of approximately twelve (12) acres and identified as Parcel I on the drawing attached hereto as **Exhibit F**.

“Parcel II.A” has the meaning set forth in Recital J.

“Parties” or “Parties” shall mean Owner and the City and their respective successors and assigns.

“Permitted Uses” shall mean the permitted uses contemplated by the Amended Concept Development Plan or any other similar or accessory uses which are permitted or approved by the City Zoning Administrator. All Permitted Uses and approved deviations set forth in this Agreement are permitted to be mixed within and throughout the PUD Property. The mix of uses within the PUD Property may occur vertically (i.e. a mix of uses existing within one or more structures) and/or horizontally (i.e. a mix of uses existing adjacent to one another on one horizontal plane and/or in one or more neighboring structures). It is acknowledged and agreed by the Parties that two or more single or multiple story structures containing a mix of uses may exist adjacent to one another.

“Planning Commission” shall mean the City of Troy Planning Commission.

“Preliminary Development Plan” and/or “PDP” shall mean one or more Preliminary Development Plans as set forth and defined in Section 11.07 of Troy’s Zoning Ordinance that is/are submitted by Owner with respect to all or any portion of the PUD Property.

“PUD Documents” shall mean, collectively:

- (i) Troy’s Zoning Ordinance including the PUD Regulations.
- (ii) This Agreement.
- (iii) The Amended Concept Development Plan.

- (iv) Any and all PDP's approved by the City Council for the PUD Property.
- (v) Any and all FDP's that are administratively approved.
- (vi) Any and all amendments to the Amended Concept Development Plan which are approved by Owner and the City.
- (vii) The resolution in the official City Council minutes for the meeting at which approval is received.
- (viii) City of Troy's Master Plan.

"PUD Regulations" shall mean Title V of the Troy City Code, Chapter 39, Section 11.01 et. seq.

"PUD Property" has the meaning set forth in Recital L.

"Remaining Parent Parcel" has the meaning set forth in Recital J.

"Troy's Zoning Ordinance" has the meaning set forth in Recital O.

II. GENERAL PROVISIONS

1. The Parties acknowledge that all of the foregoing Recitals, together with the foregoing definitions, are true and accurate and binding upon the Parties, their successors and assigns, and are incorporated in this Agreement and made a part hereof in the same manner and to the same extent as if such Recitals and/or definitions were set forth in detail at this point. All Exhibits attached hereto are made a part hereof in the same manner and to the same extent as if they were set forth in detail in this Agreement at those points in this Agreement where each such Exhibit is referenced.

2. At this time, all of the PUD Property is currently owned by Owner, and Owner has provided the City with evidence of ownership. The City acknowledges that Owner has the sole discretion to transfer (including, without limitation, the sale, lease, conveyance, assignment, license, or other permit to use) any part or all of the PUD Property

without the consent of the City, subject to the terms of Paragraph 41 of this Agreement. The provisions of this Agreement and Troy's Zoning Ordinance shall be enforceable against any successor or assign of Owner and their respective successors and assigns, subject to the terms of Paragraph 41 of this Agreement. Owner agrees to inform any purchaser or ground lessee of all or any portion of the PUD Property of the provisions of this Agreement. Following any transfer of all or any portion of the PUD Property, the transferee shall be obligated to notify the City of such transfer of ownership, in accordance with MCL 211.27(a), et. seq. As used in the preceding sentence, "transfer of ownership" is defined in MCL 211.27(a) et. seq.

3. The City, through the City Council, hereby determines that: (a) the Amended Concept Development Plan and the Infrastructure PDP complies with the requirements of the PUD Regulations; and (b) this action to amend and restate the Original PUD Agreement is beneficial to the general health, safety and welfare of the citizens of the City.

4. The City Council hereby agrees with the recommendation of the Planning Commission that the Amended Concept Development Plan, the Infrastructure PDP and this Agreement are consistent with the intent, purpose and objectives of the City, as described in the PUD Regulations and the several City plans for future land use.

5. The Original Conceptual Plan and the Original CDP are terminated and of no further force or effect and are null and void. The Amended Concept Development Plan, the Infrastructure PDP and this Agreement are hereby approved and Owner is hereby granted the right, power and authority to proceed to develop the PUD Property in

accordance with the Amended Concept Development Plan, this Agreement and the PUD Documents. Owner may proceed to submit one or more PDP's and FDP's in accordance with Troy's Zoning Ordinance. Each PDP shall be submitted for approval to the Planning Commission with corresponding traffic and parking studies. The scope of the traffic and parking studies shall be reviewed by the City Engineer consistent with Troy's Zoning Ordinance and this Agreement. To the extent required by applicable law, the traffic studies may also need to be reviewed and approved administratively by the Road Commission for Oakland County and the Michigan Department of Transportation.

6. In accordance with Troy's Zoning Ordinance, the City hereby permits and approves the Amended Concept Development Plan and the Infrastructure PDP including any deviations from Troy's Zoning Ordinance that are necessary or convenient to accomplish the Amended Concept Development Plan and the Infrastructure PDP.

7. Upon execution of this Agreement, all terms and conditions of this Agreement are hereby deemed to RUN WITH THE LAND in perpetuity.

8. This Agreement shall be fully binding upon all successors-in-interest, heirs and assigns of whatever kind or nature, including, without limitation, all purchasers of any kind, successors in fee, ground lessees, lessees, sublessees and assigns, regardless of the nature, type or form of such sale, conveyance, lease, assignment or any other form of transfer, conveyance or license to use. Such transfers and conveyances further include, without limitation, sale, lease or other transfer or conveyance of or license to use any condominium unit(s) or other form of land division, now known or later created, whatsoever that may be established now or in the future on the PUD Property. The City acknowledges

and agrees that Owner may freely assign any part or all of its right, title, and/or interest in and to this Agreement, and any term, covenant or condition hereof, to any other person or entity without consent of the City, subject to the terms of Paragraph 41 of this Agreement.

9. Any Declaration, Master Deed or similar document encumbering the PUD Property shall expressly reference this PUD Agreement. A copy of the Declaration and any Master Deed recorded against the PUD Property shall be provided to the City promptly after being recorded with the Oakland County, Michigan Register of Deeds.

10. Pursuant to Section 11.06 of Troy's Zoning Ordinance, this Agreement is deemed effective and in full force and effect upon the Effective Date.

11. The City shall cause this Agreement to be recorded with the Oakland County, Michigan Register of Deeds against the PUD Property. This recordation shall occur within fourteen (14) days after the Effective Date. In the event the City fails to record this Agreement within fourteen (14) days after the Effective Date, then Owner may record a fully executed original of this Agreement with the Oakland County, Michigan Register of Deeds. The party recording this Agreement shall provide the other party with a time stamped recorded copy promptly following recordation.

12. Upon the execution of the Original PUD Agreement, the PUD Property was rezoned to a Planned Unit Development District in accordance with the PUD Regulations, and the City took all necessary steps to amend the Zoning Map to designate the PUD Property as a Planned Unit Development District. Upon the execution of this Agreement by the Parties, the PUD Property remains zoned a Planned Unit Development, and the

Original PUD Agreement is amended, restated, replaced and superseded by this Agreement in its entirety.

13. Where any term or provision of this Agreement is in conflict with the provisions of Troy's Zoning Ordinance, the Development Standards, or any other City administrative rule or regulation, the terms of this Agreement (including the Amended Concept Development Plan and the Infrastructure PDP) shall control. The PUD Regulations in effect as of the Effective Date (a copy of which is attached hereto as **Exhibit G**) will govern this Agreement, and notwithstanding anything herein to the contrary, any amendment of such existing PUD Regulations from or after the Effective Date shall not govern, control or in any way affect the terms, conditions, interpretation and/or enforcement of this Agreement. All sections of Troy's Zoning Ordinance referenced in this Agreement refer to those sections of Troy's Zoning Ordinance in effect as of the Effective Date, and except for the Development Standards, Building Code, and Fire Code provisions, future amendments to such Troy's Zoning Ordinance shall not govern, control or in any way effect the terms, conditions, interpretation and/or enforcement of this Agreement. Except for the Development Standards, the Building Code and the Fire Code provisions, the Parties may, but are not obligated to, mutually and voluntarily agree to amend this Agreement to include any amendments or subsequent updates to Troy's Zoning Ordinance and/or the PUD Regulations. Except as expressly set forth in this Agreement, Owner shall comply with those Development Standards, Building Code, and Fire Code provisions that are effective as of the date any given FDP approval is granted.

14. All terms, provisions and conditions of this Agreement are authorized by applicable state and federal laws and constitutions. This Agreement is valid, entered into on a voluntary basis, and represents a permissible exercise of authority by the City.

15. All requirements and conditions of this Agreement are necessary, reasonable and in compliance with Troy's Zoning Ordinance.

16. The Parties shall act in good faith (in both time and substance) whenever there is a requirement to take action or give consent under this Agreement.

17. In the event that any portion of this Agreement is invalid or unenforceable, as determined by a Court of competent jurisdiction, the remaining portions of this Agreement shall remain fully enforceable, valid and in full force and effect.

18. For purposes of providing notices required or authorized under this Agreement, such notice shall be given to the applicable Party to be notified, by personal delivery (supported by an affidavit of service) or shall be sent via a recognized national overnight delivery service, marked for and guaranteeing "next business day" delivery service, all charges prepaid, or shall be sent via certified or registered U.S. Mail, return receipt requested, with postage fully paid, and addressed as follows:

Notice to the **City**:

City of Troy
500 West Big Beaver Road
Troy, Michigan 48084
Attention: City Clerk

With copy to:

City of Troy
500 West Big Beaver Road
Troy, Michigan 48084
Attention: Community Development Director

With copy to: City of Troy
500 West Big Beaver Road
Troy, Michigan 48084
Attention: City Attorney

Notice to **Owner**: Forbes/Frankel Troy Ventures LLC
c/o The Forbes Company, LLC
100 Galleria Officentre, Suite 427
Southfield, Michigan 48034
Attn: Nathan Forbes

With a copy to: Honigman LLP
39400 Woodward Avenue, Suite 101
Bloomfield Hills, Michigan 48304
Attn: David J. Jacob, Esq.

Notice shall be effective on the date of receipt (in the case of personal delivery), or on the first business day following the deposit of such notice with the recognized national overnight delivery service or on the date of receipt in the case of certified or registered U.S. Mail. Any Party may change any of the addresses or the designated recipients of notice by following the notice procedure, as set forth above. Notice may be given by counsel for and on behalf of a Party.

19. The Agreement shall be governed and construed in accordance with the laws of the State of Michigan with venue and proper jurisdiction in the County of Oakland, State of Michigan, without regard to principles of conflict of laws.

20. This Agreement supersedes any and all prior inconsistent agreements and plans (including the Original PUD Agreement, the Original CDP and the Original Conceptual Plan), rules or administrative orders between the Parties relative to the PUD Property. Notwithstanding anything to the contrary in this Agreement, the Parties acknowledge that the Consent Judgment materially impacts Owner's ability to develop

Parcel I in accordance with the Amended Concept Development Plan. If Owner desires to amend the Consent Judgment in order to allow the development of Parcel I for any uses permitted under this Agreement which are consistent with the Amended Concept Development Plan, the City shall cooperate with Owner and agrees to execute an amendment to the Consent Judgment and/or Motion to Amend the Consent Judgment, which allows Owner to develop Parcel I in accordance with this Agreement and the Amended Concept Development Plan including, but not limited to, for any uses permitted under this Agreement, subject to (a) the City's reasonable approval of the form of such amendment(s) and (b) the approval of and execution by all other parties to the Consent Judgment of such amendment(s). Notwithstanding the foregoing or anything contained in this Agreement to the contrary, Owner shall have the right, but not the obligation, to apply for a Preliminary Development Plan which allows Owner to develop Parcel I consistent with the terms of the Consent Judgment. The City agrees to amend the Amended CDP and this Agreement, as necessary, to allow for any such office use under the Consent Judgment on Parcel I, provided, that such amendment is otherwise consistent with the PUD Regulations.

21. Regardless of the Master Plan (including any amendments, modifications, supplements and/or amendments and restatements thereto), other planning documents and/or zoning or other Troy Ordinance changes or amendments which may be adopted or affect the PUD Property, the Permitted Uses shall not be deemed in the future to be legal non-conforming uses, but rather shall continue to be permitted uses, subject to and in accordance with this Agreement and the Amended CDP.

22. Any amendment to this Agreement and/or any Exhibit attached hereto, must be in writing and approved as to form and substance by each of the Parties, and any such amendment or modification to this Agreement or any Exhibit shall be approved by the City Council pursuant to the procedures set forth in the PUD Regulations. Following the conveyance by Owner of any portion of the PUD Property, the successor Owner of that portion of the PUD Property shall, in accordance with the terms of this Agreement, be entitled to amend this Agreement with respect to such successor Owner's property; provided, however, such amendment shall be in compliance with any Declaration, Master Deed, deed restriction or other encumbrance that relates to the right, power and authority of such successor Owner to approve such an amendment and provided that the amendment is mutually agreeable to the City, Owner (if Owner still then owns a portion of the PUD Property), such successor Owner and all other successor Owners of the PUD Property. Further, notwithstanding anything to the contrary in this Agreement, (a) so long as Forbes/Frankel Troy Ventures LLC or any affiliate thereof owns all or any part of the PUD Property, the written consent and approval of Forbes/Frankel Troy Ventures LLC and any of its affiliates that then own any portion of the PUD Property shall be required to any amendment to this Agreement, and any amendment to this Agreement that is executed without the written consent and approval of Forbes/Frankel Troy Ventures LLC and such affiliates shall be null and void and of no effect, (b) all successor Owners of Parcel I unless such successor Owner is an affiliate of Forbes/Frankel Troy Ventures LLC (i.e., successor Owners to Forbes/Frankel Troy Ventures LLC unless such successor Owner is an affiliate of Forbes/Frankel Troy Ventures LLC) will not have the right to approve, and all successor

Owners of Parcel I unless such successor Owner is an affiliate of Forbes/Frankel Troy Ventures LLC will not be required to execute, any amendments to this Agreement or the Amended Concept Development Plan relating solely to Parcel II.A and/or the Modified Remaining Parent Parcel, (c) the Owner of Parcel II.A as of the Effective Date and all successor Owners of Parcel II.A will have the unilateral right and authority to enter into any amendment to this Agreement and/or the Amended Concept Development Plan without the approval of any successor Owner of Parcel I or any successor Owner of the Modified Remaining Parent Parcel so long as such amendment does not increase the obligations or liabilities of the successor Owner of Parcel I under this Agreement as it relates to Parcel I or the successor Owner of the Modified Remaining Parent Parcel under this Agreement as it relates to the Modified Remaining Parent Parcel or reduce the rights of such successor Owner of Parcel I under this Agreement as it relates to Parcel I or such successor Owner of the Modified Remaining Parent Parcel under this Agreement as it relates to the Modified Remaining Parent Parcel and (d) the Owner of the Modified Remaining Parent Parcel as of the Effective Date and all successor Owners of the Modified Remaining Parent Parcel will have the unilateral right and authority to enter into any amendment to this Agreement and/or the Amended Concept Development Plan without the approval of any successor Owner of Parcel I or any successor Owner of Parcel II.A so long as such amendment does not increase the obligations or liabilities of the successor Owner of Parcel I under this Agreement as it relates to Parcel I or the successor Owner of Parcel II.A under this Agreement as it relates to Parcel II.A or reduce the rights of such successor Owner of Parcel I under this Agreement as it relates to Parcel I or such successor Owner of Parcel II.A under this Agreement as it

relates to Parcel II.A. Any amendments to or modifications of this Agreement, or the Exhibits attached hereto, shall be recorded by the City with the Oakland County, Michigan Register of Deeds, following the effective date of such amendment or modification.

23. The Parties to this Agreement represent that they have read this Agreement, have reviewed it with legal counsel and understand and agree to the terms and conditions hereof.

24. Each person signing this Agreement on behalf of any Party hereby represents and warrants that he/she is a duly authorized representative and agent to that respective Party and that he/she has the full authority to bind said Party to all the covenants, warranties, representations, terms and conditions of this Agreement under all applicable local, state and federal laws and regulations.

III. THE CONCEPT DEVELOPMENT PLAN AND THE DEVELOPMENT OF THE PUD PROPERTY

25. The City hereby grants Owner the right to use and develop the PUD Property as set forth in this Agreement, any provision in Troy's Zoning Ordinance, Development Standards, laws, regulations or codes notwithstanding. Specifically, Owner shall have the right, but shall not be obligated, to develop up to 300,000 square feet of retail, up to 500,000 square feet of office, up to 750 residential units and a hotel containing up to 250 guest rooms, together with ancillary amenities normally associated with a hotel use such as, without limitation, a business center, meeting rooms, restaurants/bars, pool, fitness center on Parcel I, Parcel II.A and the Modified Remaining Parent Parcel; provided, however, that no building constructed on Parcel I shall be more than five (5) stories with a

building height not to exceed fifty (50) feet. The foregoing densities represent the maximum densities that Owner is permitted to construct on Parcel I, Parcel II.A and the Modified Remaining Parent Parcel without the additional approval of the City Council; provided, however, that if the square footage of retail space and/or office space and/or the number of residential units and/or hotel rooms is less than the maximum densities provided above, then at the sole election of Owner, the amount of square footage of retail space and/or office space and the number of residential units and/or hotel rooms that is less than such maximum densities may be reallocated by Owner in Owner's sole discretion to any of the other densities set forth above, provided, that any reallocation of such densities from such maximum densities satisfy the current parking requirements set forth in Troy's Zoning Ordinance as of the Effective Date unless any subsequent modifications, amendments or changes to such parking requirements are approved by Owner in Owner's sole discretion. For example and illustration purposes only, (i) the reduction in the number of hotel rooms from 250 rooms to 200 rooms would reduce the parking requirements for the PUD Property by 50 off-street parking spaces, which would allow for an additional 15,000 square feet of office or professional space, excluding medical offices, and (ii) the reduction in the square footage of retail space from 300,000 square feet to 200,000 square feet would reduce the parking requirements for the PUD Property by 400 parking spaces, which would allow for an additional 120,000 square feet of office or professional space, excluding medical offices, or an additional 200 multi-family residential dwelling units or an additional 400 efficiency dwelling units. Owner will have the right, in Owner's sole discretion, to determine the allocation of the available unused square footage, units and/or hotel rooms to the other

Permitted Uses, including having the right to allocate all of the available unused square footage, units and hotel rooms to a single Permitted Use if Owner so elects in Owner's sole discretion, provided, that any such allocation (a) is subject to and shall not exceed the maximum densities set forth above and (b) satisfies the current parking requirements set forth in Troy's Zoning Ordinance as of the Effective Date unless any subsequent modifications, amendments or changes to such parking requirements are approved by Owner in Owner's sole discretion.

In connection with the Permitted Uses, Owner agrees that any hotel initially developed on the PUD Property shall be a minimum four-star hotel, as rated by AAA (or other equivalent rating and rating service).

26. The Parties acknowledge that the Amended Concept Development Plan provides a conceptual overview for the development of the PUD Property and is not intended to be comprehensive. The specific design of each PDP submittal for the PUD Property will depend upon the size, mixture of uses, configuration and/or Owner's determination of the economic and market feasibilities of such PDP submittal. Owner agrees to incorporate quality materials, workmanship, and design, as well as concepts in architectural design, amenities, pedestrian crossing, open space, and green space as generally described on **Exhibit H** attached hereto.

27. The Parties acknowledge and agree that as of the Effective Date there is no formal development schedule for the development of the PUD Property. Owner intends for the development of the PUD Property to be a multiple phase development as

currently contemplated on the Amended Concept Development Plan, each of which phases shall include the associated Infrastructure Improvements within and necessary to serve each such phase. Owner contemplates that there will be no more than five (5) phases for the development of the PUD Property including Parcel I, Parcel II.A and the Modified Remaining Parent Parcel. The City acknowledges and agrees, however, that Owner shall be afforded maximum flexibility in the sequencing and phasing of the development of the PUD Property to attract investment and end users consistent with the Amended Concept Development Plan. The sequence, timing and designation of which part of the PUD Property is to be developed and, accordingly, each phase of the development of the PUD Property, and the uses to be included in the respective PDP, shall be determined by Owner, in Owner's sole discretion, but shall be subject to the terms of this Agreement. If Owner changes or modifies any phase of the development of the PUD Property after Owner previously designated the same, each such modified phase of the development must include the associated Infrastructure Improvements within and necessary to serve such phase, so that it can operate without the use of any other Infrastructure Improvements on any other portion of the PUD Property, and each such modified phase shall comply with the Development Standards and Troy's Zoning Ordinance. At any time that Owner elects in Owner's sole discretion, Owner shall be permitted to apply for all approvals relating to the construction and development of any portion or phase of the PUD Property that Owner elects in Owner's sole discretion to develop including PDP approval and FDP approval, and the City shall be obligated to promptly review and process such requests for approval when requested by Owner as provided for under the PUD Regulations. After Owner has

obtained all necessary approvals to commence construction or development of any portion or phase of the PUD Property, Owner shall be permitted, but is not required, to commence construction and development of any such portion or phase of the PUD Property at any time that Owner elects in Owner's sole discretion, and the City shall be obligated to promptly review and process any requests relating thereto when requested by Owner as provided for under the PUD Regulations.

28. The City recognizes that the Permitted Uses, the property lines, the boundaries of any phases, or any other attributes, characteristics or features described in or shown on the Amended Concept Development Plan and the Infrastructure PDP may need to change in light of market demand, end-user requirements, development patterns, and other factors outside of the control of Owner. Therefore, except for the maximum densities provided in Paragraph 25 of this Agreement, this Agreement provides Owner with maximum flexibility in design and use to permit and foster a higher quality of development and a better overall project than would be accomplished under conventional zoning without sacrificing established community values, and to permit the Permitted Uses, the property lines, the boundaries of any phases, and any other attributes, characteristics or features described in or shown on the Amended Concept Development Plan and/or the Infrastructure PDP to be enlarged or reduced, at the sole discretion of Owner, so long as Owner complies with the Development Standards. The City Zoning Administrator may allow similar or accessory uses to the Permitted Uses within each development area. For purposes of this Agreement and consistent with Troy's Zoning Ordinance, the term "accessory uses" shall mean uses that are supplemental or

subordinate to the principal building on a parcel of land or development area and shall be on the same parcel of land or development area as the principal building, structure or use they serve.

29. Modifications regarding the density (but not to exceed the maximum densities set forth in Paragraph 25 of this Agreement), mix of types of buildings, number of units per buildings shall be permitted under this Agreement to allow Owner flexibility and as may be reasonably necessary to comply with the applicable Troy Ordinances, laws and regulations. Owner shall have the right, in its sole discretion, to modify interior floor plans subject to compliance with all other Troy Ordinances. Minor or ordinary course modifications to the PUD Documents resulting from engineering considerations, site conditions, or other governmental requirements may be processed and approved by the City Zoning Administrator or his or her designee whose approval will not be unreasonably withheld, delayed or conditioned, and any such approved modifications shall not require an amendment to this Agreement.

30. All improvements to be constructed by Owner on the PUD Property shall comply with all building codes, except that if there are conflicts between the building codes and the terms of this Agreement, the terms of this Agreement shall control.

31. It is understood by the Parties that any proposed PDP may deviate from some of the requirements of Troy's Zoning Ordinance. Each requested deviation from Troy's Zoning Ordinance shall be expressly identified in each such proposed PDP submittals for the PUD Property. If the City approves a PDP, then the identified deviations

of Troy's Zoning Ordinance which are incorporated into the approved PDP shall also be deemed approved.

32. The Community Development Director or his or her designee may administratively approve accessory structures and/or use(s) for the PUD Property that is/are not otherwise designated on the PDP or FDP. Such accessory structures and/or uses may include accessory structures for the outdoor sale of merchandise or food, such as a kiosk. Owner shall otherwise comply with any County or State or local regulations concerning the sale of food in any such accessory building.

33. Other than as expressly provided for in this Agreement, the City shall not require any additional land use related permits or approvals for the development of the PUD Property in accordance with this Agreement, such as site plan approval under Article 8 of Troy's Zoning Ordinance, special land use approval under Article 9 of Troy's Zoning Ordinance, or variances under Article 15 of Troy's Zoning Ordinance.

34. Owner shall construct and install improvements and/or connections tying into the municipal water and sanitary sewer systems, consistent with the applicable FDP. Such improvements shall be designed and constructed in accordance with the applicable FDP that has been approved by the City Council or such other applicable governmental authority who is required to approve such FDP, approved engineering construction plans, Troy's Zoning Ordinance and all other applicable Oakland County, Michigan and State of Michigan standards, codes, regulations, ordinances and laws. Consistent with the applicable FDP that has been approved by the City Council or such other applicable governmental authority who is required to approve such FDP, all water and sanitary system

improvements that are so required shall be completed in connection with the construction of the buildings to be erected in the applicable phase and shall be completed, approved and dedicated to and accepted by the City, if required, to the extent necessary to service all proposed and existing facilities, structures and uses within such phase to be served thereby.

35. Owner shall, at its sole expense, construct and install storm water and retention and/or detention systems consistent with the applicable FDP that has been approved by the City Council or such other applicable governmental authority who is required to approve such FDP. Such improvements shall be designed and constructed in accordance with the applicable FDP that has been approved by the City Council or such other applicable governmental authority who is required to approve such FDP, approved engineering construction plans, Troy's Zoning Ordinance and all other applicable Oakland County, Michigan and State of Michigan standards, codes, regulations, ordinances and laws. Consistent with the applicable FDP that has been approved by the City Council or such other applicable governmental authority who is required to approve such FDP, all storm water and retention and/or detention system improvements that are so required shall be completed in connection with the construction of the buildings to be erected in the applicable phase and shall be completed, approved and dedicated to and accepted by the City, if required, to the extent necessary to service all proposed and existing facilities, structures and uses within such phase to be served thereby.

36. Owner shall dedicate all water mains and sanitary sewer mains within the PUD Property to the City and, in connection therewith, shall grant in the Declaration or otherwise grant to the City mutually acceptable easements for the maintenance, repair and

replacement of all sanitary sewer and water lines. Following the installation of such lines, Owner's project engineer shall notify the City that such lines have been installed, and the City shall promptly inspect such lines. The City shall approve such lines so long as they have been installed in accordance with the engineering plans approved as part of the applicable Final Development Plan. Following the City's inspection and approval of such lines, the City shall accept the dedication of such lines to the City as public improvements.

37. Notwithstanding anything contained in this Agreement to the contrary, subject to approval by the Oakland County Road Commission, the parties acknowledge that the offsite traffic improvements described on **Exhibit I** attached hereto which are to be performed with respect to the portions of Big Beaver Road, Coolidge Highway and Cunningham Drive that are located adjacent to and along the PUD Property as described and shown on **Exhibit I** attached hereto (the "Offsite Traffic Improvements") are the only offsite traffic improvements that are required to be completed in connection with the development of the PUD Property. The Offsite Improvements will be completed by Owner at Owner's sole cost.

38. Except as otherwise provided by this Agreement and the FDP that has been approved by the City Council or such other applicable governmental authority who is required to approve such FDP, the Parties acknowledge and agree that Owner will have the right to develop the PUD Property in incremental phases as necessary to support the improvements contemplated by each PDP submittal including, without limitation, the installation of Infrastructure Improvements pursuant to the Infrastructure PDP, interior roadways and parking facilities. The specifics of the proposed phasing will be determined

by Owner in Owner's sole discretion and identified upon submittal to the City of each Preliminary Development Plan submitted in connection with the development of the PUD Property, provided, that Owner shall not be obligated to install any infrastructure, utilities and/or parking facilities beyond that which are mutually determined necessary to support the improvements contemplated by such PDP submittal. The City acknowledges and agrees that Owner, or its successor(s), may determine that more than one PDP and FDP will be submitted to complete the development of the PUD Property. The sequence, timing and designation of which part of the PUD Property is to be developed, and the uses to be included in the respective PDP, shall be determined by Owner, in its sole discretion, but shall be subject to the terms of this Agreement and the FDP that has been approved by the City Council or such other applicable governmental authority who is required to approve such FDP.

39. The City shall grant to Owner and its contractors and subcontractors all City permits and authorizations necessary to modify the existing utilities including electric, telephone, gas, cable television, water, storm and sanitary sewer to the PUD Property and to otherwise develop and improve the PUD Property in accordance with this Agreement and the FDP that has been approved by the City Council or such other applicable governmental authority who is required to approve such FDP, provided, that Owner has first made all requisite applications for permits, complied with the requirements for such permits, and paid all required fees. Any applications for permits from the City will be processed in the customary manner. The City will fully cooperate with Owner in connection with Owner's applications for any necessary county, state, federal or utility

company approvals, permits or authorizations to the extent that such applications and/or discussions are consistent with the Concept Development Plan and this Agreement.

40. All signage for the PUD Property will comply with Title VIII, Chapter 85, known as the City of Troy Sign Ordinance that is in effect as of the Effective Date which is attached hereto as Exhibit J.

41. Notwithstanding anything contained in this Agreement to the contrary, the provisions of this Agreement, Troy's Zoning Ordinance and the PUD Regulations do not apply to, and are not enforceable against, a constitutional corporation as formed pursuant to, and governed by, the Constitution of Michigan of 1963 (a "Constitutional Corporation") with respect only to the first seventeen (17) acres of the PUD Property in the aggregate that any one or more such Constitutional Corporations own; provided, however, that if a Constitutional Corporation at any one time owns more than seventeen (17) acres of the PUD Property in the aggregate, such Constitutional Corporation may, in its sole discretion, designate which portion of the PUD Property that it owns which will constitute the portion of the PUD Property that the provisions of this Agreement, the Troy Ordinances and the PUD regulations will not apply to, and will not be enforceable against, up to but not to exceed seventeen (17) acres in the aggregate. For avoidance of doubt, no portion of the PUD Property in excess of the first seventeen (17) acres that is owned by one or more Constitutional Corporations will be exempt from the provisions of this Agreement, Troy's Zoning Ordinance and the PUD Regulations. Notwithstanding anything contained in this Agreement to the contrary, if a Constitutional Corporation owns any portion of the PUD Property, the total amount of square footage of any office space that is constructed by such

Constitutional Corporation on such portion of PUD Property will be applied to the maximum amount of 500,000 square feet of office space that Owner can develop on the PUD Property pursuant to Paragraph 25 of this Agreement. Upon the request of the City or Owner after a Constitutional Corporation completes the construction of any buildings on any portion of the PUD Property that it owns, such Constitutional Corporation will certify to the requesting party in writing the total amount of office space that has been so constructed by such Constitutional Corporation on such portion of the PUD Property.

42. The parcel splits depicted on the Amended Concept Development Plan are for illustrative purposes only. The parties agree and acknowledge that the Land Division Act, MCL 560.101 et seq. governs and controls the number of remaining and allotted splits for Parcel I, Parcel II.A. and the Modified Remaining Parent Parcel.

43. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original and all of which shall constitute one instrument.

**[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK; SIGNATURES
APPEAR ON FOLLOWING PAGES.]**

**[SIGNATURE PAGE TO AMENDED AND RESTATED PLANNED UNIT
DEVELOPMENT AGREEMENT BETWEEN FORBES/FRANKEL TROY
VENTURES LLC AND THE CITY OF TROY]**

IN WITNESS WHEREOF, each of the undersigned have executed this Amended
and Restated Planned Unit Development Agreement as of the day and year first above-
written.

WITNESSES:

CITY:

CITY OF TROY,
a Michigan municipal corporation

By: _____
Ethan Baker

Its: Mayor

WITNESSES:

CITY:

CITY OF TROY,
a Michigan municipal corporation

By: _____
M. Aileen Dickson

Its: City Clerk

STATE OF MICHIGAN)
) §
COUNTY OF OAKLAND)

This instrument was acknowledged before me on _____, 2025, by
Ethan Baker, known to be the person described in and who executed the foregoing Amended
and Restated Planned Unit Development Agreement and acknowledged before me that
he/she executed the same on behalf of the CITY OF TROY, Michigan, a Michigan
municipal corporation.

Print Name of Notary Public: _____
Notary Public, State of _____, County of _____.
My commission expires: _____.
Acting in the County of _____.

STATE OF MICHIGAN)
) §
COUNTY OF OAKLAND)

This instrument was acknowledged before me on _____, 2025, by M.
Aileen Dickson, known to be the person described in and who executed the foregoing
Amended and Restated Planned Unit Development Agreement and acknowledged before
me that he/she executed the same on behalf of the CITY OF TROY, Michigan, a Michigan
municipal corporation.

Print Name of Notary Public: _____
Notary Public, State of _____, County of _____.
My commission expires: _____.
Acting in the County of _____.

**[SIGNATURE PAGE TO AMENDED AND RESTATED PLANNED UNIT
DEVELOPMENT AGREEMENT BETWEEN FORBES/FRANKEL TROY
VENTURES LLC AND THE CITY OF TROY]**

WITNESSES:

OWNER:

FORBES/FRANKEL TROY VENTURES
LLC, a Michigan limited liability company

By: _____
Name: Nathan Forbes
Its: Authorized Signatory

-and-

By: _____
Name: Stanley Frankel
Its: Authorized Signatory

STATE OF MICHIGAN)
) §
COUNTY OF OAKLAND)

 This instrument was acknowledged before me on _____, 2025, by
Nathan Forbes, known to be the person described in and who executed the foregoing
Amended and Restated Planned Unit Development Agreement and acknowledged before
me that he/she executed the same on behalf of FORBES/FRANKEL TROY VENTURES
LLC, a Michigan limited liability company.

Print Name of Notary Public: _____
Notary Public, State of _____, County of _____.
My commission expires: _____.
Acting in the County of _____.

STATE OF MICHIGAN)
) §
COUNTY OF OAKLAND)

 This instrument was acknowledged before me on _____, 2025, by
Stanley Frankel, known to be the person described in and who executed the foregoing
Amended and Restated Planned Unit Development Agreement and acknowledged before
me that he/she executed the same on behalf of FORBES/FRANKEL TROY VENTURES
LLC, a Michigan limited liability company.

Print Name of Notary Public: _____
Notary Public, State of _____, County of _____.
My commission expires: _____.
Acting in the County of _____

TABLE OF EXHIBITS

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EXHIBIT A

Legal Description of the Original PUD Property

[See attached.]

LIBER 39703 PG 528

EXHIBIT "A"Legal Description for PUD Property

PARCEL I: (Part of Tax I.D. No.: 20-19-430-002)
Commencing at the Southeast Corner of Section 19, T2N, R11E, City of Troy, Oakland County, Michigan; thence N00°01'30"W 1240.08 feet along the East line of said Section 19; thence S89°30'00"W 60.00 feet for a PLACE OF BEGINNING; thence S89°30'00"W 1007.36 feet along the North right-of-way line of Cunningham Drive (100.00 feet wide); thence continuing 24.33 feet along the arc of a 285.00 foot radius circular curve to the left, with a central angle of 04°53'29", having a chord which bears S87°03'17"W 24.32 feet along the North right-of-way line of said Cunningham Drive; thence N00°01'30"W 537.20 feet; thence N89°49'05"E 631.62 feet along the South line of "Sheffield Manor Subdivision" as recorded in Liber 142, Pages 22-24, Oakland County Records; thence S00°01'30"E 88.57 feet; thence N89°58'30"E 400.00 feet; thence S00°01'30"E 440.77 feet along the West right-of-way line of Coolidge Highway (120.00 feet wide) to the Place of Beginning, containing 11.81 acres of land, more or less. Being subject to easements, conditions, exceptions and restrictions of record, if any.

DESCRIPTION OF PARCEL II: (Tax I.D. No.: 20-19-476-001)
Commencing at the Southeast Corner of Section 19, T2N, R11E, City of Troy, Oakland County, Michigan; thence N00°01'30"W 120.00 feet along the East line of said Section 19; thence S89°30'00"W 60.00 feet for a PLACE OF BEGINNING; thence S44°48'54"W 42.60 feet; thence S89°30'00"W 903.00 feet; thence N00°01'30"W 12.00 feet; thence S89°30'00"W 227.00 along the North right-of-way line of Big Beaver Road (204.00 feet wide); thence N45°15'40"W 42.22 feet; thence N00°01'30"W 824.57 feet along the East right-of-way line of Cunningham Drive (100.00 feet wide); thence along the Southeasterly right-of-way line of said Cunningham Drive 289.06 feet along the arc of a 185.00 foot radius circular curve to the right, with a central angle of 89°31'26", having a chord which bears N44°44'15"E 260.54 feet; thence N89°30'00"E 1006.55 feet (recorded as 1006.53 feet) along the South right-of-way line of said Cunningham Drive; thence S00°01'30"E 1020.06 feet (recorded as 1020.04 feet) along the West right-of-way line of Coolidge Highway (120.00 feet wide) to the Place of Beginning. EXCEPTING that part of Parcel II described as follows: Commencing at the Southeast Corner of Section 19, T2N, R11E, City of Troy, Oakland County, Michigan; thence N00°01'30"W 120.00 feet along the East line of said Section 19; thence S89°30'00"W 60.00 feet; thence S44°48'54"W 25.53 feet for a PLACE OF BEGINNING; thence continuing S44°48'54"W 17.07 feet; thence S89°30'00"W 903.00; thence N00°01'30"W 12.00 feet; thence N89°30'00"E 915.03 feet along the Northerly right-of-way line of said Big Beaver Road to the Place of Beginning. Said parcel, less its exception contains 28.18 acres of land, more or less. Being subject to easements, conditions, exceptions and restrictions of record, if any.

EXHIBIT B

Amended Concept Development Plan

[See attached]

Project Vision

Somerset Collection West is intended to build on the rich heritage of the Somerset Collection and the Big Beaver Corridor.

With a strong sense of place and a mix of uses, Somerset West will be a unique destination for the local community, and the region.

A distinctive environment that focuses on walkability, open space, connectivity, and beautiful landscaping will highlight a blend of architecture consistent with the Somerset aesthetic.

Somerset West will be a regional destination supported by all aspects of good planning, unique architecture, open space, and sustainability to attract year-round activity and living.

Executive Summary

Somerset Collection West will be a destination for the local and regional communities alike. A mix of uses, including a world-class medical facility, highly amenitized residential living, food and beverage options and support services, will highlight the parcel of land formerly known as the Kmart Headquarters.

A carefully blended mix of medical office, residential, hospitality, service retail, food and beverage and health & wellness, will be a source of pride for local residents and the broader community.

This exemplary development promises to build on the rich history of the Somerset Collection and will certainly provide a stimulus to the Big Beaver Corridor. An increased tax base and a wide range of job opportunities, living options combined with the re-birth of an obsolete property will highlight the continuation of the development of the Big Beaver Corridor.

Somerset West will provide the City of Troy an unparalleled development that will include:

- Walkability for local residents and year-round community activities.
- Open space for residents, employees, and the community to enjoy.
- A mix of uses will highlight a generous amount of green space.
- Somerset West will be a catalyst for future investments and set a benchmark for further development along the Big Beaver Corridor.

Somerset West is designed to take advantage of its premier location by building a mix of uses in a highly intended active blend of open space connecting all its uses at urban/suburban scale.

Amenities

A world-class healthcare facility developed by University Michigan Medicine, which is their first endeavor into Oakland County. University of Michigan Medicine currently does not have a facility east of I-275, this facility will service Oakland County and save patients countless hours of not having to travel to and from Ann Arbor. It will also provide much needed employment opportunities for highly educated and a highly skilled workforce. The site will be a walkable live, work, and play community with a generous park and open spaces. The park will have unlimited programming opportunities and over an acre of green space, it will serve as a meeting place for many. The site will have world class landscape design, contemporary street and pedestrian lighting and public seating. Residential components will complement the medical facility and consist of several opportunities of best in class rental units and for sale units. Best in class dining will complement the Somerset Collection to the east with outdoor dining opportunities and generous sidewalks to contribute to a world class develop.

Land Use

Somerset West PUD provides a wide variety of uses arranged horizontally and vertically to ensure compatibility with the PUD and the adjacent neighbors. A community park setting with pedestrian access surrounded by medical treatment facility and office, retail shops, offices, restaurants, fitness center, hotel, and residences of varying types. Uses shall be located in appropriate locations on the site, per the Use Diagram.

Permitted Use

Office Uses (Up to 500,000 square feet)

- General, professional, medical treatment facility, ambulatory care center with multiple medical specialties, and medical offices (including, but not limited to clinics, laboratories, and offices for similar professions, including veterinarians)
- Research facility.
- Financial institutions, such as banks or credit unions, drive through windows are permitted at one facility.
- Publicly owned and operated facility, including post office, libraries, museums, community and meeting, government offices, meeting, facilities, and recreation facilities.
- Schools, including university.
- Similar uses to the above, consistent with the intent of this PUD, as determined by the Planning Commission, provided parking is sufficient.

Retail Uses (Up to 300,000 square feet)

- General and specialty retail, including, but not limited to the following:
- Professional convenience services such as salons, spas, retail dry cleaners.
- Sales of hard and soft goods and other merchandise such as apparel, crafts, electronics, gifts, home furnishing, medical supplies, toys, pharmaceuticals, limited to 20,000 SF per floor.
- Food Stores such as grocery store and specialty or gourmet markets, bakery, flowers shops, shops, nursery, delis, coffee shops, cafés, etc.
- Full-service restaurants, bars, breweries, and distilleries.
- Restaurants – takeout, coffee, shops, ice cream shops, deli, or café (drive-through windows are not permitted)
- Entertainment uses – cinemas, live theaters, performing arts center, indoor recreation, billiard halls, and dance studios.
- Accessory structures and uses customarily incidental to the listed uses, and otherwise compatible with a pedestrian orientation environment, such as temporary and permanent outdoor pavilions, plazas, outdoor seating, outdoor performance stages, kiosk, sales stands, mobile sales cards, outdoor café, seating, food trucks, to be approved administratively.
- Similar uses to the above, consistent with the intent of this PUD, as determined by the Planning Commission, provided parking is sufficient.

Residential Uses (Up to 750 units)

- Multifamily Buildings (Condominiums Apartments)
- Townhomes and lofts
- Live work units
- Senior housing (independent and assisted-living)
- Similar uses to the above, consistent with the intent of this PUD, as determined by the Planning Commission, provided parking is sufficient.

Hotel Uses (Up to 250 rooms)

- Hotel
- Similar uses to the above, consistent with the intent of this PUD, as determined by the Planning Commission, provided parking is sufficient.

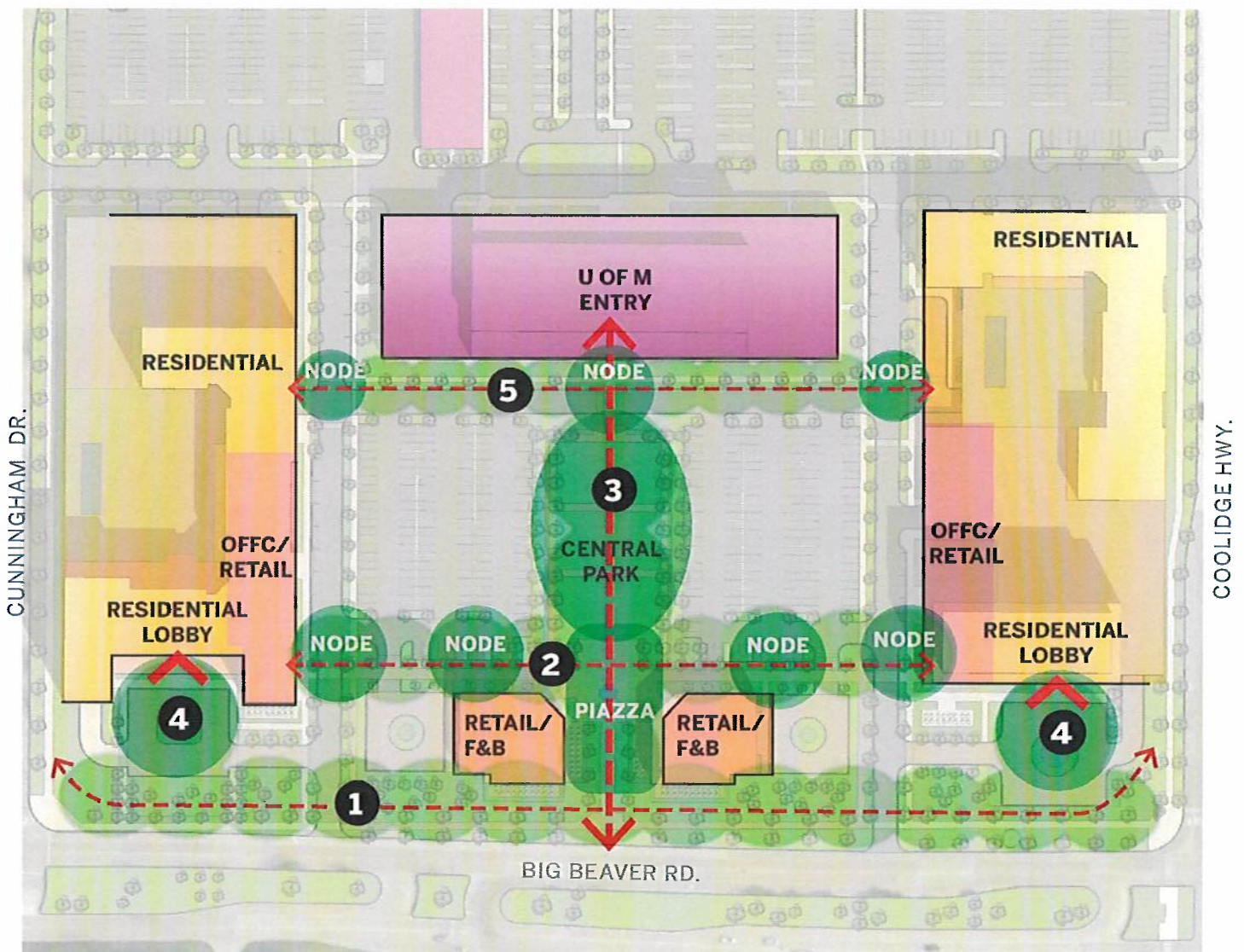
Public Benefit and Public Impact Statement

The Somerset West PUD will offer a best in class healthcare facility by University Michigan Medicine, which is currently not available in Oakland county. The public benefit of a medical facility by the University of Michigan is unmeasurable and will have a positive impact on the health and well-being of hundreds of thousands City of Troy and Oakland County residences. Not to mention the removal of a blighted 975,000 square foot building, parking structure and surface lots. The development will provide increased tax revenue for The City of Troy, Oakland County and The State of Michigan. This development will provide a one of a kind live, work, and play environment not currently found in southeastern Michigan, with best in class for rent apartments, best in class for sale condominium units and best in class dining options.

Design and Place Making

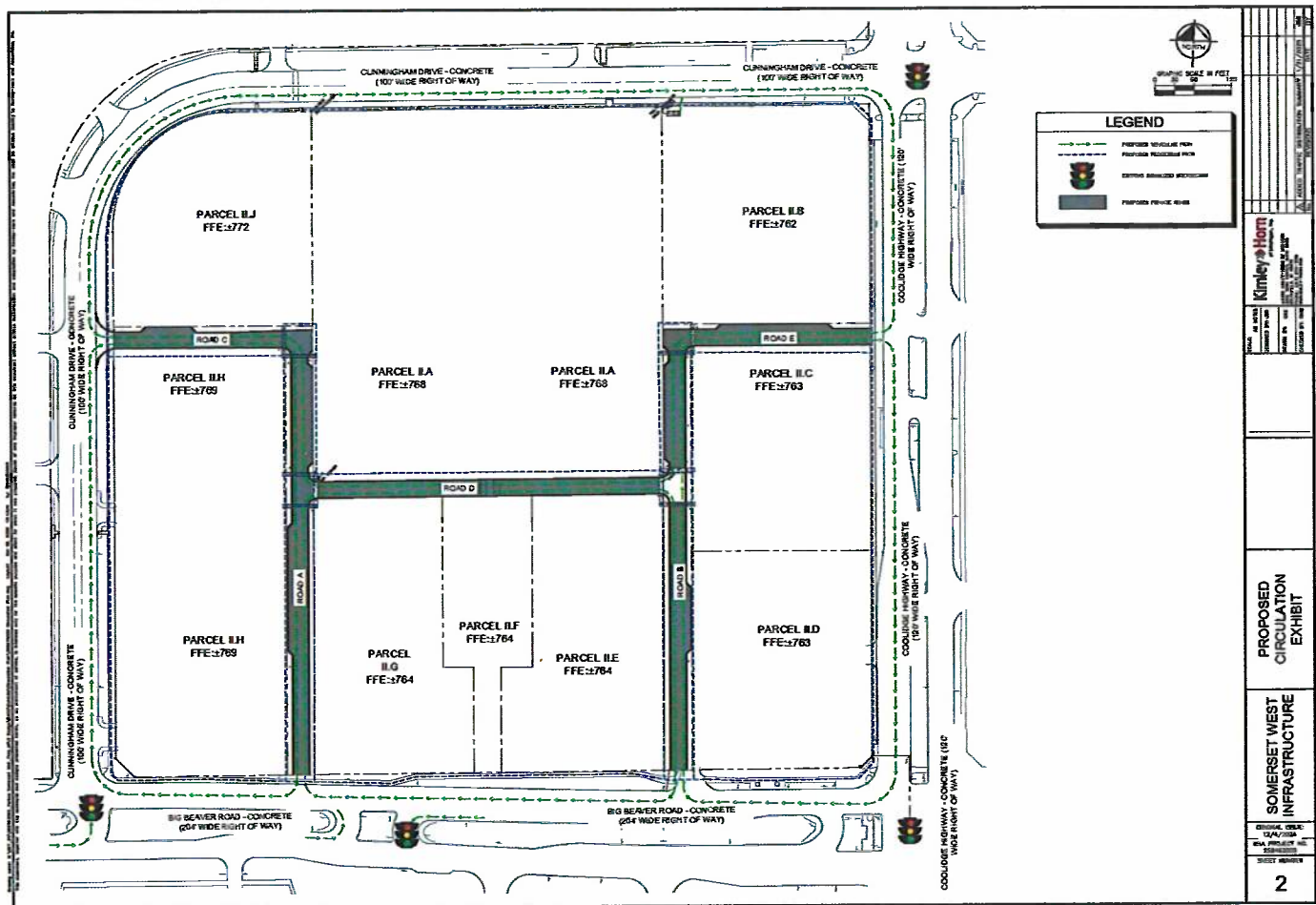
The design ideas of the master plan will focus on creating vibrant “nodes” of activity with an identifiable character. The development allows both residents and guest to meet several daily needs, emphasizing walkability and connectivity.

1. Big Beaver Landscape Corridor
2. Promenade / Restaurant Row – East-West connection with intermediate landscaped nodes and center piazza
3. Central Park / Pedestrian Spine – North-South connection from piazza through central park to university of Michigan medical facility entry
4. Landscaped Drop Off Zones – Residential Drop Off Zones set back from Big Beaver Road
5. Residential Walk – University of Michigan medical facility entry court and east-west residential connector

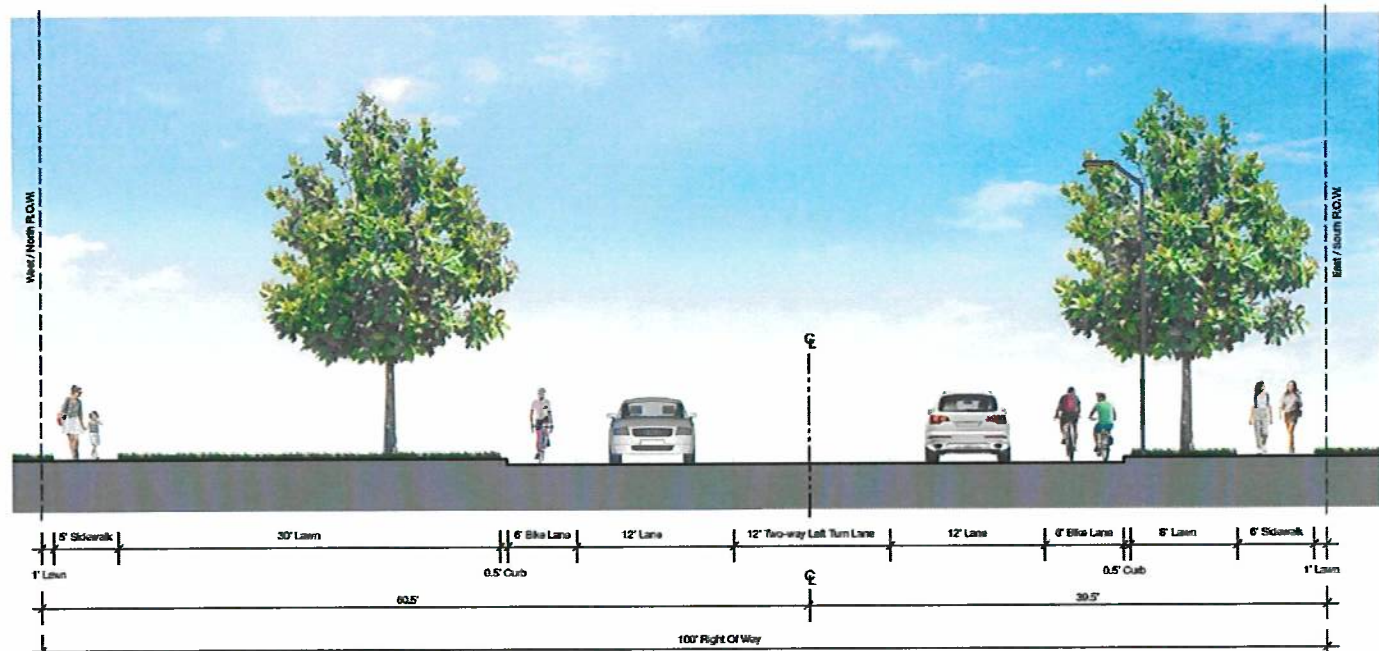
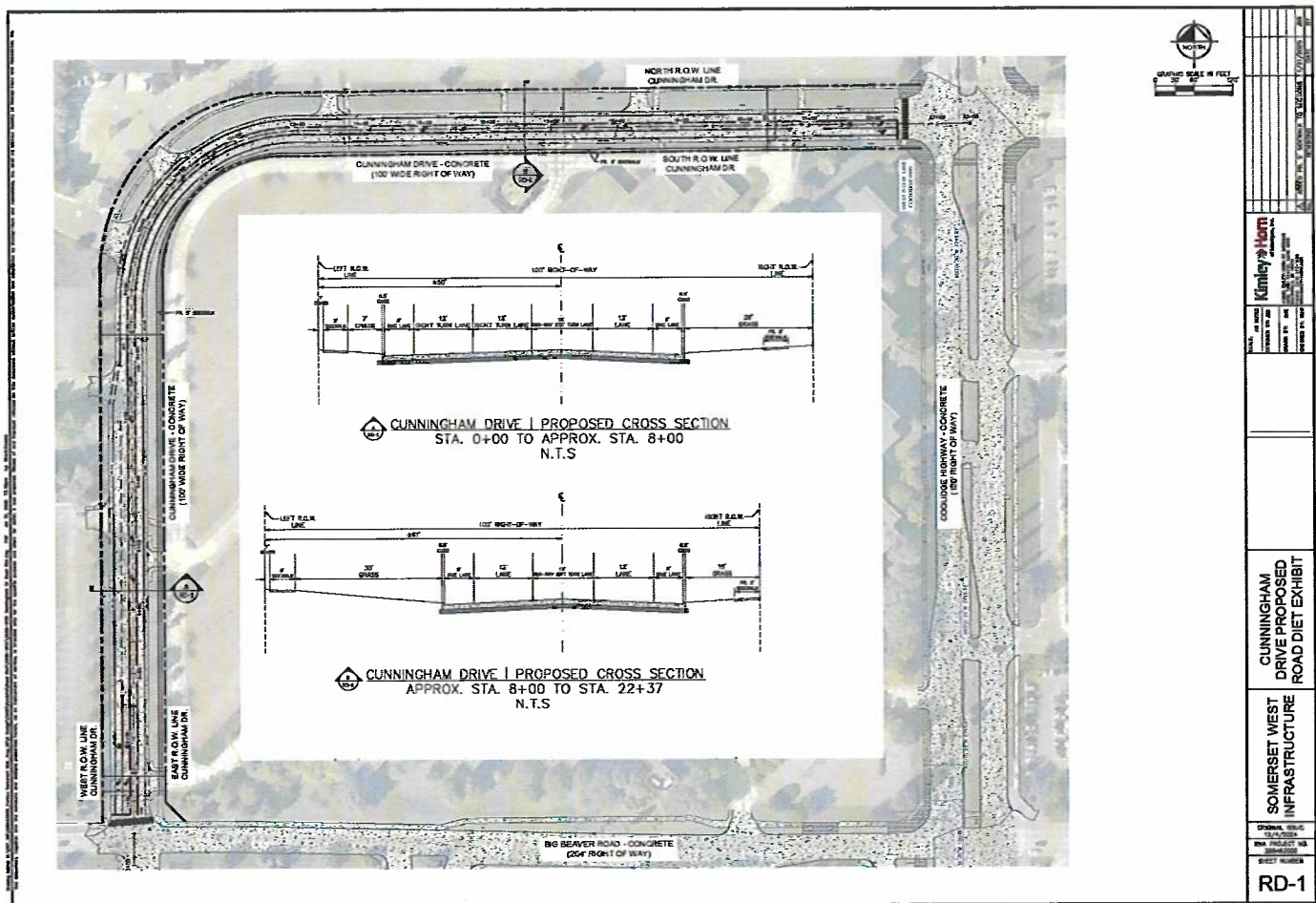


Site Circulation

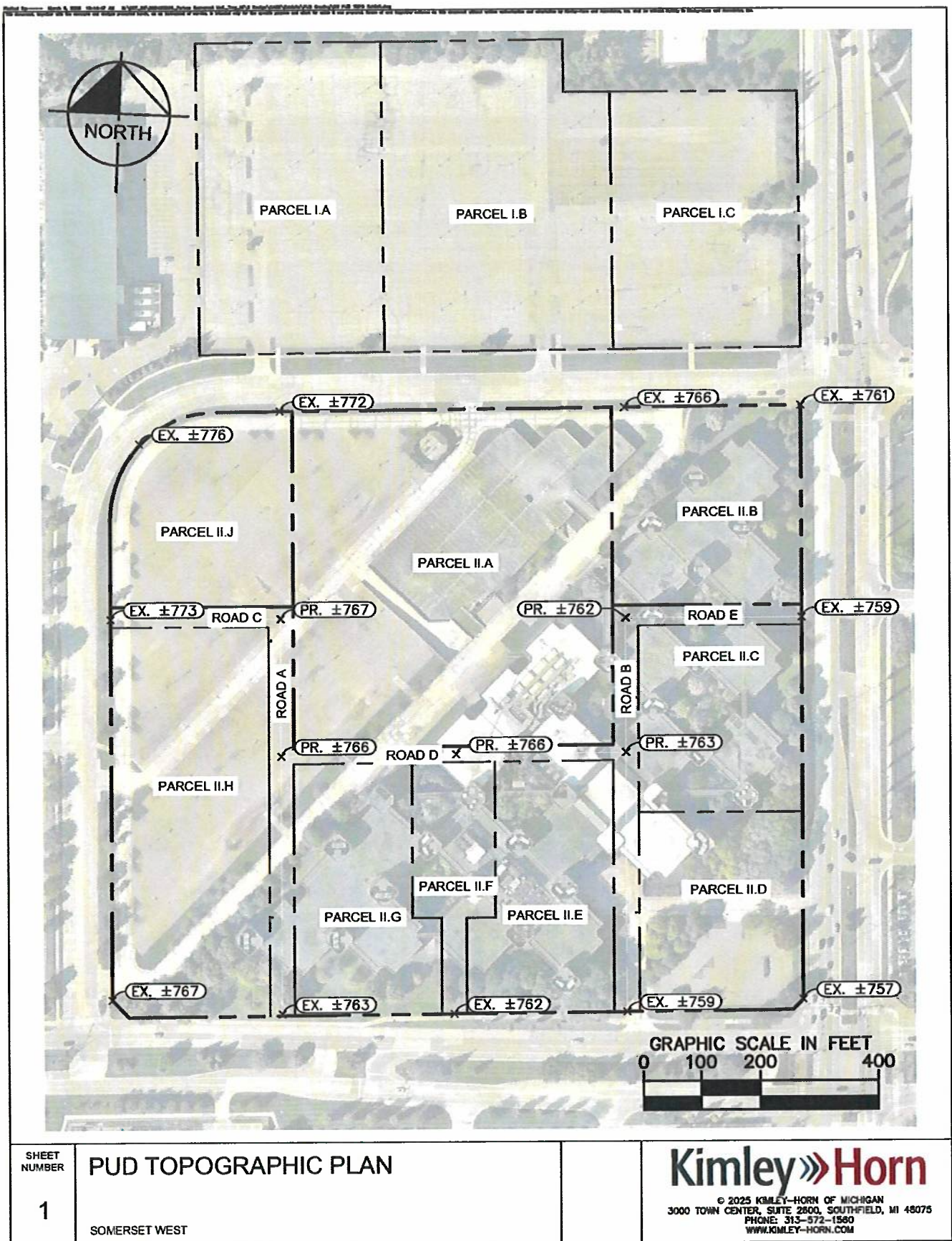
Site-generated traffic is expected to predominantly (80%) approach the site via the Big Beaver corridor. Approximately 20% of site-generated traffic is expected to approach the site via Coolidge Highway. The distribution assumptions are based on a review of surrounding land uses, prevailing traffic volumes/patterns, characteristics of the street system, and the ease with which motorists can travel over various sections of that system. The internal site circulation plan provides connectivity between uses, promotes pedestrian activity, and emphasizes a park environment for residents, employees, and visitors to visit multiple uses in a single trip.



Cunningham Drive Proposed Cross Section



Cross Section B (Above)



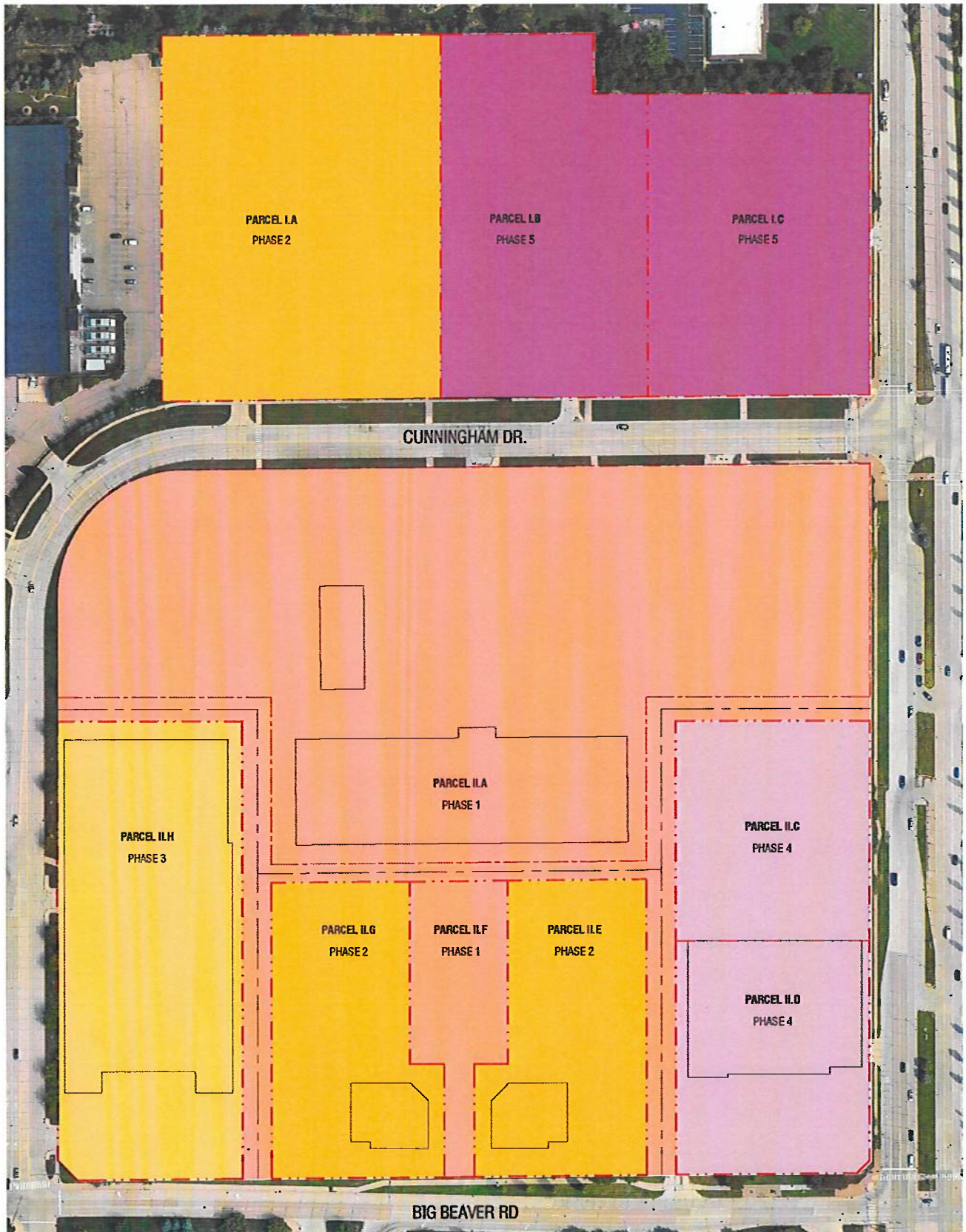


--- Indicates Parcel I.A and II.A are contemplated to be sold to a Constitutional Corporation



Use Diagram

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ELKUS MANFREDI ARCHITECTS › MARCH 7, 2025

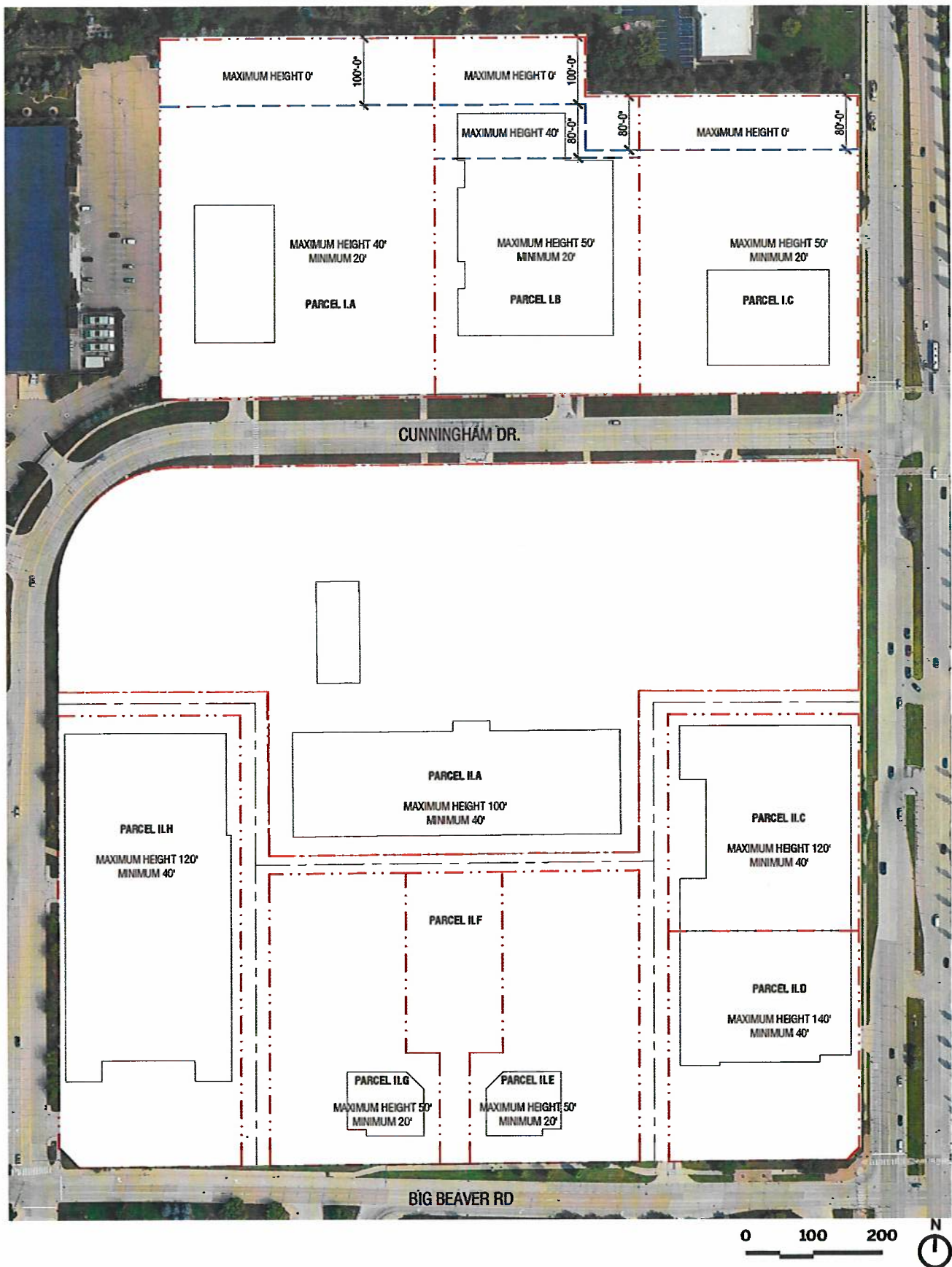


- Phase 1 (Applicant seeks concurrent PDP Approval for Phase 1 with CDP Approval)
- Phase 2 Phase 3 Phase 4 Phase 5



Phasing Diagram

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ELKUS MANFREDI ARCHITECTS › MARCH 7, 2025

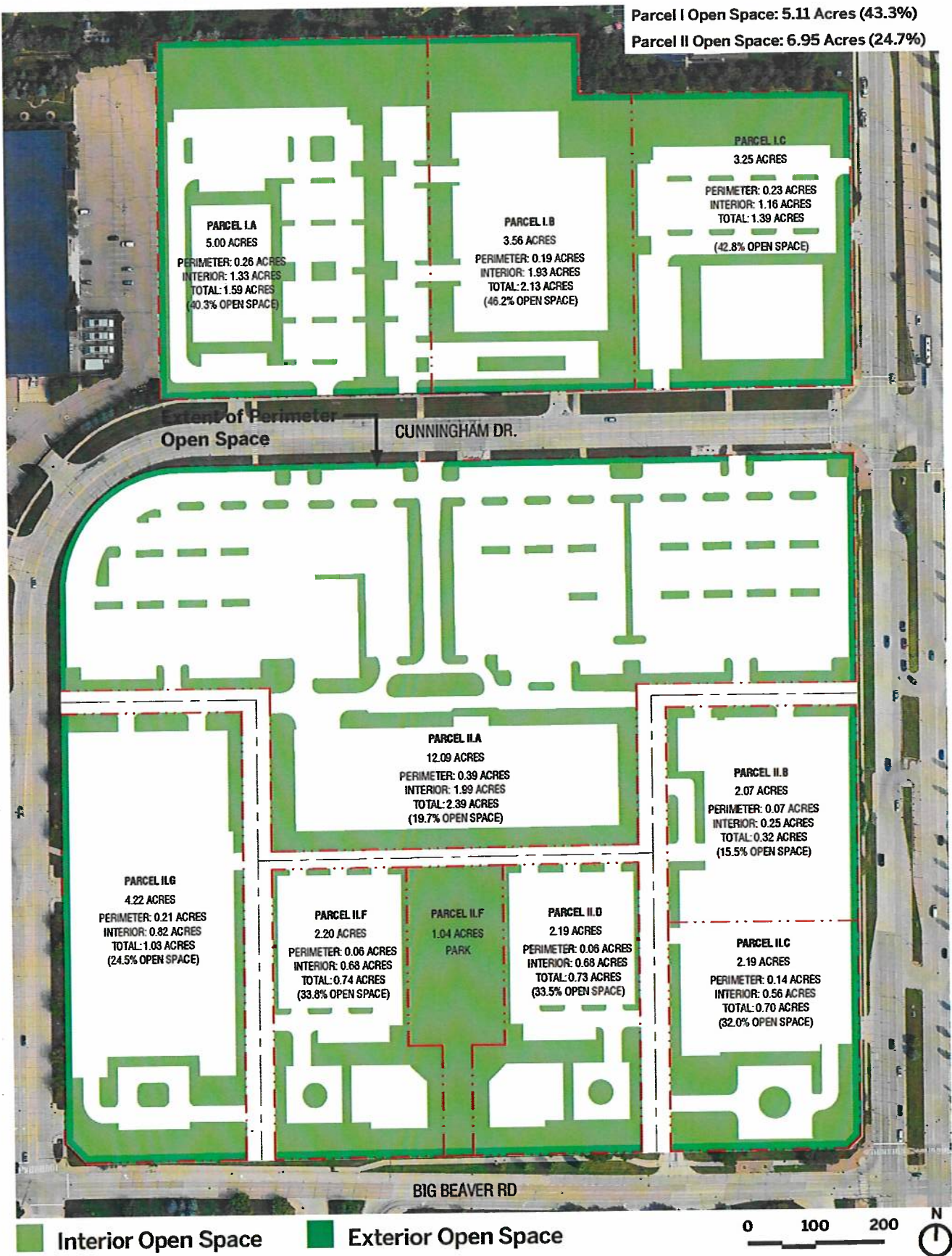


Height Diagram



3D Height Diagram

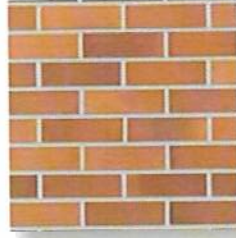
Open Space elements will be provided throughout the entire site. Open Space will exceed the minimum 15% requirement of the Big Beaver Zoning District



Open Space Diagram



**1. Masonry
(Red Brick)**



**2. Masonry
(Brown Brick)**



**3. Masonry
(Charcoal Brick)**



**4. Masonry
(White Brick)**



**5. Cast-In-Place or
Precast Concrete
(Light Gray)**



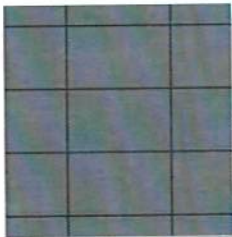
**6. Stone
(Cream)**



**7. Stone
(Light Gray)**



**8. Stone
(Off White)**



**9. Metal
(Gray)**



**10. Metal
(Dark Gray)**



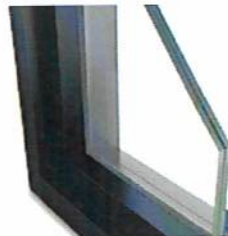
**11. Wood
(Light Brown)**



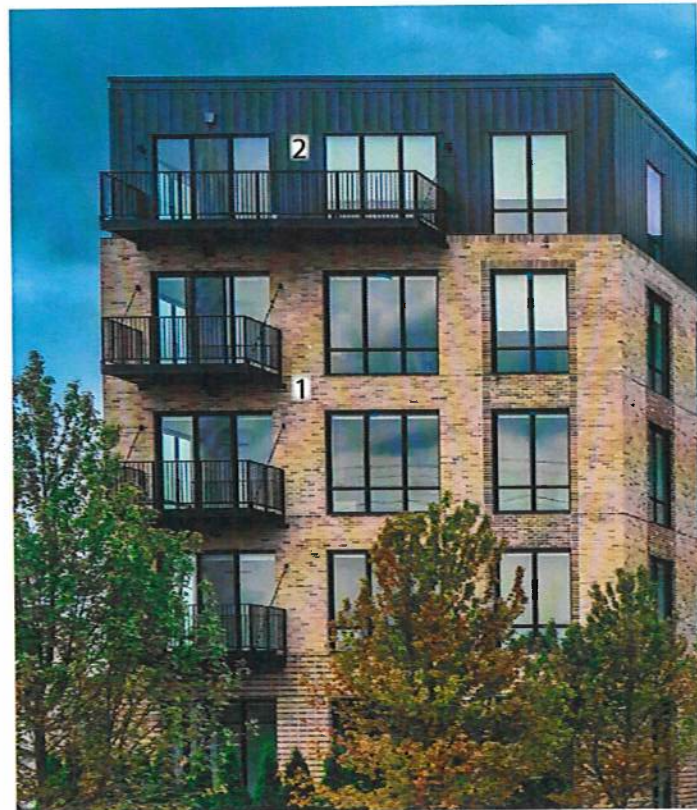
**12. Wood
(Brown)**



**13. Fiber
Cemente**



14. Glass



Architectural Characteristics and Materials

The general architectural character will reflect the fine qualities and traditions in the City of Troy and neighboring communities. Each structure will have its own identifying architecture that will work in harmony with buildings throughout the PUD to provide a cohesive and pleasant visual appearance. Building façade characteristics will offer a high degree of three dimensionality; scale and proportions suitable for each use; shade and shadow; and textures found in best-in-class architecture.

Building architecture to comply with the Big Beaver Corridor standards, however the City Council based on recommendations from the Planning Commission may waive certain requirements in lieu of good architectural design and quality materials.

Note Key:



1. Masonry



2. Metal



3. Glass

Note Key:

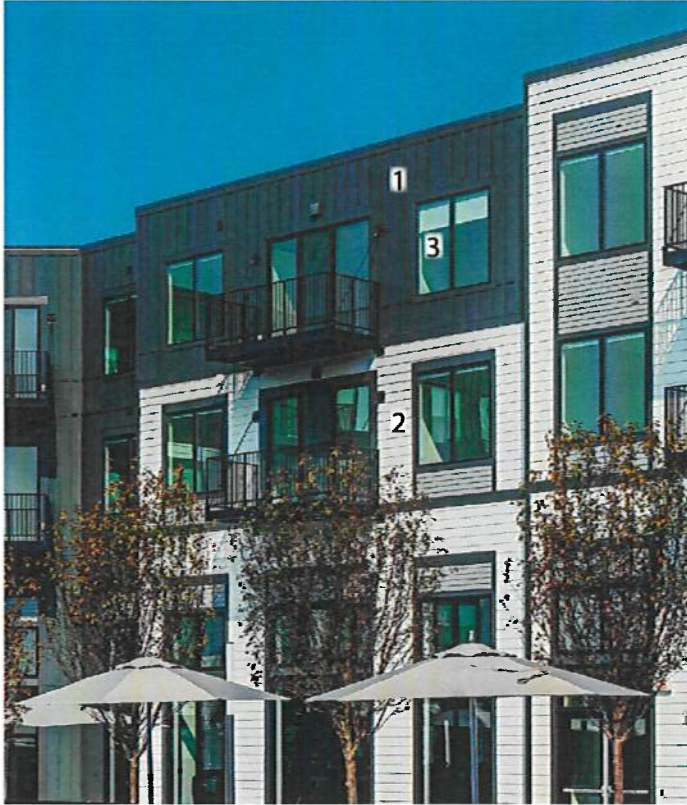


1. Masonry



2. Metal

Architectural Characteristics



Note Key:



1. Metal



2. Fiber Cement



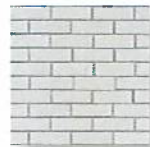
3. Glass



Note Key:

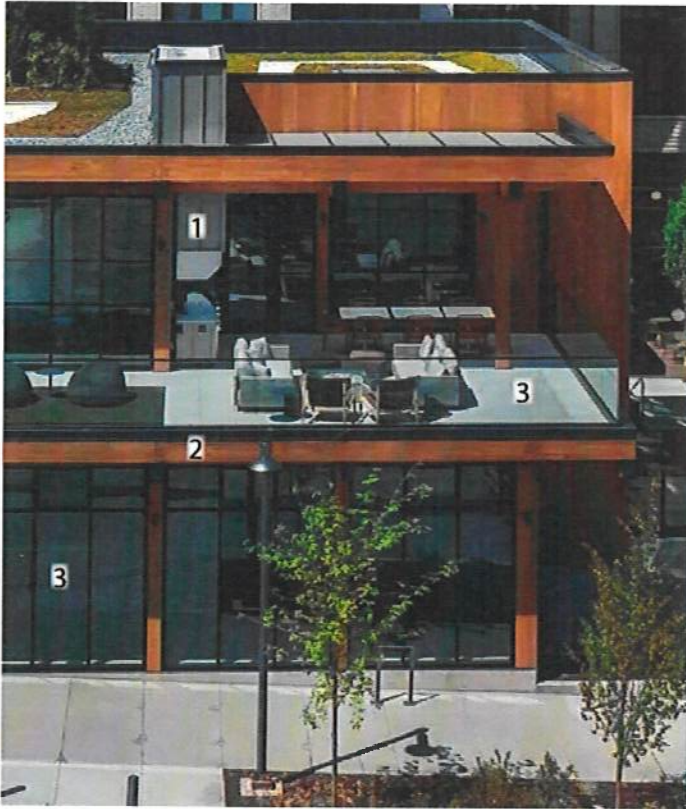


1. Masonry



2. Glass





Note Key:



1. Metal



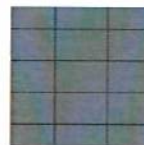
2. Wood



3. Glass



Note Key:



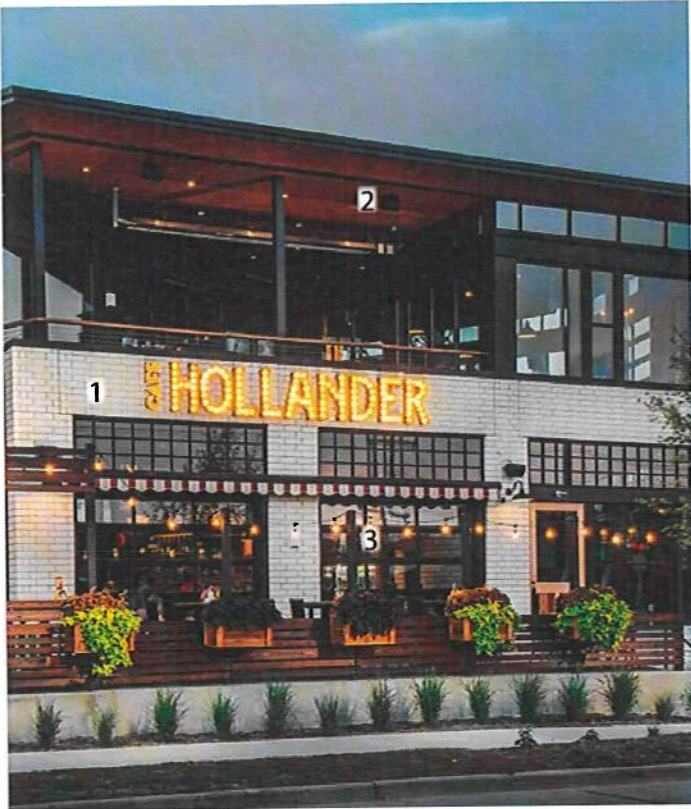
1. Metal



2. Glass

Architectural Characteristics

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Note Key:



1. Masonry



2. Wood



3. Glass



Note Key:



1. Precast
Concrete



2. Glass

Architectural Characteristics

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Aerial Looking Northwest



Aerial Looking North

Overall Views

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Aerial Looking North



Pedestrian Spine Looking North

Center Pedestrian Spine Views

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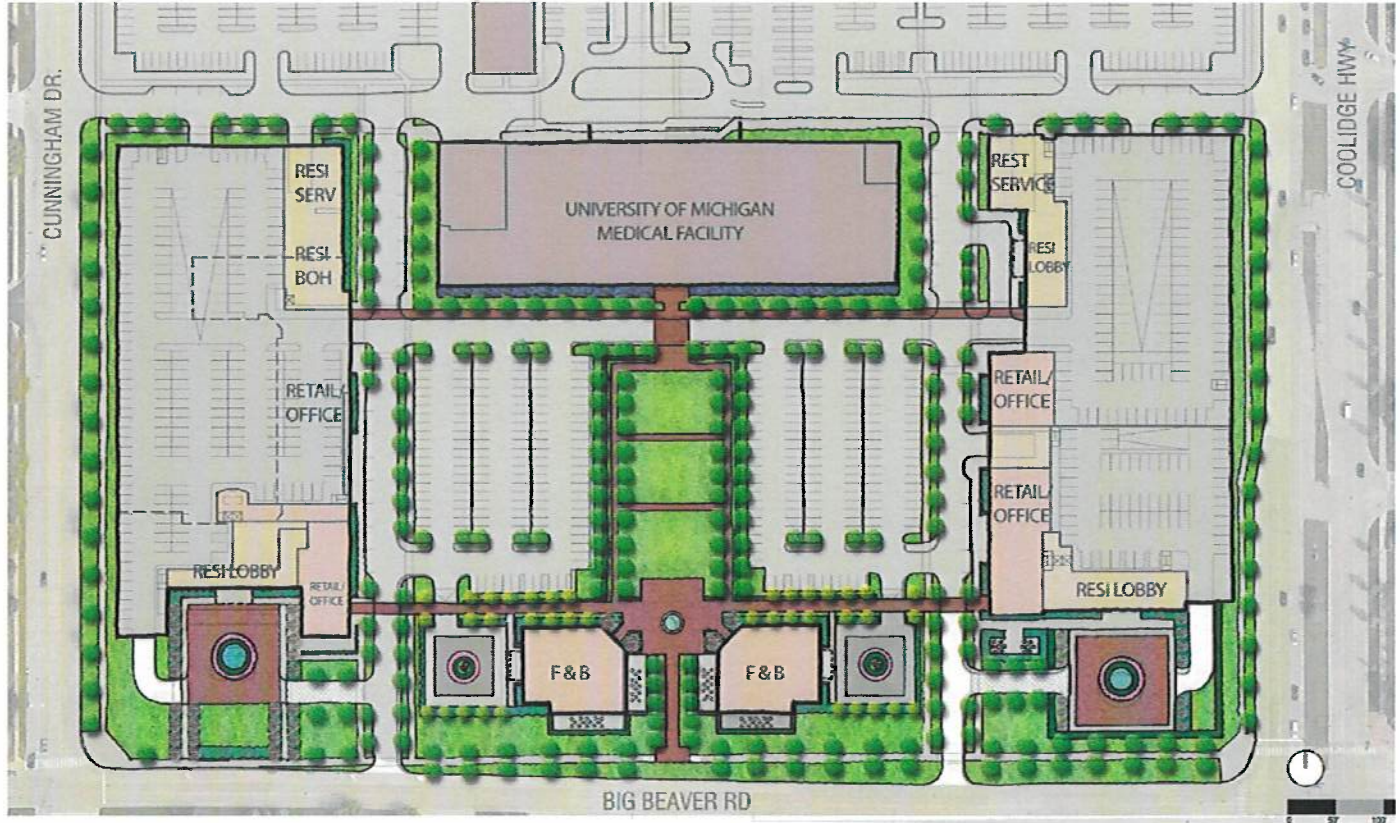
Piazza Looking Northeast



Piazza Looking Southwest

Piazza Views

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Landscape Design Aesthetic

The general landscape design aesthetic throughout the site will be one that is cohesive, unifies the site and complements the architecture. A mix of deciduous shade and ornamental trees, evergreen trees, shrubs, perennials, annuals, and groundcovers will be utilized to provide an organizing framework with seasonal interest throughout the site.



Plant Material

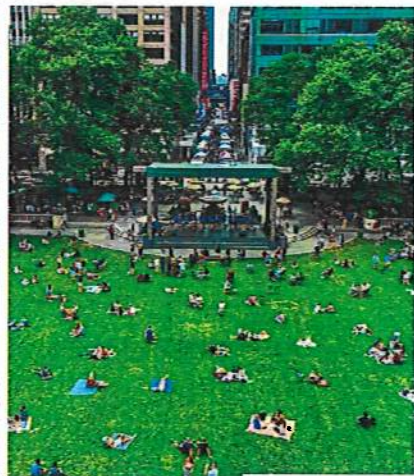
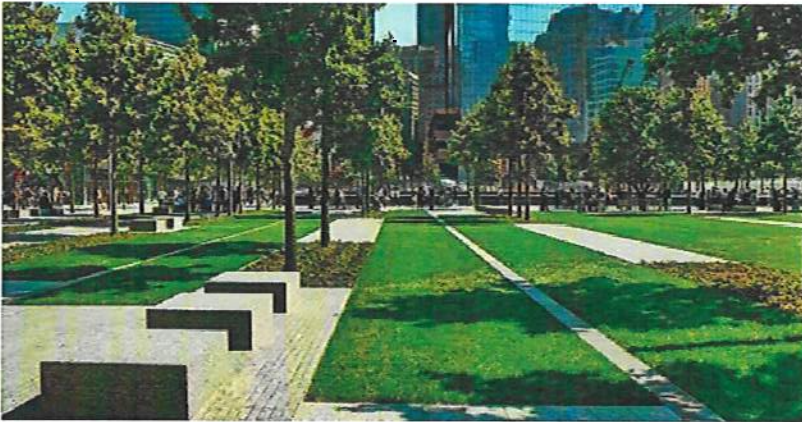
Evergreen and/or deciduous hedges will be incorporated to screen potentially objectionable views into parking lots and service areas and help define pedestrian / vehicular zones. Various plant types will be included to complement the character of the buildings. The landscape will include plant materials that are hardy to the Midwest region, utilizing native plants where appropriate. Planting materials will be specified to help conserve water.

Tree and shrub sizes will meet or exceed the minimum city standards. The size, quantity and spacing will be appropriate for the location in the initial placement and its projected appearance at maturity.



Open Park Space

A central open park space will be provided within the development to provide opportunities for residents, business employees, and visitors as well as the general public to enjoy a moment of respite during the day or experience a multitude of programmed or non-programmed activities during the evenings and /or weekends. The large, central, open park area will allow for flexibility in programming and usage of the park. The park will consist of appropriately scaled pedestrian walkways, lighting and trees for shade and scale. A hedge will line the outside perimeter of the park to help define the edges between pedestrian and vehicular zones as well as screen views into the adjoining parking lots. Both intimate as well as more interactive seating opportunities will also be incorporated throughout the park.



Site Furnishings

Pedestrian scaled site furnishings will be located strategically throughout the site and align with other elements along the streets and within the park. Seating will be durable, comfortable, attractive, anchored, and easy to maintain. A variety of bench types, low seat walls or other seating types will be provided in public and common spaces. Trash receptacles will be conveniently located near benches and other activity nodes, but not immediately adjacent to seating. Trash receptacles, bike racks and other potential site amenities will be of similar product family or style and will be complementary with the street lighting.



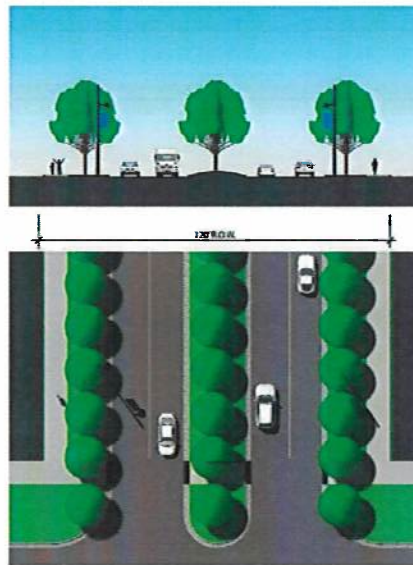
Greenbelts

Greenbelt landscape will be provided along Big Beaver Rd., Coolidge Highway, and Cunningham Drive per city ordinance. These greenbelts will be developed to follow the intent of The Big Beaver Design Guidelines and provide visual relief and interest for the development.

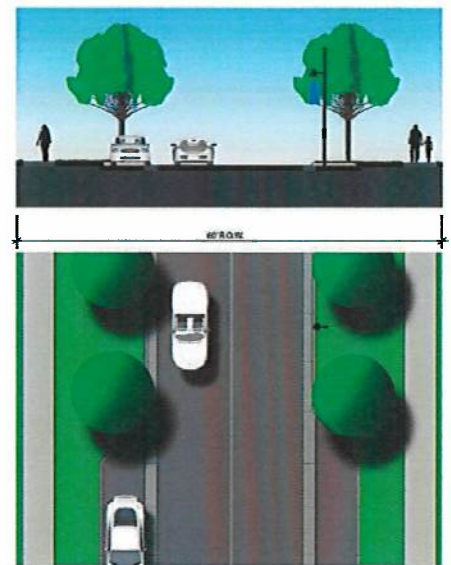
- **Big Beaver (Primary Corridor A - 204' ROW)**- A double row of large shade trees will line both sides of the widened sidewalk along the north side of Big Beaver to help create a unified aesthetic along Big Beaver, toward transforming the road into a world-class blvd.
- **Coolidge Highway (Arterial Road - 120' ROW)** – A single row of large, shade trees to help buffer, soften and scale down the buildings and parking deck will line Coolidge Highway. Shrub plantings will be installed along the base of the buildings and parking deck to soften and present a more pedestrian scale feel along the roadway and sidewalk.
- **Cunningham Drive (Collector Road - 60' ROW)** – A single row of large, shade trees to help buffer, soften and scale down the buildings and parking deck will line Cunningham Drive. Shrub plantings will be installed along the base of the buildings and parking deck to soften and present a more pedestrian scale feel along the roadway and sidewalk.



Primary Corridor A



Arterial Road



Collector Road

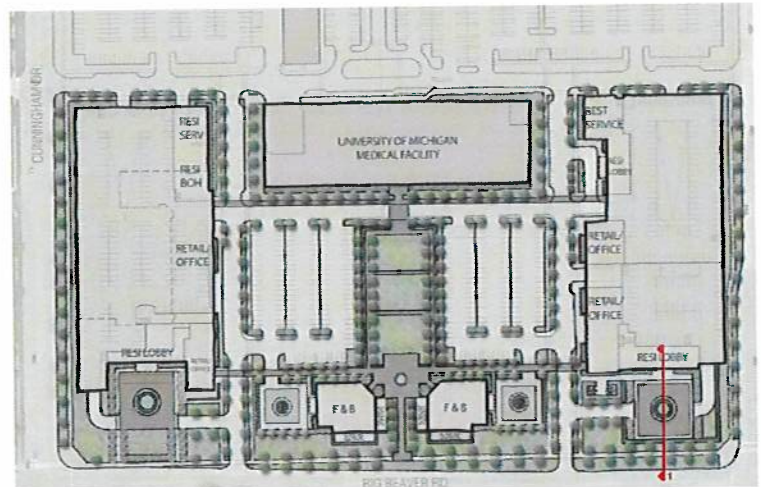
All greenbelts will include appropriately scaled sidewalks, landscaping, lighting, and street amenities consistent with the Big Beaver Design guidelines.

Thoughtful consideration will be used in addressing the views into the site from the major intersections and roadways. Key views into the site will occur at the intersections of Coolidge Highway and Big Beaver Rd. as well as Cunningham Dr. and Big Beaver Rd. to help connect the residential developments to the surrounding community. A purposeful opening in the landscape will also occur mid-block along Big Beaver Rd. to allow for visual and pedestrian connections deep into the site and up to the proposed U of M medical facility.



Note Key:

1. Double Row of Shade Trees in Lawn Along Big Beaver Road
2. 8' Wide Concrete Sidewalk
3. Center Island Landscape - Mix of Evergreen, Deciduous, and Ornamental Plants
4. Low Evergreen Hedge to Screen Parking Areas
5. Shade Trees Along Entry Drive Aisle Beyond
6. Ornamental Building Foundation Plantings



Key Map

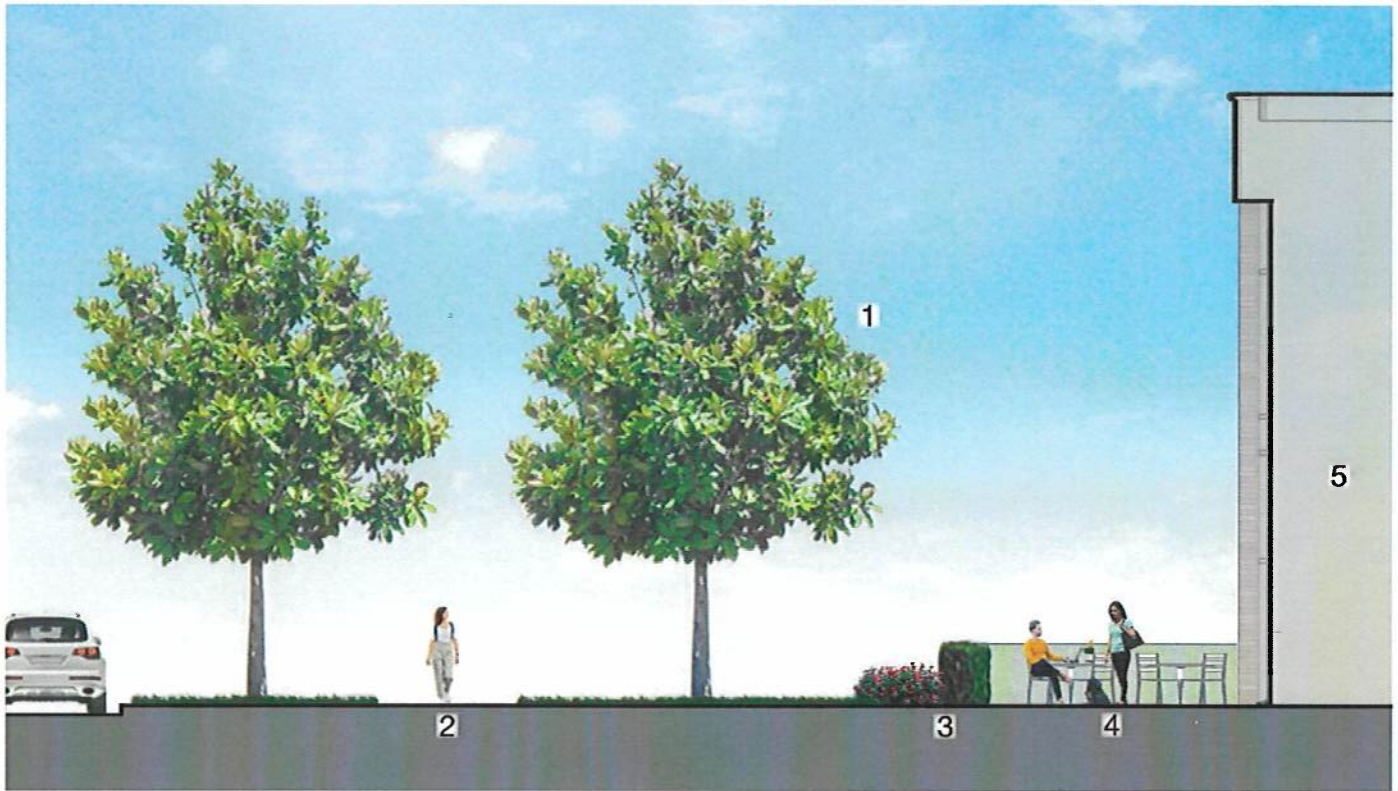
General Note:

All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines

Section 1

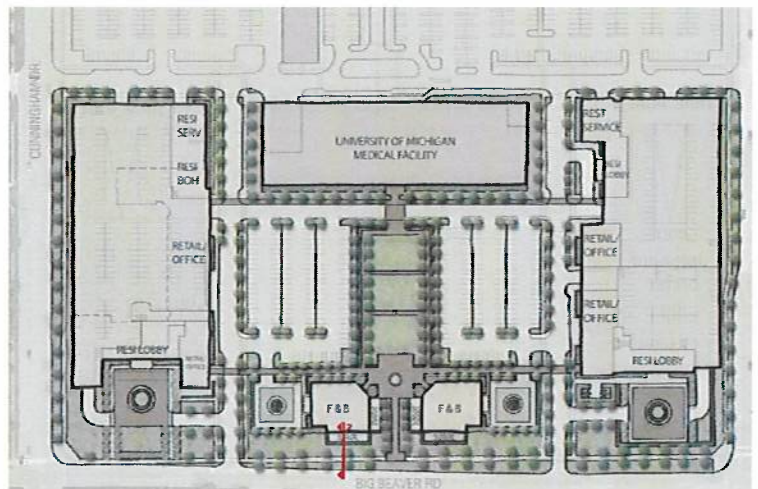
Residential Auto Court | Big Beaver Rd.

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GRISSIM METZ ANDRIESE ASSOCIATES › MARCH 7, 2025



Note Key:

1. Double Row of Shade Trees in Lawn
2. 8' Wide Concrete Sidewalk
3. Evergreen / Deciduous Hedge with Ornamental Foreground Plantings
4. Outdoor Seating / Dining
5. Restaurant



Key Map

General Note:

All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines

Section 2

Restaurant Terrace | Big Beaver Rd.

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GRISSIM METZ ANDRIESE ASSOCIATES › MARCH 7, 2025

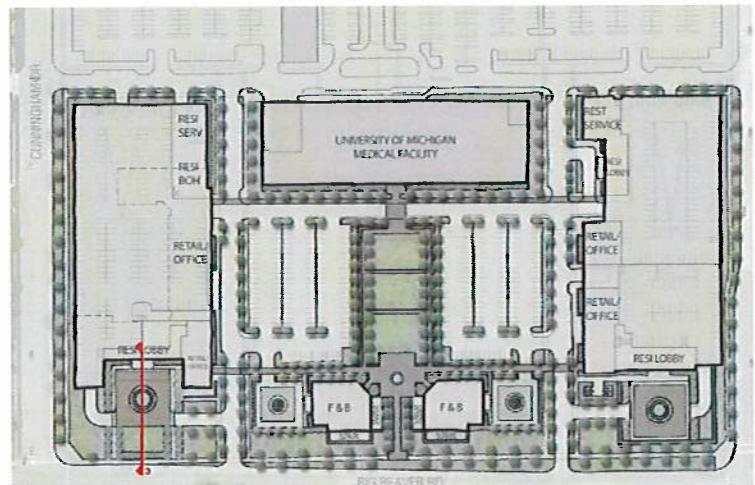


Note Key:

1. Shade Trees Beyond
2. 8' Wide Concrete Sidewalk
3. Evergreen / Deciduous Hedge with Ornamental Foreground Plantings
4. Ornamental Foundation Plantings
5. Center Island Landscape - Mix of Evergreen, Deciduous, and Ornamental Plants

Residential / Restaurant Drop-off Zones

All drop off zones will be landscaped to provide a welcoming environment. Ornamental trees, shrubs, perennials, annuals, and groundcovers will be incorporated to provide scale and seasonal interest.



Key Map

General Note:

All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines

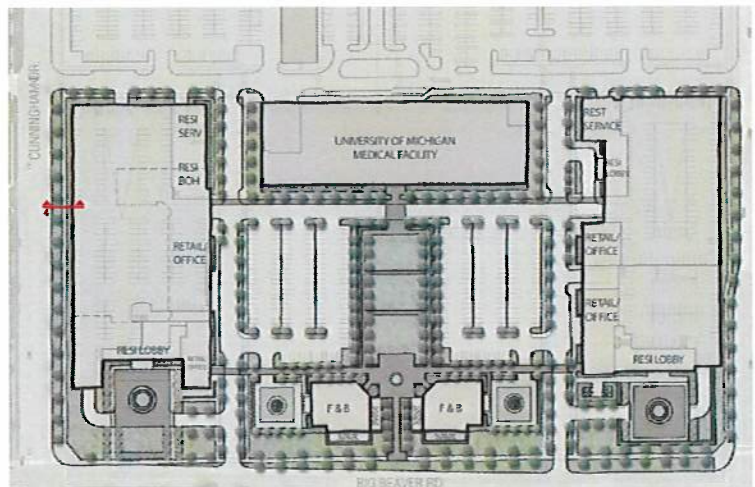
Section 3

Drop-off Zones | Big Beaver Rd.



Note Key:

1. Single Row of Large Shade Trees in Lawn
2. Minimum 5' Wide Concrete Sidewalk
3. 6' Wide Bike Lane
4. Foundation Plantings
5. Existing Street Lighting



Key Map

General Note:

All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines

Section 4

Typ. Streetscape | Cunningham Dr.

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 GRISSIM METZ ANDRIESE ASSOCIATES › MARCH 7, 2025



Note Key:

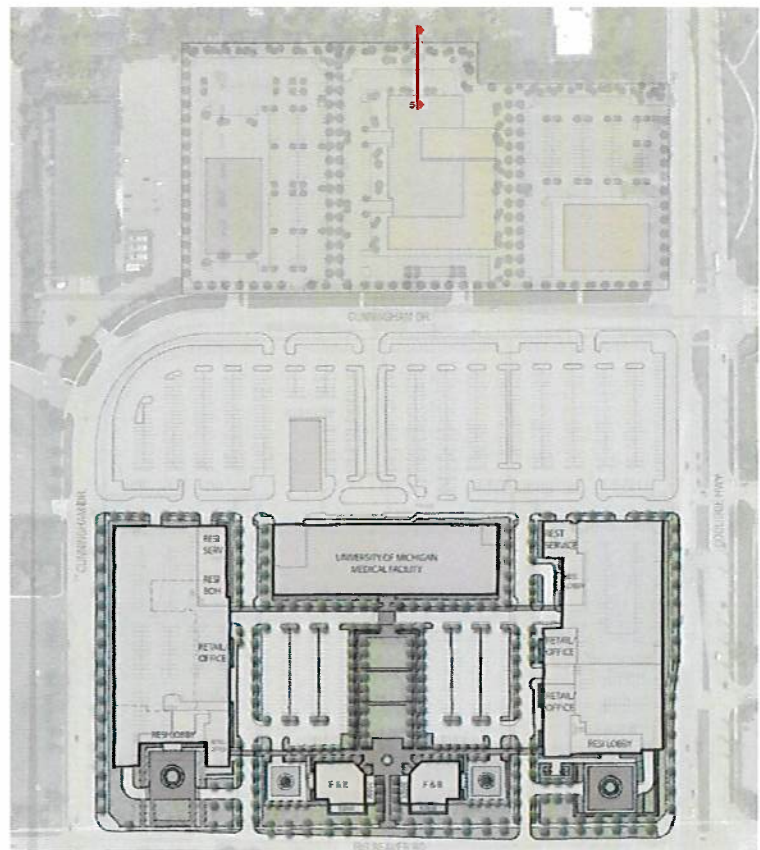
1. Mix of Existing Deciduous and Evergreen Trees on Berm
2. Mix of Shade and Understory Trees in Lawn
3. Future Building and Foundation Plantings

General Note:

All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines

Northern Buffer Zone

Currently the site has a landscaped berm on the north end of the site adjacent to the residential neighborhood. The berm will be maintained, and additional plantings will be added, if required, in accordance with the current zoning ordinance. A 100-foot set back from the property line to the face of any proposed buildings will be implemented relative to residential houses. A 40-foot set back from the property line to the building face of any proposed buildings will be implemented relative to the existing church.



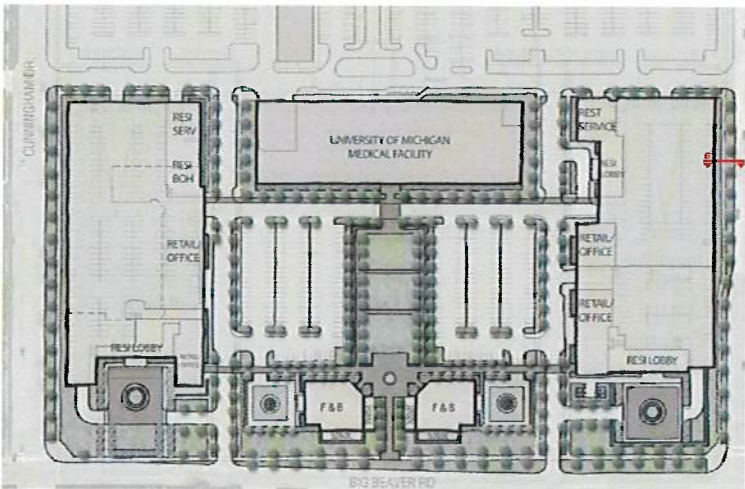
Section 5

Northern Buffer Zone



Note Key:

- 1. Single Row of Large Shade Trees in Lawn
- 2. 8' Wide Concrete Sidewalk
- 3. Foundation Plantings



Key Map

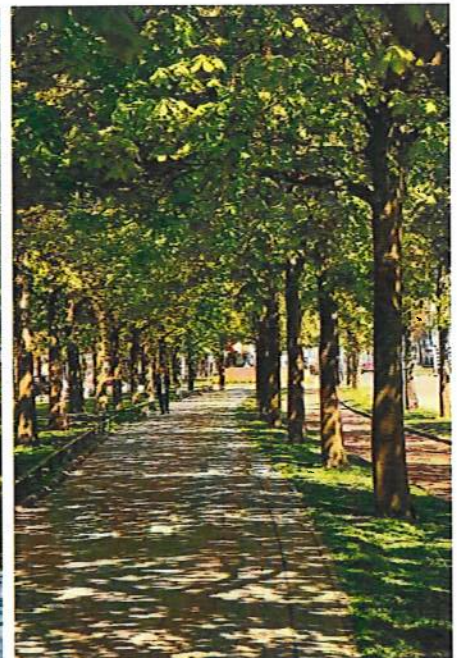
General Note:

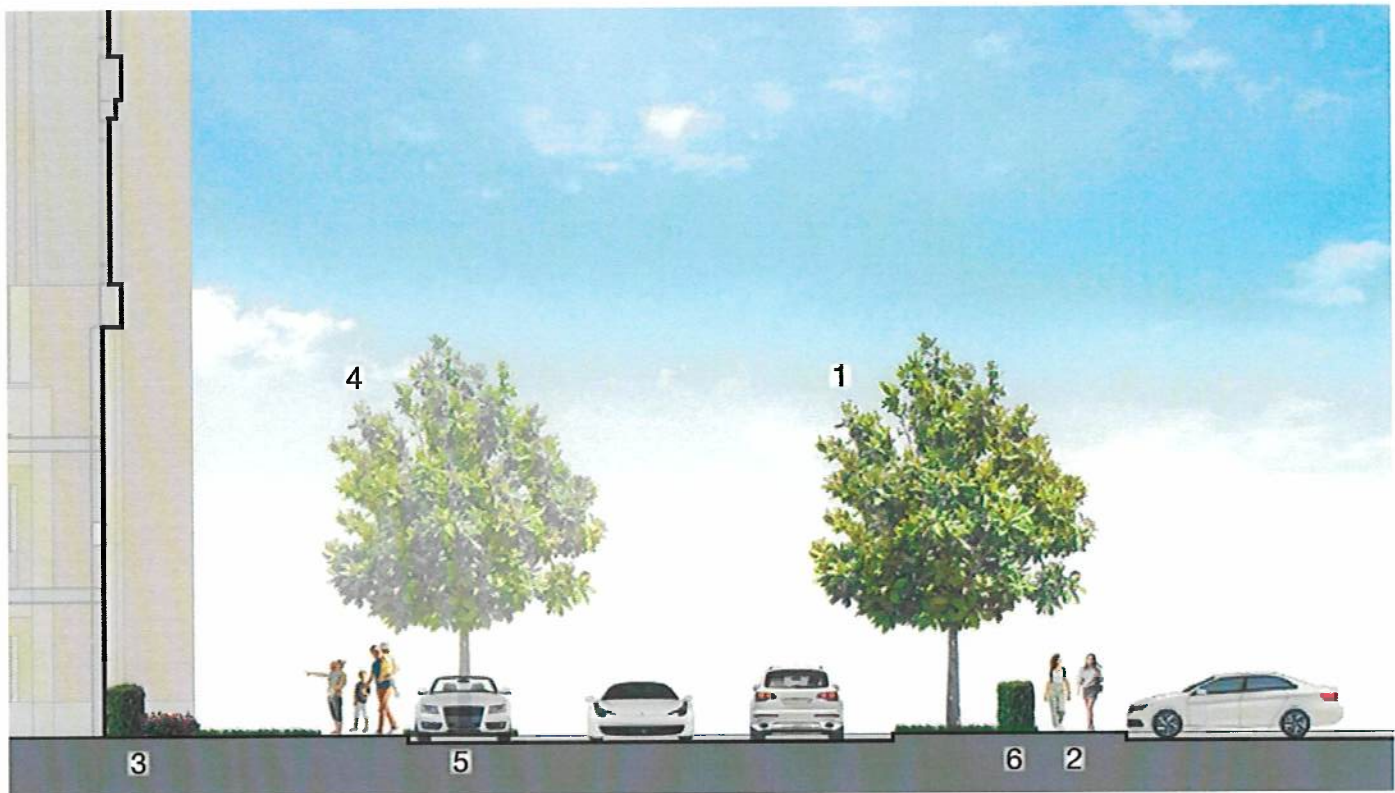
All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines



Interior Streetscapes

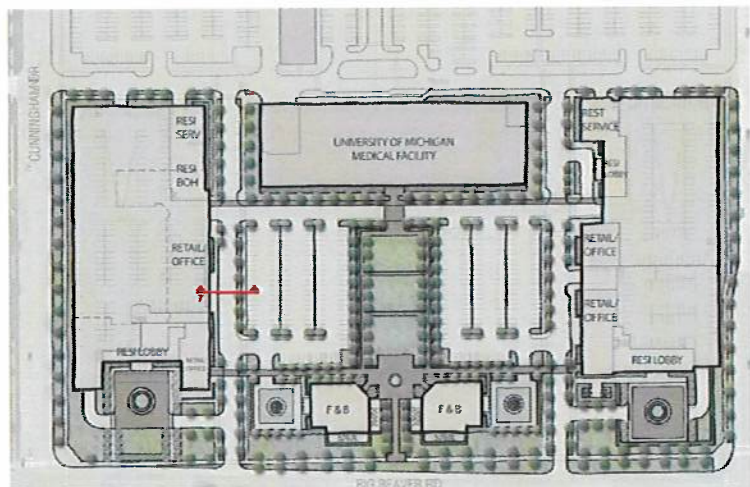
The development's interior streetscape will integrate trees, site furnishings and pedestrian scaled street lighting to create a unified design. Street trees and plantings will be used in locations to provide scale and unify pedestrian areas. Sidewalks will be a generous eight feet wide with street trees planted in lawn buffer zones adjacent to the street to separate pedestrians from vehicular traffic. In locations where parallel parking occurs, sidewalks will abut the parking areas to allow for clear access in and out of vehicles.





Note Key:

1. Single Row of Large Shade Trees in Lawn
2. Minimum 6' Wide Concrete Sidewalk
3. Ornamental Foundation Plantings
4. Street Trees Beyond
5. Parallel Parking
6. Evergreen Hedge to Screen Parking



Key Map

General Note:

All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines

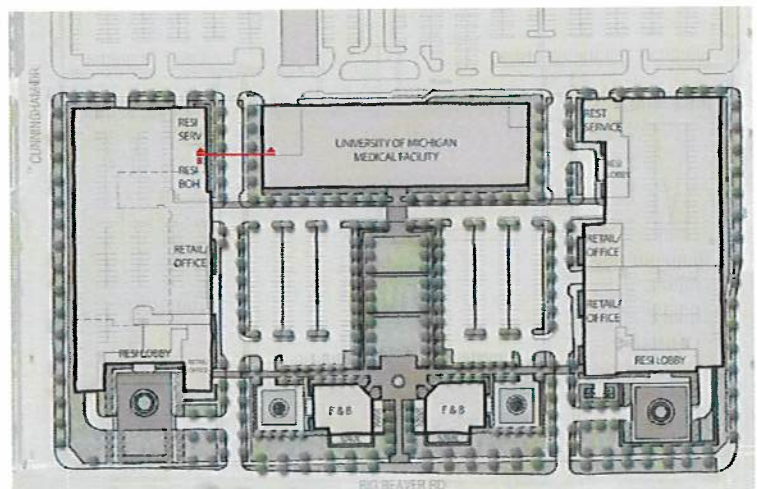
Section 7

Typ. Interior Streetscape



Note Key:

1. Single Row of Large Shade Trees in Lawn
2. Minimum 6' Wide Concrete Sidewalk
3. Ornamental Foundation Plantings
4. Street Tree Beyond
5. Parallel Parking
6. University of Michigan Medical Facility



Key Map

General Note:

All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines

Section 8

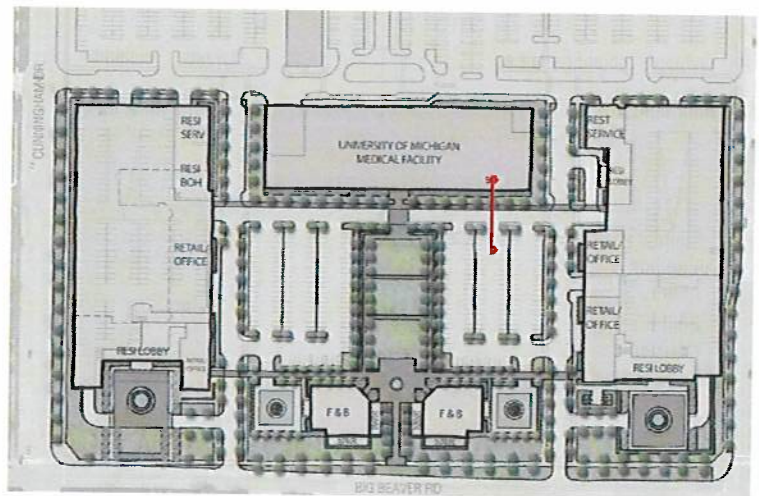
Typ. Interior Streetscape

SOMERSET WEST › THE FORBES COMPANY
GRISSIM METZ ANDRIESE ASSOCIATES › MARCH 7, 2025



Note Key:

1. Single Row of Large Shade Trees in Lawn
2. Minimum 6' Wide Concrete Sidewalk
3. University of Michigan Medical Facility
4. Ornamental Foundation Plantings
5. Large Shade Trees and Lawn in Parking Lot Islands
6. Street Trees Beyond
7. Parking Lot



Key Map

General Note:

All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines

Section 9

Typ. Interior Streetscape

SOMERSET WEST › THE FORBES COMPANY
 GRISSIM METZ ANDRIESE ASSOCIATES › MARCH 7, 2025

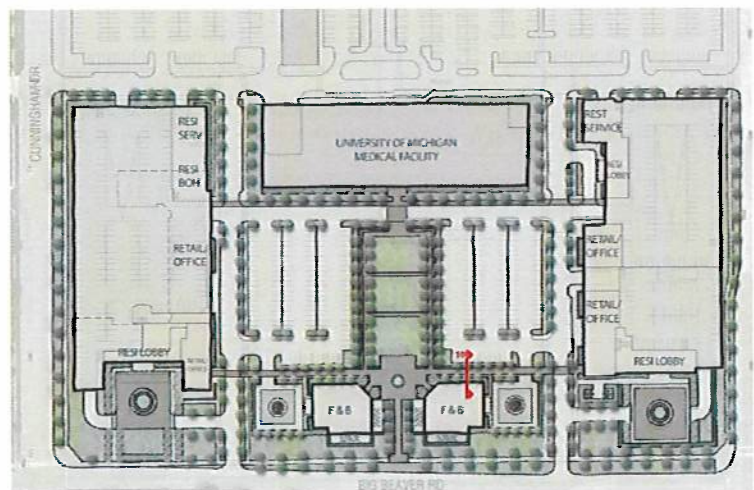


Note Key:

1. Double Row of Shade Tree
2. Specialty Sidewalk Paving Along Promenade
3. Evergreen Hedge to Screen Parking
4. Ornamental Foundation Plantings
5. Pedestrian Lighting
6. Seating Along Promenade
7. Restaurant

Sidewalk and Specialty Paving

Sidewalk paving throughout the development will incorporate typical medium broom finished concrete. Key intersection crosswalks, the promenade, plaza, and residential building entrances will consist of a variety of specialty paving materials, ranging from exposed aggregate concrete to clay brick or precast concrete pavers. Varying patterns and materials will help distinguish pedestrian passageways and gathering spaces to create interest, emphasize entries and differentiate use areas.



Key Map

General Note:

All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines

Section 10

East/West Pedestrian Promenade

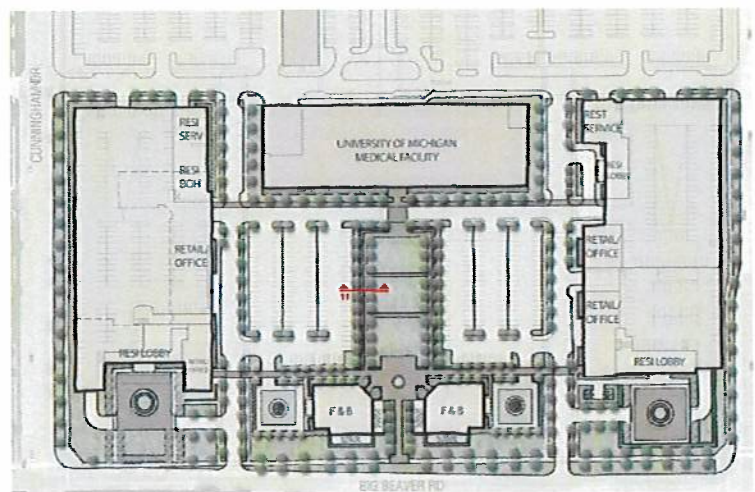


Note Key:

1. Double Row of Large Shade Trees in Lawn
2. Minimum 6' Wide Sidewalk
3. Evergreen Hedge to Screen Parking
4. Open Lawn Park Space

Parking Lot Landscaping

The parking lots will be screened from surrounding perimeter streets to the largest extent possible, to create a more pedestrian focused atmosphere. Moderate height evergreen or deciduous shrub hedges will be implemented for this purpose. Perimeter streets as well as interior parking lot islands will be landscaped with lawns, landscape bed plantings, and trees.



Key Map

General Note:

All landscape to meet or exceed City of Troy Landscape Standards and follow Big Beaver Design Guidelines

Section 11

Parking Abutting Open Park Space

May 8, 2025

City of Troy Planning Commission
500 W. Big Beaver Rd
Troy, Michigan 48084

RE: CPD Application Questions – Somerset West PUD

Planning Commissioners,

Below you will find our response to what we believe to be the resolution that you voted on April 22, 2025 regarding the CPD Application for the Somerset West PUD.

- 1. Specify the 17 acres that is anticipated to be purchased by a Constitutional Corporation (University of Michigan) This is now illustrated on the Use Plan/Diagram in the updated CDP Application.*
- 2. Show how the Constitutional Corporation (University of Michigan) will develop the 17 acres. We confirmed with the University of Michigan that the renderings that were shown to you as part of Mr. Forbes' presentation for their building are accurate and what they are intending to build. At the next meeting we will provide some examples of the materials that they will be using. The University does not have any drawings or plans that illustrate potential future expansions of their building or uses.*
- 3. Remove the following from Permitted Use list: repair shop, trade school, drive thru, hardware store, appliance sales, townhomes, single family homes and nursing homes. We will remove trade school from the permitted office uses although they are currently permitted under the existing PUD agreement; we will remove repair shop, hardware store and appliance sales from the permitted retail uses although they are currently permitted under the existing PUD agreement; we will remove single family and nursing homes from the permitted residential uses although they are permitted under the existing PUD Agreement. This can be found on the written uses page in the updated application. However, we have not removed townhomes as we believe this could be a good use on the northern 12 acres as a buffer between new commercial and existing single-family homes. Regarding drive-thru's, the application presented on April 22, 2025 prohibited drive-thru's for restaurants; however, the application does indicate a potential drive-thru for a bank use, which the planning department was supportive of, has minimal stacking lanes, no impact on walkability, and is permitted in the Big Beaver Zoning District.*
- 4. Re-examine open space south of U of M Health, increasing its size from 1 acre. The revised application will not provide for any changes to the park. The required open space is 15%, we exceed that on both the northern 12-acre parcel at approximately 43% open space and approximately 26% open space on the southern 28-acre parcel. We feel that the proposed 1-acre urban park plus the east-west pedestrian spaces in an urban setting provides more than adequate green space and common areas for the development. Additionally, if we were to increase the size of the urban park, we would have to reduce the size of our parking areas abutting the park which are needed to service the buildings and potential retail/restaurant uses that front Big Beaver. We have already received concerns from potential restaurant users regarding the available parking based upon the current plan,*

so we believe any further increase in the size of the urban park will compromise our ability to develop these buildings for their potential uses.

5. Provide a phasing timeline for construction. The updated application will have an updated phasing diagram which illustrates five phases for the project.

6. Specify square footage/unit minimums and maximums for residential, retail, office, and hotel use. The application and the Amended and Restated PUD Agreement already provide maximum uses but because of the unknown economic and development climate, that the PUD Agreement is a perpetual agreement and that uses and demand for uses may change over time, we are unable to provide minimum uses. Our intent is to have a mixed use development, especially given the current economic climate. We know there was a concern raised at the last meeting about this site being developed entirely for office use. Given the current economic climate and abundance of availability of office space in Troy and other surrounding areas, we do not believe that should be a real concern.

7. Narrow the scope of uses in Use Diagram to allow more specificity as it relates to specific sites. We have removed the additional uses on the contemplated Constitutional Corporation 12-acre site on the 28-acre site but have maintained the other potential uses to maximize our ability to develop a mixed use development in the future.

8. Address PUD Standards. See comments to Section 11.3 standards for approval below:

SECTION 11.03 STANDARDS FOR APPROVAL

B. The applicant shall demonstrate that through the use of the PUD option, the development will accomplish a sufficient number of the following objectives, as are reasonably applicable to the site, providing:

1. A mixture of land uses that would otherwise not be permitted without the use of the PUD provided that other objectives of this Article are also met. See permitted uses and use diagram on the CDP application.

2. A public improvement or public facility (e.g. recreational, transportation, safety and security) which will enhance, add to or replace those provided by public entities, thereby furthering the public health, safety and welfare. The addition of Michigan Medical to the City of Troy and Oakland County will provide unmeasurable health benefits to the residents of the City of Troy and the entire Oakland County area.

3. A recognizable and material benefit to the ultimate users of the project and to the community, where such benefit would otherwise be infeasible or unlikely to be achieved absent these regulations. We intend to develop a live, work, dine, play environment with pedestrian connectivity, and a public/urban park. The project will draw visitors from the region and will provide amenities, services and housing opportunities to Troy residents.

4. Long-term protection and preservation of natural resources, natural features, and historic and cultural resources, of a significant quantity and/or quality in need of protection or preservation, and which would otherwise be unfeasible or unlikely to be achieved absent these regulations. We have demolished a 1,000,000 square-foot blighted, vacant and functionally obsolete office building which had approximately 14 acres of surface parking.

5. A compatible mixture of open space, landscaped areas, and/or pedestrian

amenities. Our plan focuses on the central park with pedestrian connectivity east, west, north and south. The required open space is 15%, we exceed that on both the northern 12-acre parcel at approximately 43% open space and approximately 26% open space on the southern 28-acre parcel.

6. Appropriate land use transitions between the PUD and surrounding properties. Lower scale/ height of buildings and/or residential on the northern 12 acres will provide a nice transition between existing single-family homes to the north and commercial uses on the south 28 acres. The proposed setback of 100' adjacent to the existing residences and 80' setback adjacent to the church are also what is currently permitted under the existing PUD agreement.

7. Design features and techniques, such as green building and low impact design, which will promote and encourage energy conservation and sustainable development. Features will include high efficiency heating/cooling systems and glazing systems. The University of Michigan also intends to build a LEED certified building on its parcel.

8. Innovative and creative site and building designs, solutions and materials. Building designs will include shade, shadow and textural studies and sun movement studies.

9. The desirable qualities of a dynamic urban environment that is compact, designed to human scale, and exhibits contextual integration of buildings and city spaces. The central park and landscaping of the overall development will be designed to enhance the sense of place and human interactions. Areas of focus will be the central park, connectivity, walkability and outdoor dining.

10. The PUD will reasonably mitigate impacts to the transportation system and enhance non-motorized facilities and amenities. Offsite improvements will be made to both Big Beaver Road and Coolidge Highway to mitigate any concerns from the City of Troy and Oakland County traffic consultants. The entire development will encourage and provide for walkability to reduce the need for motorized vehicles, along with potential connectivity to the Somerset Collection and other surrounding developments.

11. For the appropriate assembly, use, redevelopment, replacement and/or improvement of existing sites that are occupied by obsolete uses and/or structures. We have demolished a 1,000,000SF blighted, vacant and functionally obsolete office building.

12. A complementary variety of housing types that is in harmony with adjacent uses. Apartments, townhomes, condominiums, and senior housing are all contemplated uses.

13. A reduction of the impact of a non-conformity or removal of an obsolete building or structure. We have demolished a 1,000,000SF blighted, vacant and functionally obsolete office building.

14. A development consistent with and meeting the intent of this Article, which will promote the intent of the Master Plan or the intent of any applicable corridor or sub-area plans. If conditions have changed since the Plan, or any applicable corridor or sub-area plans were adopted, the uses shall be consistent with recent development trends in the area. We intend to develop a mixed-use development.

15. Includes all necessary information and specifications with respect to structures, heights, setbacks, density, parking, circulation, landscaping, amenities and other design and layout features, exhibiting a due regard for the relationship of the development to the surrounding properties and uses thereon, as well as to the relationship between the various elements within the proposed Planned Unit Development. In determining whether

these relationships have been appropriately addressed, consideration shall be given to the following:

- a. The bulk, placement, and materials of construction of the proposed structures and other site improvements.
- b. The location and screening of vehicular circulation and parking areas in relation to surrounding properties and the other elements of the development.
- c. The location and screening of outdoor storage, loading areas, outdoor activity or work areas, and mechanical equipment.
- d. The hours of operation of the proposed uses.
- e. The location, amount, type and intensity of landscaping, and other site amenities. Many of these items are shown in the CDP and addressed in the Amended and Restated Agreement or will otherwise be addressed as part of the preliminary development plans that will be submitted to the Planning Commission for each phase of the development.

16. Parking shall be provided in order to properly serve the total range of uses within the Planned Unit Development. The sharing of parking among the various uses within a Planned Unit Development may be permitted. The applicant shall provide justification to the satisfaction of the City that the shared parking proposed is sufficient for the development and will not impair the functioning of the development, and will not have a negative effect on traffic flow within the development and/or on properties adjacent to the development. The intention is for each parcel within the development to be able to self-park but if the proposed development of any phase of the development or a parcel warrants shared parking, this will be addressed as part of the preliminary development plan that will be submitted to the Planning Commission for such parcel.

17. Innovative methods of stormwater management that enhance water quality shall be considered in the design of the stormwater system. An underground stormwater retention system will be designed to handle all stormwater retentions required for the south 28-acre site. The north 12 acres will be serviced by a separate stormwater retention system.

18. The proposed Planned Unit Development shall be in compliance with all applicable Federal, State and local laws and ordinances, and shall coordinate with existing public facilities. We agree other than with respect to the parcels that will be owned by a constitutional corporation which are not subject to such laws and ordinances.



Robert A. Peters, Director
Architectural Design and Planning

cc: Brent Savidant

**CITY OF TROY
PLANNED UNIT DEVELOPMENT
CONCEPT DEVELOPMENT PLAN (CDP) APPLICATION
AND APPLICATION TO AMEND THE ZONING DISTRICT MAP**

CITY OF TROY PLANNING DEPARTMENT
500 W. BIG BEAVER
TROY, MICHIGAN 48064
PHONE: 248-524-3364
E-MAIL: planning@troymi.gov



CONCEPT DEVELOPMENT PLAN FEE
\$3,000.00

ESCROW FEE
\$5,000.00

PRIOR TO THE SUBMISSION OF AN APPLICATION FOR APPROVAL OF A PLANNED UNIT DEVELOPMENT, THE APPLICANT SHALL HOLD A PRE-APPLICATION MEETING WITH THE PLANNING DEPARTMENT OF THE CITY AND ANY CITY STAFF AND OUTSIDE CONSULTANTS AS DEEMED APPROPRIATE BY THE CITY.

DATE OF PRE-APPLICATION MEETING: _____ *1/25/2018*

REGULAR MEETINGS OF THE CITY PLANNING COMMISSION ARE HELD ON THE SECOND AND FOURTH TUESDAYS OF EACH MONTH AT 7:00 P.M. AT CITY HALL.

-
1. NAME OF THE PROPOSED DEVELOPMENT: Somerset West
 2. LOCATION OF THE SUBJECT PROPERTY: 3100 Big Beaver, Troy Michigan 48064
 3. ZONING CLASSIFICATION(S) OF THE SUBJECT PROPERTY: Planned Unit Development Subject to the terms of the Planned Unit Development agreement, dated October 17, 2007 and recorded with the Oakland County, Michigan Register of Deeds on October 26, 2007 at Liber 33703 in Page 493
 4. TAX IDENTIFICATION NUMBER(S) OF SUBJECT PROPERTY: 88-20-19-476-002, 88-20-19-476-003 and 88-20-19-430-004
 5. APPLICANT:

NAME _____	PROPERTY OWNER: NAME _____
COMPANY <u>Forbes Frankel Troy Ventures LLC</u>	COMPANY <u>Forbes Frankel Troy Ventures LLC</u>
ADDRESS <u>100 Galleria Officentre, Suite 427</u>	ADDRESS <u>100 Galleria Officentre, Suite 427</u>
CITY <u>Southfield</u> STATE <u>MI</u> ZIP <u>48034</u>	CITY <u>Southfield</u> STATE <u>MI</u> ZIP <u>48034</u>
TELEPHONE <u>248-827-4600</u>	TELEPHONE <u>248-827-4600</u>
E-MAIL <u>nforbes@theforbescompany.com</u>	E-MAIL <u>nforbes@theforbescompany.com</u>
 6. THE APPLICANT BEARS THE FOLLOWING RELATIONSHIP TO THE OWNER OF THE SUBJECT PROPERTY:
The Applicant and the Property Owner are the same entity.
 7. ATTACHED HERETO IS A SIGNED STATEMENT BY THE APPLICANT INDICATING THE APPLICANT HAS THE AUTHORITY TO EXECUTE A BINDING AGREEMENT COVERING ALL PARCELS IN THE PROPOSED P.U.D.
 8. SIGNATURE OF APPLICANT See Attached DATE _____
 9. SIGNATURE OF PROPERTY OWNER *[Signature]* DATE *2/25/25*
- BY THIS SIGNATURE, THE PROPERTY OWNER AUTHORIZES PLACEMENT OF A SIGN ON THE PROPERTY TO INFORM THE PUBLIC AS TO THIS REQUEST FOR PLANNED UNIT DEVELOPMENT.

Notarial Certificate

(State of Michigan)
() ss
(County of Oakland)

On this 25th day of FEBRUARY, 20 25, personally
appeared before me:

NATHAN FORBES

Known [☐ or produced identification] to me to be the individual who executed the
foregoing document and acknowledged the same as a free act and deed for uses and
purposes therein expressed.


Notary Public

Brenda Walton
Notary Public – State of Michigan
Oakland County
My Commission Expires: October 1, 2029
Acting in the county of OAKLAND,

**PLANNED UNIT DEVELOPMENT
CONCEPT DEVELOPMENT PLAN (CDP)
PRE-APPLICATION MEETING CHECKLIST**

THE APPLICANT SHALL PROVIDE A MINIMUM OF THREE (3) COPIES OF THE FOLLOWING ITEMS, PLUS ONE (1) CD CONTAINING AN ELECTRONIC VERSION OF THE APPLICATION, TO THE PLANNING DEPARTMENT AT OR BEFORE THE PRE-APPLICATION MEETING. SEE SECTION 11.06(A).

- ☒ A SKETCH PLAN OF THE PROPOSED PLANNED UNIT DEVELOPMENT
- ☒ LEGAL DESCRIPTION OF THE PROPERTY, SCALE DRAWING AND THE TOTAL NUMBER OF ACRES IN THE PROJECT
- ☒ TOPOGRAPHICAL MAP OF THE PROJECT SITE
- ☒ A STATEMENT OF ALL PROPOSED USES IN THE PROJECT
- ☒ THE KNOWN DEVIATIONS SOUGHT FROM THE ORDINANCE REGULATIONS OTHERWISE APPLICABLE
- ☒ THE NUMBER OF ACRES TO BE PRESERVED AS OPEN OR RECREATIONAL SPACE AND THE INTENDED USES OF SUCH SPACE
- ☒ ALL KNOWN NATURAL RESOURCES, NATURAL FEATURES, HISTORIC RESOURCES AND HISTORIC FEATURES; WHICH ARE TO BE PRESERVED
- ☒ A LISTING AND SPECIFICATION OF ALL SITE DEVELOPMENT CONSTRAINTS

PLANNED UNIT DEVELOPMENT CONCEPT DEVELOPMENT PLAN (CDP) CHECKLIST

THE FOLLOWING INFORMATION AND MATERIALS ARE NECESSARY FOR SUBMISSION. FOR A DETAILED DESCRIPTION OF REQUIRED ITEMS, SEE SECTION 11.06(C) OF THE ZONING ORDINANCE.

- ☒ REQUIRED FEE
- ☒ ONE (1) CD CONTAINING AN ELECTRONIC VERSION OF THE APPLICATION AND ONE (1) COPY OF THE DRAFT DEVELOPMENT AGREEMENT (PDF Format)

The application shall include **TWO (2) hard copies of the following information and materials, which shall be in a plan format together with a narrative explanation.**

- ☒ **Date(s) and location of all meetings with representatives of adjoining neighborhoods, minutes and attendance record(s) of such meeting(s).** 3/6/2025 at Somerset Collection North
- ☒ **Certified boundary survey including legal description of the property, scale drawing and the total number of acres in the project.**
- ☒ **Development concept:** A summary explanation of the development concept shall describe the project and explain how the project will meet the intent of the PUD option as set forth in Section 11.01 and the criteria for consideration as a PUD as set forth in Section 11.03 hereof, as those sections reasonably apply to the site.
- ☒ **Density:** The maximum density of the overall project and the maximum density for each proposed use and phase.
- ☒ **Road system:** A general description of the road system and circulation pattern; the location of roads, entrances, exits and pedestrian walkways; a statement whether roads are intended to be public or private. Efforts shall be made to ensure that multiple transportation modes are safely and effectively accommodated in an effort to provide alternate modes of access and alleviate vehicle traffic congestion particularly as it pertains to the improvements along major roads.
- ☒ **Utilities:** A general description and location of both on-site and off-site utilities including proposed water, sanitary sewer, storm sewer systems and utility lines; a general indication of the size and location of stormwater detention and retention ponds, and a map and text showing off-site utilities, existing and proposed, which will provide services to the project.
- ☒ **Open space/common areas:** A general description of proposed open space and common areas; the total area of open space; the total area of open space in each proposed phase; the proposed uses of open space and common areas.
- ☒ **Uses:** A list of all proposed uses; the location, type and land area to be devoted to each use, both overall and in each phase; a demonstration that all of the proposed uses are permitted under this Article.
- ☒ **Development guidelines:** A plan of the site organization, including typical setback and lot dimensions; the minimum lot sizes for each use; typical minimum and maximum building height and size; massing models; conceptual building design; and the general character and arrangement of parking; fencing; lighting; berming; and building materials.
- ☒ **Parking and Traffic:** A study of the parking requirements and needs; a traffic impact study and analysis.
- ☒ **Landscaping:** A general landscaping plan; a landscape plan for entrances; a landscape plan for overall property perimeters; any theme/streetscape design; any proposed irrigation.
- ☒ **Natural resources and features:** Floodway/floodplain locations and elevations; wetlands and watercourses; woodlands; location and description of other natural resources and natural features.

**PLANNED UNIT DEVELOPMENT
CONCEPT DEVELOPMENT PLAN (CDP) CHECKLIST
(page 2)**

- ☒ *Phasing information:* The approximate location, area and boundaries of each phase; the proposed sequence of development, including phasing areas and improvements; and the projected timing for commencement and completion of each phase.
- ☒ *Public services and facilities:* A description of the anticipated demand to be generated by the development for public sewer, water, off-site roads, schools, solid waste disposal, off-site drainage, police and fire; a description of the sufficiency of each service and facility to accommodate such demands; the anticipated means by which any insufficient services and facilities will be addressed and provided.
- ☒ *Historical resources and structures:* Their location, description and proposed preservation plan.
- ☒ *Site topography.*
- ☒ *Signage:* General character and location of entrance and internal road system signage; project identification signage; and temporary or permanent signage proposed for any other locations.
- ☒ *Amenities.*
- ☒ *Zoning classification:* Existing zoning classifications on and surrounding the site.
- ☒ *Specification of deviations:* A specification of all deviations proposed from the regulations which would otherwise be applicable to the underlying zoning and to the proposed uses, which are proposed and sought for any phase or component of the Planned Unit Development; the safeguards, features and/or planning mechanisms proposed to achieve the objectives intended to be accomplished by any regulation from which a deviation is being sought.
- ☒ *Community impact statement:* A community impact statement, which shall provide an assessment of the developmental, ecological, social, economic and physical impacts of the project on the natural environmental and physical improvements on and surrounding the development site. Information required for compliance with other ordinance provisions need not be duplicated in the community impact statement.

**ALL HARD COPY DRAWINGS SHALL BE FOLDED, STAPLED, SEALED AND SIGNED
BY A STATE OF MICHIGAN PROFESSIONAL ENGINEER, REGISTERED ARCHITECT,
REGISTERED LANDSCAPE ARCHITECT, OR PROFESSIONAL COMMUNITY PLANNER**

PLANNING COMMISSION AGENDAS ARE ELECTRONIC

Project Vision

Somerset Collection West is intended to build on the rich heritage of the Somerset Collection and the Big Beaver Corridor.

With a strong sense of place and a mix of uses, Somerset West will be a unique destination for the local community, and the region.

A distinctive environment that focuses on walkability, open space, connectivity, and beautiful landscaping will highlight a blend of architecture consistent with the Somerset aesthetic.

Somerset West will be a regional destination supported by all aspects of good planning, unique architecture, open space, and sustainability to attract year-round activity and living.

Executive Summary

Somerset Collection West will be a destination for the local and regional communities alike. A mix of uses, including a world-class medical facility, highly amenitized residential living, food and beverage options and support services, will highlight the parcel of land formerly known as the Kmart Headquarters.

A carefully blended mix of medical office, residential, hospitality, service retail, food and beverage and health & wellness, will be a source of pride for local residents and the broader community.

This exemplary development promises to build on the rich history of the Somerset Collection and will certainly provide a stimulus to the Big Beaver Corridor. An increased tax base and a wide range of job opportunities, living options combined with the re-birth of an obsolete property will highlight the continuation of the development of the Big Beaver Corridor.

Somerset West will provide the City of Troy an unparalleled development that will include:

- Walkability for local residents and year-round community activities.
- Open space for residents, employees, and the community to enjoy.
- A mix of uses will highlight a generous amount of green space.
- Somerset West will be a catalyst for future investments and set a benchmark for further development along the Big Beaver Corridor.

Somerset West is designed to take advantage of its premier location by building a mix of uses in a highly intended active blend of open space connecting all its uses at urban/suburban scale.

Amenities

A world-class healthcare facility developed by University Michigan Medicine, which is their first endeavor into Oakland County. University of Michigan Medicine currently does not have a facility east of I-275, this facility will service Oakland County and save patients countless hours of not having to travel to and from Ann Arbor. It will also provide much needed employment opportunities for highly educated and a highly skilled workforce. The site will be a walkable live, work, and play community with a generous park and open spaces. The park will have unlimited programming opportunities and over an acre of green space, it will serve as a meeting place for many. The site will have world class landscape design, contemporary street and pedestrian lighting and public seating. Residential components will complement the medical facility and consist of several opportunities of best in class rental units and for sale units. Best in class dining will complement the Somerset Collection to the east with outdoor dining opportunities and generous sidewalks to contribute to a world class develop.

**CITY OF TROY
PLANNED UNIT DEVELOPMENT
PRELIMINARY DEVELOPMENT PLAN (PDP) APPLICATION**

CITY OF TROY PLANNING DEPARTMENT
600 W. BIG BEAVER
TROY, MICHIGAN 48084
248-524-3364
FAX: 248-524-3382
E-MAIL: planning@troymt.gov



PRELIMINARY DEVELOPMENT PLAN FEE
\$1,500.00

ESCROW FEE
\$5,000.00

REGULAR MEETINGS OF THE CITY PLANNING COMMISSION ARE HELD ON THE SECOND AND FOURTH TUESDAYS OF EACH MONTH AT 7:00 P.M. AT CITY HALL.

PLEASE FILE A COMPLETE PLANNED UNIT DEVELOPMENT PRELIMINARY DEVELOPMENT PLAN APPLICATION, TOGETHER WITH THE APPROPRIATE FEES, NOT LESS THAN THIRTY (30) DAYS PRIOR TO THE DATE OF THAT MEETING.

1. NAME OF THE PROPOSED DEVELOPMENT: Phase 1A- Somerset West Infrastructure
2. LOCATION OF THE SUBJECT PROPERTY: 3100 W. Big Beaver, Troy, Michigan 48084
3. DATE OF CONCEPT DEVELOPMENT PLAN APPROVAL BY CITY COUNCIL: Owner seeks concurrent approval of Phase 1A with CDP Approval
4. DESCRIPTION OF PROJECT PHASE: Underground utilities, storm detention, roadways and curbs
5. TAX IDENTIFICATION NUMBER(S) OF SUBJECT PROPERTY: 88-20-19-476-002 and 88-20-19-476-003

- | | |
|--|--|
| 6. APPLICANT:
NAME <u>Nathan Forbes</u>
COMPANY <u>Forbes Frankel Troy Ventures LLC</u>
ADDRESS <u>100 Galleria Officentre, Suite 427</u>
CITY <u>Southfield</u> STATE <u>MI</u> ZIP <u>48034</u>
TELEPHONE <u>248-827-4600</u>
E-MAIL <u>nforbes@theforbescompany.com</u> | PROPERTY OWNER;
NAME <u>Nathan Forbes</u>
COMPANY <u>Forbes Frankel Troy Ventures LLC</u>
ADDRESS <u>100 Galleria Officentre, Suite 427</u>
CITY <u>Southfield</u> STATE <u>MI</u> ZIP <u>48034</u>
TELEPHONE <u>248-827-4600</u>
E-MAIL <u>nforbes@theforbescompany.com</u> |
|--|--|

7. THE APPLICANT BEARS THE FOLLOWING RELATIONSHIP TO THE OWNER OF THE SUBJECT PROPERTY:

8. SIGNATURE OF APPLICANT _____ DATE _____

9. SIGNATURE OF PROPERTY OWNER Nathan Forbes DATE 2/25/25

BY THIS SIGNATURE, THE PROPERTY OWNER AUTHORIZES THE PLACEMENT OF A SIGN ON THE PROPERTY TO INFORM THE PUBLIC AS TO THIS REQUEST FOR PLANNED UNIT DEVELOPMENT PRELIMINARY DEVELOPMENT PLAN APPROVAL.

Notarial Certificate

(State of Michigan)
() ss
(County of Oakland)

On this 25th day of FEBRUARY, 20 25, personally
appeared before me:

NATHAN FORBES

Known ☐ or produced identification] to me to be the individual who executed the
foregoing document and acknowledged the same as a free act and deed for uses and
purposes therein expressed.


Notary Public

Brenda Walton
Notary Public – State of Michigan
Oakland County
My Commission Expires: October 1, 2029
Acting in the county of OAKLAND.



CRADING SCALE IN FEET
0 10 20

PAVING LEGEND

- PAVING MATERIALS
- PAVING MATERIALS
- PAVING MATERIALS
- PAVING MATERIALS

SITE SUMMARY

- 1. SITE ADDRESS
- 2. TOTAL PAVING SPACES PROVIDED

PAVING SUMMARY

- CONCRETE DRIVE AND DRIVEWAY
- PAVING MATERIALS
- PAVING MATERIALS

KEY MAP

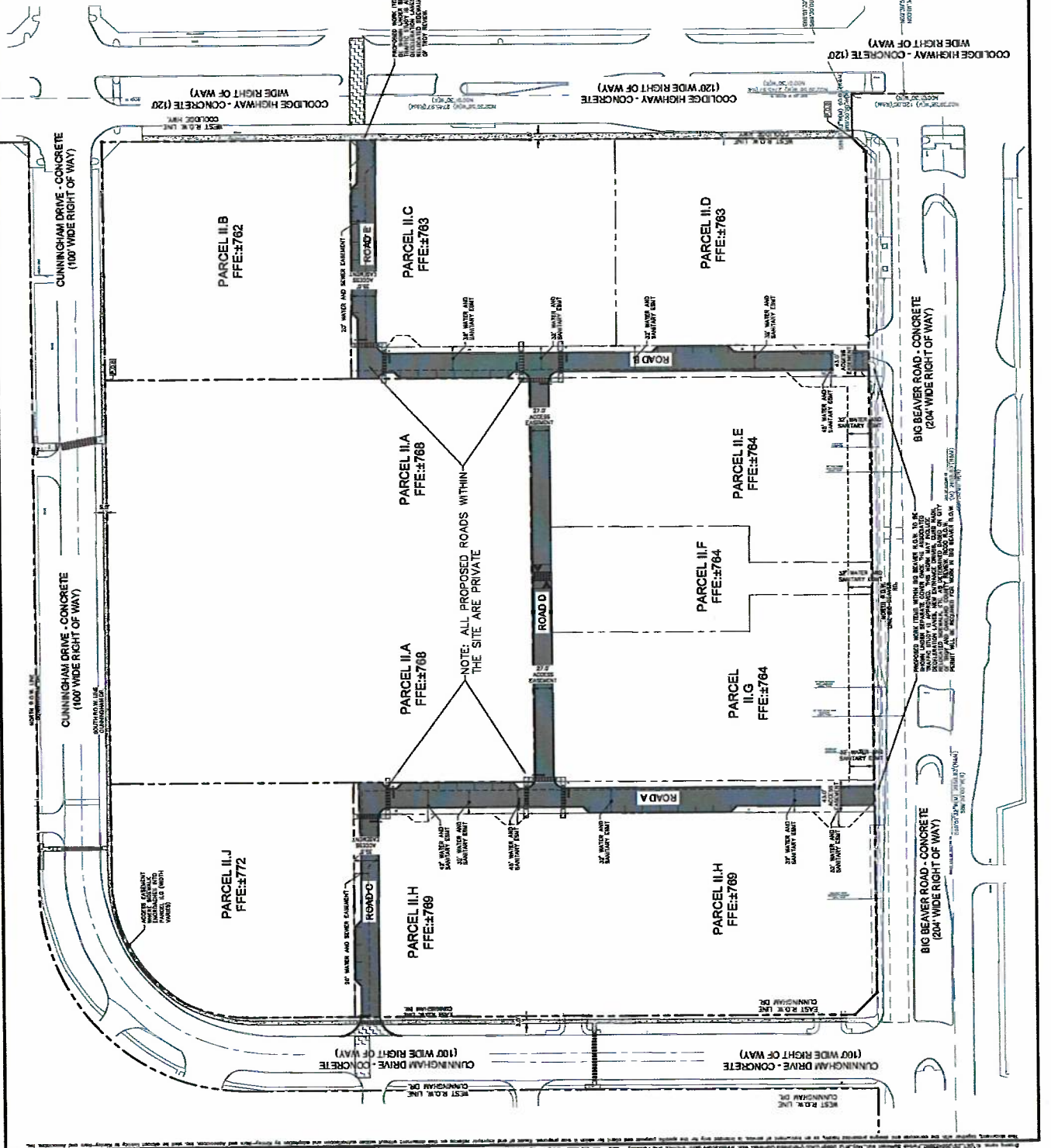


OVERALL SITE PLAN

SOMERSET WEST INFRASTRUCTURE

ORIGINAL ISSUE
REV. PROJECT NO.
SHEET NUMBER

C3.0



[illegible]

Figure 1 is a schematic diagram of a water distribution system. It shows a main line with several branches. A 'PUMP' is located at the start of the main line. The system includes various structures like 'WATER TOWER', 'VALVE', and 'HYDRO-PNEUMATIC TANK'. The diagram is labeled with 'MAIN LINE', 'BRANCH', and 'DRAIN'. The system is divided into 'UPPER' and 'LOWER' sections. The diagram is labeled with 'PUMP', 'WATER TOWER', 'VALVE', 'HYDRO-PNEUMATIC TANK', 'MAIN LINE', 'BRANCH', 'DRAIN', 'UPPER', and 'LOWER'.

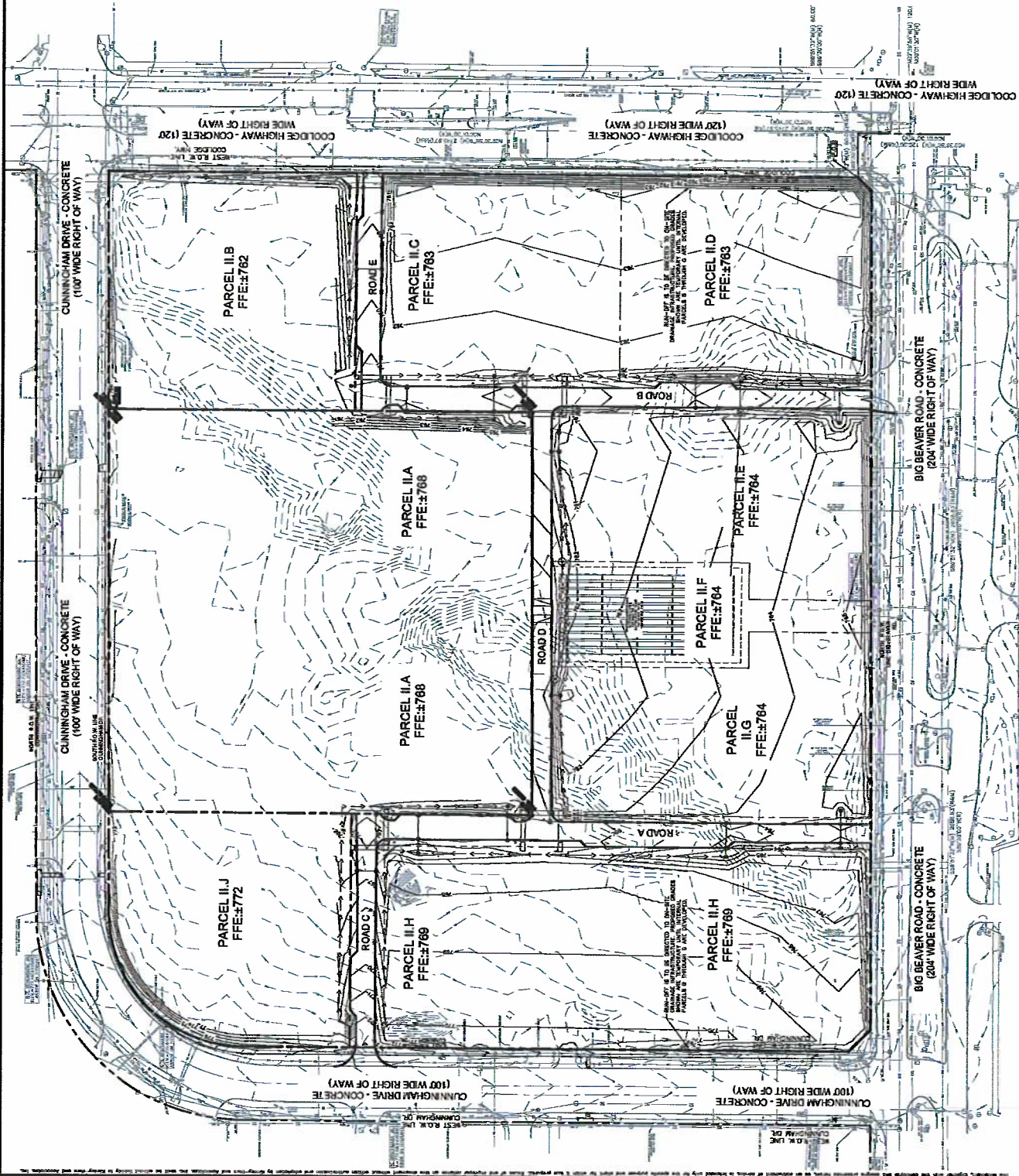
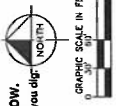


EXHIBIT C

Infrastructure PDP

[See attached]



UTILITY LEGEND

- PROPOSED STORM SEWER LINE
- PROPOSED STORM SEWER STRUCTURE
- PROPOSED SANITARY SEWER LINE
- PROPOSED SANITARY SEWER STRUCTURE
- PROPOSED STORM/SEWER CLEANOUT
- PROPOSED WATER LINE
- PROPOSED WATER VALVE
- PROPOSED WATER METER
- PROPOSED WATER METER VALVE
- PROPOSED WATER METER VALVE
- PROPOSED WATER METER VALVE

BASIS OF DESIGN

ITEM	DESCRIPTION	QUANTITY	UNIT
1	12" x 12" box culvert	1	each
2	12" x 12" box culvert	1	each
3	12" x 12" box culvert	1	each
4	12" x 12" box culvert	1	each
5	12" x 12" box culvert	1	each
6	12" x 12" box culvert	1	each
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10	12" x 12" box culvert	1	each

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BASIS OF DESIGN

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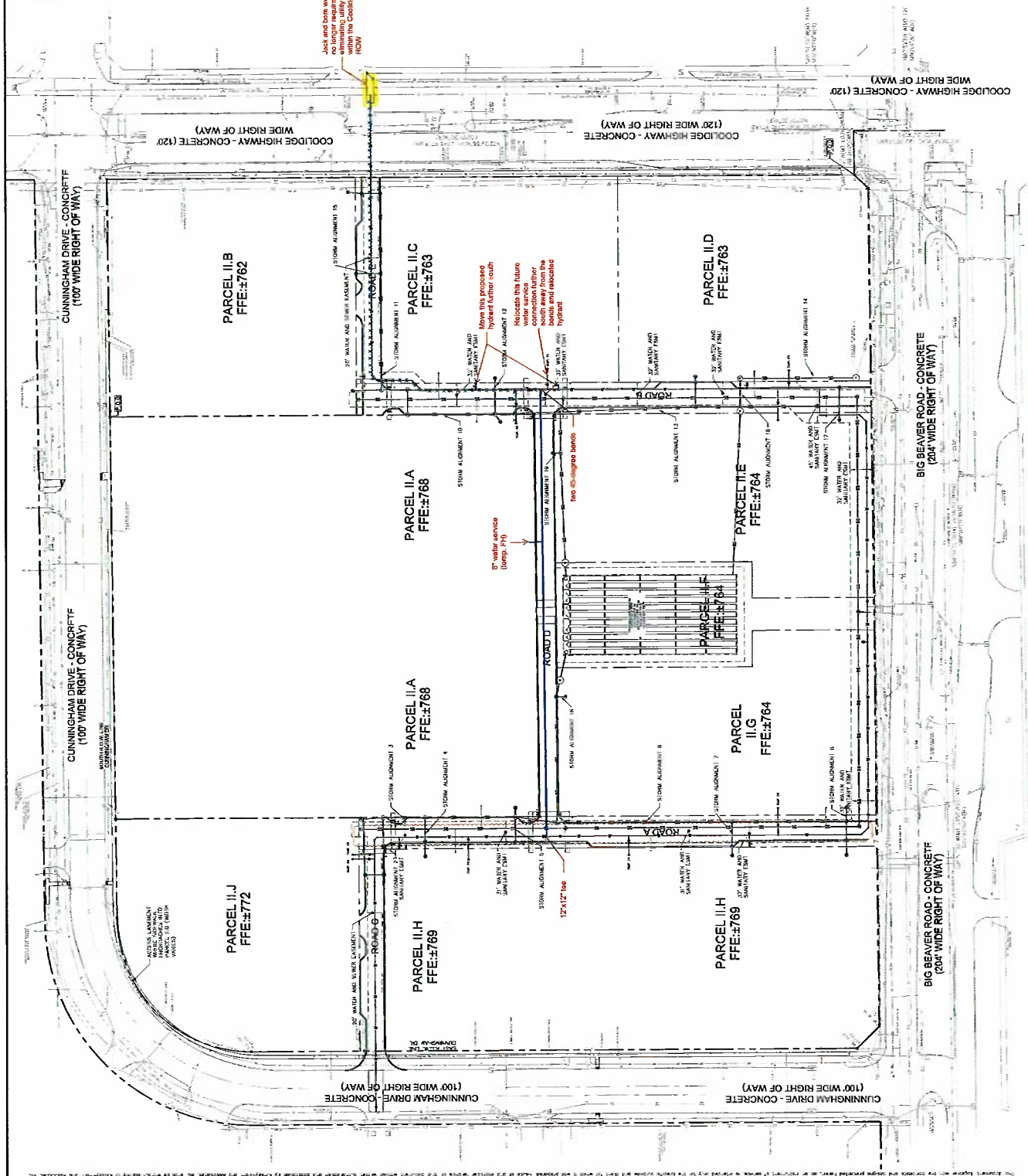


EXHIBIT D

Planning Commission Minutes and Resolutions

[See attached]

Chair Perakis called the Regular meeting of the Troy City Planning Commission to order at 7:02 p.m. on May 13, 2025, in the Council Chamber of the Troy City Hall. Chair Perakis and Vice Chair Malalahalli presented opening remarks relative to the role of the Planning Commission and procedure for tonight's meeting.

1. ROLL CALL

Present:

Toby Buechner
Carlton M. Faison
Tyler Fox
Michael W. Hutson
Tom Krent
David Lambert
Lakshmi Malalahalli
Marianna Perakis
John J. Tagle

Also Present:

Ben Carlisle, Carlisle Wortman & Associates
R. Brent Savidant, Community Development Director
Julie Quinlan Dufrane, Assistant City Attorney
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Resolution # PC-2025-028

Moved by: Faison

Support by: Buechner

RESOLVED, To approve the agenda as prepared.

Yes: All present (9)

MOTION CARRIED

3. APPROVAL OF MINUTES – April 22, 2025

Resolution # PC-2025-05-029

Moved by: Malalahalli

Support by: Lambert

RESOLVED, To approve the minutes of April 22, 2025 Regular meeting as submitted.

Yes: All present (9)

MOTION CARRIED

4. PUBLIC COMMENT – For Items Not on the Agenda

Mary Ellen Barden, 2105 Babcock; addressed the agenda material provided to Planning Commission for their meetings.

PLANNED UNIT DEVELOPMENT

5. PLANNED UNIT DEVELOPMENT – (PUD021 JPLN2024-0012) – Proposed Somerset West Concept Development Plan and Preliminary Development Plan for Phase 1A, North side of Big Beaver, West side of Coolidge (3100 W. Big Beaver, PIN 88-20-19-476-002, 88-20-19-476-003 and 88-20-19-430-004), Section 19, Presently Zoned PUD (Planned Unit Development) Zoning District

Mr. Carlisle explained the three step approval process of the Somerset West Planned Unit Development (PUD) application. He reviewed the proposed Concept Development Plan (CDP) and Preliminary Development Plan (PDP) for Phase 1A since last reviewed at the Planning Commission April 22, 2025 Regular meeting. Mr. Carlisle specifically addressed the applicant's responses to the eight conditions cited in the motion to postpone.

In summary, Mr. Carlisle asked the Planning Commission in its deliberations to consider if the Concept Development Plan meets the PUD Standards set forth in Section 11.03 and if the Preliminary Development Plan for Phase 1A meets the Site Plan Review Design Standards set forth in Section 8.06.

Some comments among Board and administration related to:

- Outline of 17 acres purchased by the University of Michigan (U of M Health).
- Open space requirements.
- Application of the PUD Agreement in relationship to the Zoning Ordinance requirements.

Ms. Dufrane suggested the Board incorporate in its Resolution any considerations it might want City Council to address.

Nate Forbes of Forbes Frankel Troy Ventures LLC addressed the company's continuing reinvestment in the Somerset Collection, their philosophical interest in the Big Beaver corridor and the City of Troy and the demolition of the former K-Mart Headquarters. He presented a video of the proposed mixed-use project, bringing attention to the pedestrian walkways and beautifully landscaped areas. The presentation included renderings of the mixed-use project, open space, medical facility, parking, elevations, building materials and color schemes.

Some comments during discussion related to the following:

- Expanse and vision of the open space.
- Demolition of the former K-Mart Headquarters at a cost of \$6.5 million.

- Townhomes and drive-through uses; applicant addressed reason to keep uses in the PUD Agreement.
- Construction of residential units as relates to the Consent Judgment.
- Parking; deck and surface only, no underground.
- Unknown economic and development climate.
- Installation of the infrastructure is not dependent on U of M Health development.
- U of M Health presence increases interest in Troy community and ancillary uses.
- High standards held by both U of M Health and the applicant.
- Concept Plan illustration; consideration to include pictures and renderings.

Ms. Dufrane expressed how the applicant and the administration are trying to achieve a balance between predictability and flexibility in the PUD Agreement. She reminded the Board that each phase of the development will be before them for consideration.

Mr. Forbes addressed how they are dependent on market fluctuations. He said they will find the balance and build an exceptional mixed-use project.

Chair Perakis opened the floor for public comment.

- Mary Ellen Barden, 2105 Babcock; addressed the impact of the project to her home during construction phase, shared pictures of existing unsightly condition behind her home, asked the applicant to provide an appropriate barrier to alleviate her concerns and concerns of the neighbors to the north.
- Jasper Gill, 3120 Newport; spoke in support of the proposed project, addressed its positive economic impact.

Chair Perakis closed the floor for public comment.

Resolution # PC-2025-05-030

Moved by: Fox

Support by: Faison

WHEREAS, The applicant Forbes Frankel Troy Ventures LLC submitted a Conceptual Development Plan application for a Planned Unit Development, located on the northwest corner of Big Beaver and Coolidge, in Section 19, approximately 40 acres in area; and

WHEREAS, The applicant also submitted a Preliminary Development Plan application for Phase 1A of the proposed Planned Unit Development, including internal roads and utilities; and

WHEREAS, The Concept Development Plan proposes multiple phases for a mixed-use development including up to 500,000 square feet of office, up to 300,000 square feet of retail, up to 750 residential units and up to 250 hotel rooms and open space public amenities; and

WHEREAS, The Concept Development Plan contemplates the development of up to 17 acres of the site by U of M Health, a constitutional corporation per the Michigan Constitution; and

WHEREAS, The Concept Development Plan will be implemented through submittal of Preliminary Development Plans for each phase of development; and

WHEREAS, Each Preliminary Development Plan will require a Planning Commission public hearing and City Council public hearing prior to approval; and

WHEREAS, The proposed Concept Development Plan meets the Standards for Approval set forth in Section 11.03.

THEREFORE BE IT RESOLVED, That the Planning Commission recommends to City Council that Concept Development Plan Approval for the proposed Somerset West Planned Unit Development be **granted**.

BE IT FINALLY RESOLVED, That the Planning Commission recommends to City Council that Preliminary Development Plan Approval for Phase 1A of the Somerset West Planned Unit Development be **granted**.

Discussion on the motion on the floor.

Ms. Dufrane clarified that each Preliminary Development Plan granted approval is given three years to complete construction per the Zoning Ordinance regulations. She said the applicant can request an extension of any approved Preliminary Development Plan and that request would be handled administratively. Ms. Dufrane said any substantial revisions to any approved plan would bring the item back to the Planning Commission for consideration.

Mr. Lambert said he feels the applicant should be granted flexibility because (1) the applicant has demolished the former K-Mart Building; (2) the applicant is bringing in the U of M Health facility as an important anchor; and (3) the applicant is providing multi uses for both businesses and residential units to supplement the Somerset Collection. Mr. Lambert said he is confident the applicant heard the comments expressed this evening from one neighbor to the north and is assured the applicant will accommodate all the neighbors to the north with a nice view of the project.

Vote on the motion on the floor.

Yes: All present (9)

MOTION CARRIED

CONDITIONAL REZONING

6. PUBLIC HEARING – CONDITIONAL REZONING APPLICATION (JPCR2025-002) – Proposed Northland Enclave, West side of Corporate, North of Long Lake (5455 Corporate, PIN 88-20-08-451-004), Section 8, From O (Office) Zoning District to CB (Community Business) and MF (Multifamily) Zoning Districts

Mr. Buechner exited the meeting at 8:25 p.m.; returned at 8:27 p.m.

Mr. Carlisle reviewed the Conditional Rezoning application for Northland Enclave. He addressed how the application relates to the Master Plan (North Troy Special Area Plan) and the voluntary conditions offered by the applicant. He said removing an underperforming office building and repurposing the site for commercial and residential use is consistent with the overall intent of the transformation of North Troy. Mr. Carlisle addressed the site layout and circulation, parking, landscaping, lighting, floor plans, elevations, building materials and color schemes.

In summary, Mr. Carlisle asked the Planning Commission in its deliberations to consider if the application meets the Conditional Rezoning Standards (Section 16.04.C.3) and Site Plan Review Design Standards (Section 8.06). He said any approval should be subject to the conditions identified in the Planning Consultant report dated May 6, 2025.

A video presentation prepared by the applicant was shown.

Erion Nikolla of Eureka Innovation Development and Project Engineer James Butler of PEA Associates were present. The applicant distributed to the Board members updated printouts of the site plan, site layout, landscape plan, elevations, building materials and various colored renderings.

Mr. Nikolla addressed the challenge of repurposing the building and their mission to offer economically attainable and viable housing. Mr. Nikolla explained the shared access easement to the south. He said demolition is scheduled in the summer and construction would start as soon as final engineering plans are approved. Mr. Nikolla addressed the price range for the mix of two and three story homes (\$300,000+).

Some comments during discussion related to the following:

- Internal vehicular and pedestrian circulation.
 - Turning radiuses of trucks at the northwest corner.
 - Safety concerns of the drive aisle.
 - Crosswalks provided.
- Style, design, color scheme, building material of residential units.
- Commercial tenants; small uses, no restaurant.
- Landscaping.
 - Arborvitae, evergreens, retaining rock wall between residential and commercial.
 - Existing landscaping to the south remains.
 - Landscaping to the north will be replaced.

- Gravel walking path; approximately one acre.
- Placement/location of mechanical equipment.
- Design of entrance to the project.
- Front doors of residential units limit outdoor seating, engagement with neighbors.
- Consideration by applicant to create front porches.
- Consideration by applicant to add seating (benches) in center courtyard.
- Consideration to mirror commercial front and rear elevations.

Mr. Nikolla confirmed the voluntary conditions offered are:

- 7 foot wide by 7 foot deep front walkways.
- Additional benches.
- Facades of the retail building mimic each other.
- Approval of the Site Plan application.

PUBLIC HEARING OPENED

There was no one present who wished to speak.

PUBLIC HEARING CLOSED

Moved by: Fox

Support by: Buechner

RESOLVED, That the Planning Commission hereby recommends to the City Council that the O (Office) to CB (Community Business) and MF (Multifamily) Conditional Rezoning request, as per Section 16.04 of the City of Troy Zoning Ordinance, located on the West side of Corporate, North of Long Lake (5455 Corporate, PIN 88-20-08-451-004), within Section 8, being approximately 8.22 acres in size, be **granted**, for the following reasons:

1. The request complies with the Master Plan.
2. The rezoning would permit greater flexibility in use and development of the property.
3. The conditions offered by the applicant reasonably protect the adjacent properties.
4. The rezoning would be compatible with surrounding zoning and land use.
5. The site can be adequately served with municipal water and sewer.

BE IT FURTHER RESOLVED, That the Planning Commission recommends the following site plan design considerations:

1. Increase stacking by one (1) space.
2. Provide screening around exterior air conditioning units.
3. Reduce lighting levels to 0.1 footcandles along retail boundaries adjacent to residential.
4. Provide color renderings of side and rear (garage) elevations.
5. Redesign the residential walkups to the doors to be 7 foot wide.
6. Include additional park benches on the property for public seating.

7. Redesign the facade on the rear of the commercial building to mimic aspects from the front of the commercial building.
8. Include the Site Plan as a voluntary condition of the Conditional Rezoning application to the satisfaction of the City Attorney.

Discussion on the motion on the floor.

Ms. Dufrane said the motion is okay but noted she does not necessarily like the wording *'to the satisfaction of the City Attorney'* when it is a voluntary Conditional Rezoning Agreement.

Mr. Buechner spoke in support of the application. He said it is a great reuse of an office building, he likes the green area, the walking path, play area and the offer of the missing middle housing.

Mr. Fox spoke in support of the application. He said it offers an affordable housing product.

Vote on the motion on the floor.

Yes: All present (9)

MOTION CARRIED

SPECIAL USE APPROVAL AND PRELIMINARY SITE PLAN APPROVAL

7. **SPECIAL USE APPLICATION (SU JPLN2024-0031)** – Proposed Barbat Troy Vehicle Fueling/Multi Use Station, Southeast corner of Crooks Road and South Boulevard (1981 South Boulevard, PIN 88-20-04-100-059), Section 4, Currently Zoned NN (Neighborhood Node "U") District

Mr. Carlisle reviewed the Special Use and Preliminary Site Plan application for the Barbat Troy Vehicle Fueling/Multi Use Station since last considered by the Planning Commission at their February 25, 2025 Regular meeting, at which time a Public Hearing was conducted. Mr. Carlisle outlined the applicant's responses to the issues identified in the motion to postpone.

In summary, Mr. Carlisle asked the Planning Commission in its deliberations to consider if the application meets the Site Plan Review Design Standards (Section 8.06) and the Special Use Standards (Section 9.03). Mr. Carlisle asked any approval of the Site Plan and Special Use application be subject to 1) consider eliminating signage/graphics on the canopy face and have it be metal or brick to match the building; 2) acknowledge on the site plan that the fueling center and restaurant is to be constructed and opened at the same time; and 3) provide a 3D model of the canopy and building in context with the surrounding site.

Present were Duane Barbat, Eric Williams of Stonefield Engineering and Project Architect John Abro.

Some comments during discussion related to the following:

- Shared driveway; turning radiuses for trucks.
- Fuel truck delivery; approximately one hour, six times a month, potential to block traffic maneuverability.
- Parking; location of barrier-free space.
- Number of existing fueling stations in the area.
- Public comment received at the public hearing; majority in opposition.
- Project will serve the northbound traffic.
- Applicant agrees to acknowledge on site plan that restaurant and convenience store will open at the same time as fueling station.
- Elevations; consideration to break up masonry walls, add articulation, landscaping; consideration to center entrance door.
- Canopy striping/color required by *Shell* brand.
- Location of the bike rack.
- Location of EV charging stations; one station serves four cars at one time; infrastructure in place for additional EV charging stations.
- Hours of operation; fueling center/convenience store 24/7, restaurant 10 a.m. to 11 p.m.

Mr. Fox stated he does not support the development because it is an autocentric use at a major intersection of the City. He noted many residents spoke in opposition at the public hearing. Mr. Fox said he sees no difference between the development under consideration this evening and the El Car Wash that the Board denied.

Mr. Barbat respectfully disagreed. He said a car wash is 100% auto related. Mr. Barbat said their product in addition to fuel offers food, convenience store items, and an opportunity for families and friends to gather.

Moved by: Lambert
Support by: Krent

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed Barbat Troy Vehicle Fueling/Multi Use Station, Southeast corner of Crooks and South Boulevard (1981 South Boulevard), Section 4, Currently Zoned NN (Neighborhood Node) District, be granted, subject to the following conditions:

1. Fueling center and restaurant to be constructed and opened concurrently.
2. Design features to the building to be approved by Planning staff per Planning Commission comments during tonight's meeting.
3. Include bike rack relocation on the site.

Discussion on the motion on the floor.

Mr. Lambert said the proposed use is much better than the condition of the Rite Aid building on site. He said with respect to the other fueling centers in the neighborhood, the role of the Planning Commission is to consider what is in the best interest of the community at that location.

Chair Perakis recalled the businesses to the east were happy about the project.

Ms. Malalahalli spoke in support and expressed appreciation to the applicant for working with the Board.

Vote on the motion on the floor.

Yes: Buechner, Faison, Hutson, Krent, Lambert, Malalahalli, Perakis, Tagle
No: Fox

MOTION CARRIED**OTHER ITEMS****8. PUBLIC COMMENT – For Items on the Agenda**

There was no one present who wished to speak.

9. PLANNING COMMISSION COMMENT

There were general comments, some related to:

- Mr. Savidant announced the Planning Commission May 27, 2025 meeting is still scheduled. He said the administration and sub-committee are continuing to work on the zoning language for the revised Master Plan.
- Mr. Hutson addressed the role of the Board in its consideration of a conditional rezoning application.
- Mr. Krent announced an Oakland County Planners Gathering on May 20.
- Ms. Dufrane reported good news on two Tollbrook legal cases.
- Ms. Dufrane addressed Mr. Hutson's comments on the Board's consideration of the conditional rezoning this evening. She said it became clear, after much discussion on the site plan, that it was important to ask the applicant for clarification if the site plan was a voluntary condition to the conditional rezoning application.

10. ADJOURN

The Regular meeting of the Planning Commission adjourned at 10:31 p.m.

Respectfully submitted,



Marianna J. Perakis, Chair



Kathy L. Czarnecki, Recording Secretary

G:\PLANNING COMMISSION MINUTES\2025 PC MINUTES\FINAL\05 2025\2025 05 13 FINAL.docx

EXHIBIT E

City Council Resolution

[See attached]

EXHIBIT F

Legal Description and Depiction of the PUD Property

[See attached]

LEGAL DESCRIPTION OF PARCEL I

A PARCEL OF LAND LOCATED IN THE CITY OF TROY, OAKLAND COUNTY, MICHIGAN, AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS NORTH 00 DEGREES 21 MINUTES 23 SECONDS EAST 102.01 FEET ALONG THE NORTH AND SOUTH QUARTER LINE OF SECTION 19, AND NORTH 89 DEGREES 30 MINUTES 00 SECONDS EAST, 360.04 FEET AND NORTH 00 DEGREES 21 MINUTES 23 SECONDS EAST, 1008.94 FEET AND SOUTH 89 DEGREES 38 MINUTES 37 SECONDS EAST, 872.52 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 19, TOWN 2 NORTH, RANGE 11 EAST; THENCE NORTH 00 DEGREES 01 MINUTE 30 SECONDS WEST, 680.20 FEET; THENCE NORTH 89 DEGREES 49 MINUTES 05 SECONDS EAST, 958.62 FEET; THENCE SOUTH 00 DEGREES 01 MINUTE 30 SECONDS EAST, 88.57 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 30 SECONDS EAST, 400.00 FEET; THENCE SOUTH 00 DEGREES 01 MINUTE 30 SECONDS EAST, 440.77 FEET; THENCE SOUTH 89 DEGREES 30 MINUTES 00 SECONDS WEST 1007.36 FEET; THENCE SOUTHWESTERLY 299.93 FEET ALONG A CURVE CONCAVE TO THE SOUTHEAST (RADIUS OF 285.00 FEET, CENTRAL ANGLE OF 60 DEGREES 17 MINUTES 48 SECONDS, LONG CHORD BEARS SOUTH 59 DEGREES 21 MINUTES 06 SECONDS WEST 286.28 FEET); THENCE NORTH 89 DEGREES 38 MINUTES 37 SECONDS WEST, 104.94 FEET TO THE POINT OF BEGINNING, EXCEPT THAT PART DESCRIBED AS FOLLOWS: PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS NORTH 00 DEGREES 21 MINUTES 23 SECONDS EAST 102.01 FEET ALONG THE NORTH AND SOUTH QUARTER LINE OF SECTION 19, AND NORTH 89 DEGREES 30 MINUTES 00 SECONDS EAST, 360.04 FEET AND NORTH 00 DEGREES 21 MINUTES 23 SECONDS EAST, 1008.94 FEET AND SOUTH 89 DEGREES 38 MINUTES 37 SECONDS EAST, 872.52 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 19, TOWN 2 NORTH, RANGE 11 EAST; THENCE NORTH 00 DEGREES 01 MINUTE 30 SECONDS WEST, 680.20 FEET; THENCE NORTH 89 DEGREES 49 MINUTES 05 SECONDS EAST, 327.00 FEET; THENCE SOUTH 00 DEGREES 01 MINUTE 30 SECONDS EAST, 537.20 FEET; THENCE SOUTHWESTERLY 275.60 FEET ALONG A CURVE CONCAVE TO THE SOUTHEAST (RADIUS OF 285.00 FEET, CENTRAL ANGLE OF 55 DEGREES 24 MINUTES 21 SECONDS, LONG CHORD BEARS SOUTH 56 DEGREES 54 MINUTES 21 SECONDS WEST 264.99 FEET); THENCE NORTH 89 DEGREES 38 MINUTES 37 SECONDS WEST, 104.94 FEET TO THE POINT OF BEGINNING.

EASEMENT PARCEL:

TOGETHER WITH EASEMENT RIGHTS AS CREATED, LIMITED AND DEFINED IN THAT CERTAIN RECIPROCAL RESTRICTION, PARKING AND

EASEMENT AGREEMENT RECORDED IN LIBER 13116, PAGE 679, OAKLAND COUNTY RECORDS.

LEGAL DESCRIPTION OF PARCEL II.A

A PARCEL OF LAND LOCATED IN AND BEING PART OF THE SOUTHEAST 1/4 OF SECTION 19, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 19; THENCE NO2'39'58"W (RECORDED AS NO0'01'30"W) 120.00 FEET ALONG THE EAST LINE OF SAID SECTION 19 AND THE CENTERLINE OF COOLIDGE HIGHWAY (120 FEET WIDE); THENCE S86'51'32"W (RECORDED AS S89'30'00"W) 60.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SAID COOLIDGE HIGHWAY; THENCE NO2'39'58"W (RECORDED AS NO0'01'30"W) 677.89 FEET ALONG THE WEST RIGHT OF WAY LINE OF SAID COOLIDGE HIGHWAY TO THE POINT OF BEGINNING; THENCE S87'20'02"W 323.99 FEET; THENCE SO2'39'58"E (RECORDED AS SO0'01'30"E) 239.52 FEET; THENCE S86'51'32"W (RECORDED AS S89'30'00"W) 548.00 FEET; THENCE NO2'39'58"W (RECORDED AS NO0'01'30"W) 244.07 FEET; THENCE S87'20'02"W 318.01 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF CUNNINGHAM DRIVE (100 FEET WIDE); THENCE NO2'39'58"W (RECORDED AS NO0'01'30"W) 148.83 FEET ALONG THE EAST RIGHT OF WAY LINE OF SAID CUNNINGHAM DRIVE; THENCE 289.06 FEET ALONG A CURVE TO THE RIGHT HAVING A 185.00 FEET RADIUS WITH A CENTRAL ANGLE OF 89'31'26" WHOSE CHORD BEARS N42'05'47"E (RECORDED AS N44'44'15"E) 260.54 FEET; THENCE N86'51'32"E (RECORDED AS N89'30'00"E) 1006.55 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF SAID CUNNINGHAM DRIVE TO A POINT ON THE WEST RIGHT OF WAY LINE OF SAID COOLIDGE HIGHWAY; THENCE S02'39'58"E (RECORDED AS SO0'01'30"E) 342.17 FEET ALONG THE WEST RIGHT OF WAY LINE OF SAID COOLIDGE HIGHWAY TO THE POINT OF BEGINNING CONTAINING 12.089 ACRES OF LAND, MORE OR LESS, SUBJECT TO EASEMENTS OF RECORD, IF ANY.

LEGAL DESCRIPTION OF THE MODIFIED REMAINING PARENT PARCEL

A PARCEL OF LAND LOCATED IN AND BEING PART OF THE SOUTHEAST 1/4 OF SECTION 19, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 19; THENCE NO2'39'58"W (RECORDED AS NO0'01'30"W) 120.00 FEET ALONG THE EAST LINE OF SAID SECTION 19 AND THE CENTERLINE OF COOLIDGE HIGHWAY (120 FEET WIDE); THENCE S86'51'32"W (RECORDED AS S89'30'00"W) 60.00 FEET TO THE POINT OF BEGINNING; THENCE S42'10'26"W (RECORDED AS S44'48'54"W) 25.53 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF BIG BEAVER ROAD (204 FEET WIDE); THENCE S86'51'32"W (RECORDED AS S89'30'00"W) 1142.03 FEET ALONG THE NORTH RIGHT OF WAY LINE OF SAID BIG BEAVER ROAD; THENCE N47'54'08"W (RECORDED AS N45'15'40"W) 42.22 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF CUNNINGHAM DRIVE (100 FEET WIDE); THENCE CONTINUING NO2'39'58"W (RECORDED AS NO0'01'30"W) 675.74 FEET ALONG THE EAST RIGHT OF WAY LINE OF SAID CUNNINGHAM DRIVE; THENCE N87'20'02"E 318.01 FEET; THENCE SO2'39'58"E (RECORDED AS SO0'01'30"E) 244.07 FEET; THENCE N86'51'32"E (RECORDED AS N89'30'00"E) 548.00 FEET; THENCE NO2'39'58"W (RECORDED AS NO0'01'30"W) 239.52 FEET; THENCE N87'20'02"E 323.99 FEET; THENCE SO2'39'58"E (RECORDED AS SO0'01'30"E) 677.89 FEET ALONG THE WEST RIGHT OF WAY LINE OF SAID COOLIDGE HIGHWAY TO THE POINT OF BEGINNING, CONTAINING 16.089 ACRES OF LAND, MORE OR LESS, SUBJECT TO EASEMENTS OF RECORD, IF ANY.



Use Diagram

SOMERSET WEST › THE FORBES COMPANY
ELKUS MANFREDI ARCHITECTS › MARCH 7, 2025

EXHIBIT G

PUD Regulations

[See attached]

Exhibit G

ARTICLE 11

PLANNED UNIT DEVELOPMENT

SECTION 11.01 INTENT

- A. The intent of the [Planned Unit Development](#) option is to permit flexibility in the design and use of residential and non-residential land which, through the implementation of an overall development plan, when applicable to the site, will:
1. Encourage developments that will result in a long-term contribution to social, environmental and economic sustainability in the City of Troy.
 2. Permit development patterns that respond to changing public and private needs.
 3. Encourage flexibility in design and use that will result in a higher quality of development and a better overall project than would be accomplished under conventional zoning, and which can be accommodated without sacrificing established community values.
 4. Provide for the long-term protection and/or preservation of natural resources, natural features, and/or historic and cultural resources.
 5. Promote the efficient use and conservation of energy.
 6. Encourage the use, redevelopment and improvement of existing sites where current ordinances do not provide adequate protection and safeguards for the site or its surrounding areas, or where current ordinances do not provide the flexibility to consider redevelopment, replacement, or adaptive re-use of existing structures and sites.
 7. Provide for enhanced housing, employment, recreation, and shopping opportunities for the citizens of Troy.
 8. Ensure the compatibility of design and use between various components within the PUD and with neighboring properties and uses.
 9. Ensure development that is consistent with the intent of the [Master Plan](#).
- B. A Planned Unit Development project is viewed as an integrated development concept. To that end, the provisions of this Article are not intended to be used as a device for avoiding the zoning requirements that would otherwise apply, but rather to allow flexibility and mixture of uses, and to improve the design, character and

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quality of new development. The use of a Planned Unit Development to permit variations from other requirements of this Ordinance shall only be approved when such approval results in improvements to the public health, safety and welfare in the area affected, and in accordance with the intent of this Article.

SECTION 11.02 USES PERMITTED

The uses permitted within a [Planned Unit Development](#) shall be consistent with the intent of the [Master Plan](#) or the intent of any applicable corridor or sub-area plans. If conditions have changed since the Plan, or any applicable corridor or sub-area plans were adopted, the uses shall be consistent with recent development trends in the area. Other land uses may be authorized when such uses are determined to be consistent with the intent of this Article. Physical standards relating to matters such as [building height](#), bulk, density, parking and setbacks will be determined based upon the specific Planned Unit Development PUD plan presented, and its design quality and compatibility with adjacent uses, rather than being based upon the specific standards contained in the underlying zoning districts or in those districts within which the proposed uses otherwise occur. A Planned Unit Development PUD, approved in accordance with the provisions of this Article, replaces the underlying zoning districts as the basis upon which the subject property is developed and its uses are controlled.

SECTION 11.03 STANDARDS FOR APPROVAL

A [Planned Unit Development](#) project may be applied for in any [zoning district](#). In order to be considered for the Planned Unit Development option, it should be demonstrated that the following standards will be met, as reasonably applicable to the site:

- A. The proposed development shall be applied for by a person or entity who has the legal right to execute a binding agreement covering all parcels in the PUD.
- B. The applicant shall demonstrate that through the use of the PUD option, the development will accomplish a sufficient number of the following objectives, as are reasonably applicable to the site, providing:
 1. A mixture of land uses that would otherwise not be permitted without the use of the PUD provided that other objectives of this Article are also met.
 2. A public improvement or public facility (e.g. recreational, transportation, safety and security) which will enhance, add to or replace those provided by public entities, thereby furthering the public health, safety and welfare.
 3. A recognizable and material benefit to the ultimate users of the project and to the community, where such benefit would otherwise be infeasible or unlikely to be achieved absent these regulations.

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4. Long-term protection and preservation of natural resources, natural features, and historic and cultural resources, of a significant quantity and/or quality in need of protection or preservation, and which would otherwise be unfeasible or unlikely to be achieved absent these regulations.
5. A compatible mixture of [open space](#), landscaped areas, and/or pedestrian amenities.
6. Appropriate land use transitions between the PUD and surrounding properties.
7. Design features and techniques, such as green building and low impact design, which will promote and encourage energy conservation and sustainable development.
8. Innovative and creative site and building designs, solutions and materials.
9. The desirable qualities of a dynamic urban environment that is compact, designed to human scale, and exhibits contextual integration of buildings and city spaces.
10. The PUD will reasonably mitigate impacts to the transportation system and enhance non-motorized facilities and amenities.
11. For the appropriate assembly, use, redevelopment, replacement and/or improvement of existing sites that are occupied by obsolete uses and/or structures.
12. A complementary variety of housing types that is in harmony with adjacent uses.
13. A reduction of the impact of a non-conformity or removal of an obsolete building or structure.
14. A development consistent with and meeting the intent of this Article, which will promote the intent of the [Master Plan](#) or the intent of any applicable corridor or sub-area plans. If conditions have changed since the Plan, or any applicable corridor or sub-area plans were adopted, the uses shall be consistent with recent development trends in the area.
15. Includes all necessary information and specifications with respect to structures, heights, setbacks, density, parking, circulation, landscaping, amenities and other design and layout features, exhibiting a due regard for the relationship of the development to the surrounding properties and uses thereon, as well as to the relationship between the various elements within the proposed [Planned Unit Development](#). In determining whether these relationships have been appropriately addressed, consideration shall be given to the following:

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- a. The bulk, placement, and materials of construction of the proposed structures and other site improvements.
- b. The location and screening of vehicular circulation and parking areas in relation to surrounding properties and the other elements of the development.
- c. The location and screening of outdoor storage, loading areas, outdoor activity or work areas, and mechanical equipment.
- d. The hours of operation of the proposed uses.
- e. The location, amount, type and intensity of landscaping, and other site amenities.

16. Parking shall be provided in order to properly serve the total range of uses within the Planned Unit Development. The sharing of parking among the various uses within a Planned Unit Development may be permitted. The applicant shall provide justification to the satisfaction of the City that the shared parking proposed is sufficient for the development and will not impair the functioning of the development, and will not have a negative effect on traffic flow within the development and/or on properties adjacent to the development.

17. Innovative methods of stormwater management that enhance water quality shall be considered in the design of the stormwater system.

18. The proposed Planned Unit Development shall be in compliance with all applicable Federal, State and local laws and ordinances, and shall coordinate with existing public facilities.

SECTION 11.04 CONSISTENCY WITH MASTER PLAN

In the event that an applicant proposes a [Planned Unit Development](#) wherein the predominant use or uses would not be consistent with the intent of the [Master Plan](#), applicable corridor or sub-area plans, recent development trends in the area, or this Article, the City may consider initiating an amendment to the Master Plan or applicable corridor or sub-area plans. If an applicant proposes any such uses, the applicant shall provide supporting documentation in advance of or simultaneous with the request for [Concept Development Plan Approval](#).

SECTION 11.05 SUMMARY OF THE APPROVAL PROCESS

A. Step One: Conceptual Development Plan Approval. The procedure for review and

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approval of a PUD shall be a three-step process. The first step shall be application for and approval of a [Concept Development Plan](#), which requires a legislative enactment amending the zoning district map so as to reclassify the property as a [Planned Unit Development](#). A proposed Development Agreement shall be included and incorporated with the Concept Development Plan, to be agreed upon and approved coincident with said Plan. The Concept Development Plan and Development Agreement shall be approved by the [City Council](#) following the recommendation of the [Planning Commission](#). Such action, if and when approved, shall confer upon the applicant approval of the Concept Development Plan and shall rezone the property to PUD in accordance with the terms and conditions of the Concept Development Plan approval.

B. Step Two: [Preliminary Development Plan](#) Approval. The second step of the review and approval process shall be the application for and approval of a Preliminary Development Plan (preliminary site plan) for the entire project, or for any one or more phases of the project. City Council shall have the final authority to approve and grant Preliminary Development Plan approvals, following a recommendation by the Planning Commission.

C. Step Three: Final Development Plan Approval. The third step of the review and approval process shall be the review and approval of a Final Development Plan (final site plan) for the entire project, or for any one or more phases of the project, and the issuance of building permits. Final Development Plans for Planned Unit Developments shall be submitted to the Zoning Administrator for administrative review, and the [Zoning Administrator](#), with the recommendation of other appropriate City Departments, shall have final authority for approval of such Final Development Plans.

SECTION 11.06 STEP ONE: CONCEPT DEVELOPMENT PLAN APPROVAL

A. Preapplication Meeting. Prior to the submission of an application for approval of a Planned Unit Development, the applicant shall meet informally with the Zoning Administrator of the City, together with such staff and outside consultants as deemed appropriate by the City. The applicant shall present at such conference, or conferences, a sketch plan of the proposed Planned Unit Development, as well as the following information:

1. A legal description of the property and the total number of acres in the project;
2. A topographical map of the site;
3. A statement as to all proposed uses;
4. The known deviations sought from the ordinance regulations otherwise applicable;

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5. The number of acres to be preserved as open or recreational space and the intended uses of such space;

6. All known natural resources, natural features, historic resources and historic features; which of these are to be preserved; and

7. A listing and specification of all site development constraints.

- B. Concept Development Plan. Thereafter, a [Concept Development Plan](#) conforming to the application provisions set forth herein shall be submitted. A proposed Development Agreement shall be incorporated with the Concept Development Plan submittal and shall be reviewed and approved coincident with the Plan. Such submissions shall be made to the [Zoning Administrator](#), who shall present the same to the [Planning Commission](#) for consideration at a regular or special meeting. The Concept Development Plan shall constitute an application to amend the zoning district map. Before making a recommendation to the [City Council](#), the Planning Commission shall hold a Public Hearing on the proposal. Prior to the Planning Commission scheduling a Public Hearing, the applicant shall arrange for one (1) or more informal meetings with representatives of the adjoining neighborhoods, soliciting their comments and providing them to the Planning Commission. The City shall be advised in advance as to the scheduling and location of all such meetings.

Thereafter, the Planning Commission shall make a recommendation to the City Council with regard to the Concept Development Plan. A Public Hearing shall be scheduled before the City Council, at which time Council will consider the proposal along with the recommendations of the Planning Commission, the City staff, and comments of all interested parties. The City Council shall then take action to approve, approve with conditions, or disapprove the Concept Development Plan. The City Council shall set forth in their resolution the reasons for such action, including any reasons for denial.

- C. Application. The application for approval of a Concept Development Plan shall include the information and materials set forth herein, which shall be in a plan format together with a narrative explanation. The Zoning Administrator shall have the authority to waive certain information and materials if it is determined that such information and materials do not affect compliance with this Ordinance.
1. Development Concept. A summary explanation of the development concept shall describe the project and explain how the project will meet the intent of the PUD option as set forth in [Section 11.01](#) and the criteria for consideration as a PUD as set forth in [Section 11.03](#) hereof, as those sections reasonably apply to the site.
 2. Density. The maximum density of the overall project and the maximum density for each proposed use and phase.

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3. Road System. A general description of the road system and circulation pattern; the location of roads, entrances, exits and pedestrian walkways; a statement whether roads are intended to be public or private. Efforts shall be made to ensure that multiple transportation modes are safely and effectively accommodated in an effort to provide alternate modes of access and alleviate vehicle traffic congestion particularly as it pertains to the improvements along major roads.
4. Utilities. A general description and location of both on-site and off-site utilities including proposed water, sanitary sewer, storm sewer systems and utility lines; a general indication of the size and location of stormwater detention and retention ponds, and a map and text showing off-site utilities, existing and proposed, which will provide services to the project.
5. Open Space/Common Areas. A general description of proposed **open space** and common areas; the total area of open space; the total area of open space in each proposed phase; and the proposed uses of open space and common areas.
6. Uses. A list of all proposed uses; the location, type and land area to be devoted to each use, both overall and in each phase; and a demonstration that all of the proposed uses are permitted under this Article.
7. Development Guidelines. A plan of the site organization, including typical setback and lot dimensions; the minimum lot sizes for each use; typical minimum and maximum **building height** and size; massing models; conceptual building design; and the general character and arrangement of parking; fencing; lighting; berming; and building materials.
8. Parking and Traffic. A study of the parking requirements and needs; and a traffic impact study and analysis.
9. Landscaping. A general landscaping plan; a landscape plan for entrances; a landscape plan for overall property perimeters; any theme/streetscape design; and any proposed irrigation.
10. Natural Resources and Features. Floodway/floodplain locations and elevations; wetlands and watercourses; woodlands; and location and description of other natural resources and natural features.
11. Phasing Information. The approximate location, area and boundaries of each phase; the proposed sequence of development, including phasing areas and improvements; and the projected timing for commencement and completion of each phase.

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12. Public Services and Facilities. A description of the anticipated demand to be generated by the development for public sewer, water, off-site roads, schools, solid waste disposal, off-site drainage, police and fire; a description of the sufficiency of each service and facility to accommodate such demands; and the anticipated means by which any insufficient services and facilities will be addressed and provided.

13. Historical Resources and Structures. Their location, description and proposed preservation plan.

14. Site Topography.

15. Signage. General character and location of entrance and internal road system signage; project identification signage; and temporary or permanent signage proposed for any other locations.

16. Amenities.

17. Zoning Classification. Existing zoning classifications on and surrounding the site.

18. Specification Of Deviations. A specification of all deviations proposed from the regulations which would otherwise be applicable to the underlying zoning and to the proposed uses, which are proposed and sought for any phase or component of the [Planned Unit Development](#); the safeguards, features and/or planning mechanisms proposed to achieve the objectives intended to be accomplished by any regulation from which a deviation is being sought.

19. Community Impact Statement. A community impact statement, which shall provide an assessment of the developmental, ecological, social, economic and physical impacts of the project on the natural environmental and physical improvements on and surrounding the development site. Information required for compliance with other ordinance provisions need not be duplicated in the community impact statement.

D. Standards for Approval. In making a determination as to whether to approve a proposed Planned Unit Development proposal, the [Planning Commission](#) and the [City Council](#) shall be guided by the intent and criteria as set forth in [Sections 11.01 through 11.04](#), as reasonably applicable to the site.

E. Planned Unit Development Agreement. In conjunction with a request for [Concept Development Plan](#) approval, the applicant shall submit one or more proposed documents which, when agreed upon by all parties, shall serve as the PUD Agreement. As a part of the Concept Development Plan approval process, the applicant and the City Council shall each authorize execution of a PUD

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Development Agreement. The PUD Development Agreement shall include, but shall not be limited to, items such as the following:

1. A summary description of the nature and character of the proposed development, including uses, densities and site improvements as approved in the Concept Development Plan.
 2. A statement of the conditions upon which [Conceptual Development Plan Approval](#) by the [City Council](#) is based, with particular attention given to those conditions, which are unique to this particular PUD Plan. These conditions may include matters such as, but not limited to, architectural standards, building elevations and materials, site lighting, pedestrian facilities, and landscaping.
 3. A summary of the public improvements (streets, utilities, etc.) and any other material benefits offered by the applicant, which are to be carried out in conjunction with the proposed PUD development, along with a summary of the financial guarantees which will be required and provided in order to ensure completion of those improvements, as well as the form of such guarantees which will be acceptable to the City.
 4. A document specifying and ensuring the maintenance of any open space or common areas contained within the PUD development (e.g. through a property owners association, or through conveyance to the City with maintenance deposit, etc.)
 5. A statement that if there is a conflict between the Zoning Ordinance, the Conceptual Development Plan and the Planned Unit Development Agreement, the Planned Unit Development Agreement shall control.
 6. Upon the granting of Concept Development Plan approval, the [Planned Unit Development Agreement](#) shall be recorded in the office of the Oakland County Register of Deeds by the City of Troy, referencing the legal description of the subject property.
- F. Effect of Concept Development Plan Approval. If the City Council approves the Concept Development Plan and the Development Agreement, the zoning map shall be amended to designate the property as a Planned Unit Development. Such action, if and when approved, shall confer Concept Development Plan approval for five (5) years (herein to be referred to as CDP Period). The five year CDP Period commences upon the effective date of adoption of the ordinance that rezones the parcel to PUD by City Council.

During the CDP Period, the applicant shall be permitted to submit at least one (or more, at the option of the applicant, if the project is proposed in phases) Preliminary Development Plan application(s), seeking Preliminary Development

Plan approval in the manner hereinafter provided. Upon the submittal of the first Preliminary Development Plan for one (1) or more phases of the PUD project, the five (5) year expiration period shall no longer apply to the CDP and the CDP shall remain in full force and effect for the development of the entire PUD project, including without limitation, the development of all future phases of the entire PUD Property. Any submittals of Preliminary Development Plans shall comply with all the requirements of [Article 8, Site Plan Review](#) for Preliminary Site Plan submittals and any additional requirements of the [Zoning Administrator](#) reasonably needed to demonstrate consistency with the CDP and compliance with [Section 11.07](#). Any [Preliminary Development Plans](#) that do not comply with these requirements shall not be considered submittals for purposes of this Paragraph. After submittal of the first Preliminary Development Plan, the timing for the issuance of permits and construction of the PUD project and/or all future phases, shall, be determined as set forth in [Section 11.08.F](#).

Upon the request of the applicant, prior to the expiration of the [Concept Development Plan](#), the [City Council](#) may extend the expiration date of the Concept Development Plan. In determining whether to extend the expiration date of the Concept Development Plan, approval of an extension may be granted if the ordinances and laws applicable to the project have not changed in a manner which would substantially affect the project as previously approved.

In the event of the expiration of the Concept Development Plan, the applicant may either make application for a new Concept Development Plan or make application for some other zoning classification. Following Final Development Plan Approval for one or more phases or for the entire PUD, no use or development of the subject property may occur which is inconsistent with the approved Final Development Plan and Development Agreement. There shall be no use or development of the subject property until a new Concept Development Plan or rezoning is approved.

SECTION 11.07 STEP TWO: PRELIMINARY DEVELOPMENT PLAN APPROVAL

- A. Development of property classified as a PUD shall require [Preliminary Development Plan](#) approval, which shall be granted by City Council following a recommendation by the Planning Commission. Application(s) shall be submitted to the Planning Commission and [City Council](#) for review and approval consistent with the approved Concept Development Plan.
- B. Preliminary Development Plan approval may be applied for and granted with respect to the entire PUD development or as to one (1) or more phases. However, if the project is developed in phases, the design shall be such that upon completion, each phase or cumulative result of approved phases shall be capable of standing on its own in terms of the presence of services, facilities, and open space, and shall contain the necessary components to ensure protection of natural resources and

the health, safety, and welfare of the users of the [Planned Unit Development](#) and properties in the surrounding area.

The Preliminary Development Plan shall specify the public improvements required to be constructed in addition to and outside of the proposed phase or phases for which approval is sought, which are determined to be necessary in order to support and service such phase or phases.

Further, the Preliminary Development Plan may require the recordation of permanent or temporary easements, open space agreements, and other instruments in order to ensure the use and development of the public improvements on the property as proposed and/or to promote and/or protect the public health, safety and welfare in a manner consistent with the intent and spirit of this Article.

C. Except as herein otherwise modified, [Preliminary Development Plan](#) approval shall be based upon the requirements, standards and procedures set forth in [Article 8, Site Plan Review](#). In addition to the information required in Article 8, the applicant shall also submit the following:

1. A demonstration, including map and text, that the requirements of [Section 11.07.B](#) hereof have been met.
2. To the extent not provided by the information submitted in accordance with Article 8, Site Plan Review, the following additional information and documentation shall be submitted:
 - a. Sufficient information to demonstrate compliance with any applicable project design standards as approved during [Concept Development Plan](#) review.
 - b. A site plan showing the type, location and density of all structures and uses.
 - c. A plan showing all [open spaces](#), including preserves, recreational areas, and historic resources, including but not limited to all similar such uses and spaces, and the purpose proposed for each area.
 - d. Expert opinion of an independent consultant with regard to a market need for the use or uses proposed and the economic feasibility of the project.
 - e. A specification of all deviations proposed from the regulations, which would otherwise be applicable to the underlying zoning and to the proposed uses.

This specification shall state the reasons and mechanisms to be utilized for the protection of the public health, safety and welfare in lieu of the regulations, which would otherwise apply to a traditional development.

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f. Additional landscaping details as required by the [Planning Commission](#) and/or the [City Council](#) in order to achieve a specific purpose consistent with the spirit of this Article.

g. The general improvements which will constitute a part of each phase or phases proposed, including, without limitation, lighting, signage, visual and noise screening mechanisms, utilities, and further including the aesthetic qualities of the general improvements.

D. The [Planning Commission](#) shall proceed with the review of a [Preliminary Development Plan](#) for either the entire PUD development or for any one or more phases thereof in the manner herein specified and in accordance with the provisions of [Article 8, Site Plan Review](#). The Planning Commission shall determine that:

1. The Preliminary Development Plan continues to meet and conform to the criteria for, the intent of and the objectives contained in the approved Concept Development Plan. In the event that the Planning Commission determines that the Preliminary Development Plan does not continue to meet or conform to the criteria for, the intent of and/or the objectives contained in the approved Concept Development Plan, the Planning Commission shall make this determination a part of their recommendation.

2. The Preliminary Development Plan meets the requirements, standards and procedures set forth in [Article 8, Site Plan Review](#) and any other applicable requirements as set forth in this Article.

E. At the conclusion of the Planning Commission's review, the Planning Commission shall either recommend approval of the Preliminary Development Plan, with or without conditions, or recommend denial. If the Planning Commission recommends denial, the minutes of the meeting shall include the reasons for recommending denial. If approval is recommended with conditions, the minutes shall include a statement of the conditions.

Following receipt of the Planning Commission's recommendation of a Preliminary Development Plan, the [City Council](#) shall either approve the Preliminary Development Plan, with or without conditions, or deny the Preliminary Development Plan. If City Council determines the Preliminary Development Plan does not conform to the Concept Development Plan, the applicant shall either revise the Preliminary Development Plan to so conform, or, shall seek an amendment to the Concept Development Plan in accordance with [Section 11.09](#).

F. City Council's approval of the Preliminary Development Plan shall be effective for a period of three (3) years, during which period of time the applicant is authorized to submit a Final Development Plan (final site plan, engineering and construction plans) for site improvements, together with all other documents necessary for Final

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Development Plan approval and the issuance of Building Permits. The applicant may apply to the City for extension of the three (3) year period for approval of the Preliminary Development Plan.

SECTION 11.08 STEP THREE: FINAL DEVELOPMENT PLAN APPROVAL

Upon receipt of [Preliminary Development Plan](#) approval, the applicant shall be entitled to submit a Final Development Plan for the entire development (or one or more phases) to the [Zoning Administrator](#) for its review and approval, and the Zoning Administrator shall have final authority for the review and requested approval of Final Development Plans. In conjunction with the application for approval of a Final Development Plan, the applicant shall submit evidence of completion of the Preliminary Development Plan Approval process in accordance with this Article. Following its review of the Final Development Plan, the Zoning Administrator shall approve, approve with conditions, or disapprove the Final Development Plan. In the event of denial, the Zoning Administrator shall set forth in writing the reasons for such action. Construction shall commence in accordance with the Final Development Plan within two (2) years from the date of approval. The applicant may apply to the Planning Commission for an extension of the one (1) year period within which to commence construction upon good cause shown.

SECTION 11.09 AMENDMENT

Any proposed amendment of the [Planned Unit Development](#) which seeks to alter the intent, the conditions or terms of the [Concept Development Plan](#) as approved and/or the terms or conditions of Final Development Plan approval, shall be presented to and considered by the [Planning Commission](#) and the [City Council](#) at Public Hearings, following the procedures set forth for Concept Development Plan approval.

SECTION 11.10 PUBLIC NOTICE FOR PLANNED UNIT DEVELOPMENT PUBLIC HEARINGS

- A. All applications for a Planned Unit Development shall require public notice and a public hearing. [Section 3.04, Public Notice](#) Requirements sets forth notification requirements for all public hearings.
- B. A sign shall be placed on the subject property to inform the public that an application for a Planned Unit Development has been filed, and to indicate the location of information regarding the request.

SECTION 11.11 ABANDONMENT

- A. Abandonment of [Concept Development Plan](#). Following any action evidencing

[BACK](#)
[FORWARD](#)

Article 11
Planned Unit Development

Authority and
Administration

Development
Regulations

Processes and
Procedures

Supplemental Design
Regulations

Nonconformity,
Appeals, Amendments

abandonment of the Concept Development Plan, whether through failure to proceed during the Concept Development Plan period as required under this Article, or through notice of abandonment given by the property owners, applicants or their successors. The [City Council](#) shall be entitled to take any necessary and appropriate action to rescind the Concept Development Plan approvals, to invalidate any related Development Agreements, and to rezone the subject property from PUD to an appropriate classification. Abandonment shall be deemed to rescind any and all rights and approvals granted under and as part of the Concept Development Plan, and the same shall be deemed null and void. Evidence of such actions shall be recorded in the office of the Oakland County Register of Deeds, and referenced to the subject property.

- B. Abandonment of [Preliminary Development Plan](#). Approved Preliminary Development Plans for which a Final Development Plan has not been submitted as required under [Section 11.08](#) shall be considered abandoned for the purposes of this Article. The applicant may request a twelve (12) month extension of Preliminary Development Plan approval, which will be considered and acted upon by the City Council following a Public Hearing. A written request for extension must be received by the City before the expiration of the three (3) year Preliminary Plan Approval period.
- C. Abandonment of Final Development Plan. Approved Final Development Plans, upon which construction does not commence within a two (2) year period from the date of a Final Development Plan approval, shall be considered abandoned for the purposes of this Article. The applicant may request a twelve (12) month extension of Final Development Plan approval, which will be considered and acted upon by the [City Council](#) following a Public Hearing. A written request for extension must be received by the City before the expiration of the two (2) year Final Plan Approval period.

SECTION 11.12 APPEALS

The Zoning Board of Appeals shall have no authority in matters covered by this Article. Modifications to plans or proposals submitted under this Article shall be processed in accordance with the amendment procedures covered under [Section 11.09](#) hereof.

SECTION 11.13 VIOLATIONS

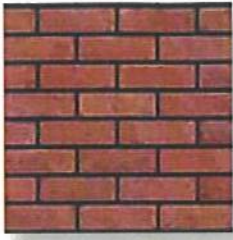
Any violation of the approved PUD Final Plan or the PUD Agreement shall be considered a violation of the Zoning Ordinance, which shall be subject to the enforcement actions and penalties described in [Section 3.08](#).

[Table of Contents](#)
[Zoning Map](#)
[Definitions](#)
[Figures & Maps](#)
[Tables](#)

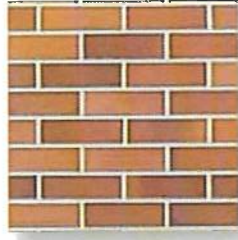
EXHIBIT H

Design Quality Examples

[See attached]



**1. Masonry
(Red Brick)**



**2. Masonry
(Brown Brick)**



**3. Masonry
(Charcoal Brick)**



**4. Masonry
(White Brick)**



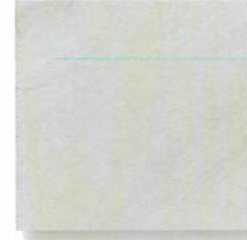
**5. Cast-In-Place or
Precast Concrete
(Light Gray)**



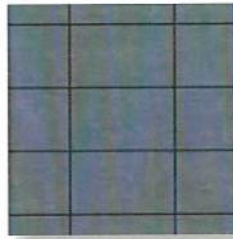
**6. Stone
(Cream)**



**7. Stone
(Light Gray)**



**8. Stone
(Off White)**



**9. Metal
(Gray)**



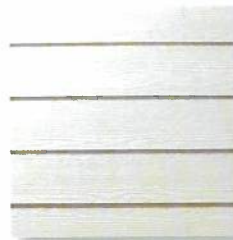
**10. Metal
(Dark Gray)**



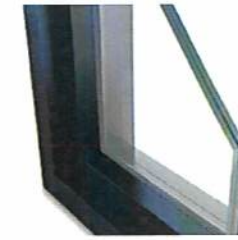
**11. Wood
(Light Brown)**



**12. Wood
(Brown)**



**13. Fiber
Cement**



14. Glass

Architectural Characteristics and Materials

The general architectural character will reflect the fine qualities and traditions in the City of Troy and neighboring communities. Each structure will have its own identifying architecture that will work in harmony with buildings throughout the PUD to provide a cohesive and pleasant visual appearance. Building façade characteristics will offer a high degree of three dimensionality; scale and proportions suitable for each use; shade and shadow; and textures found in best-in-class architecture.

Building architecture to comply with the Big Beaver Corridor standards, however the City Council based on recommendations from the Planning Commission may waive certain requirements in lieu of good architectural design and quality materials.

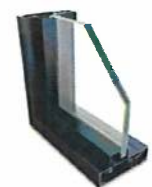
Note Key:



1. Masonry



2. Metal



3. Glass

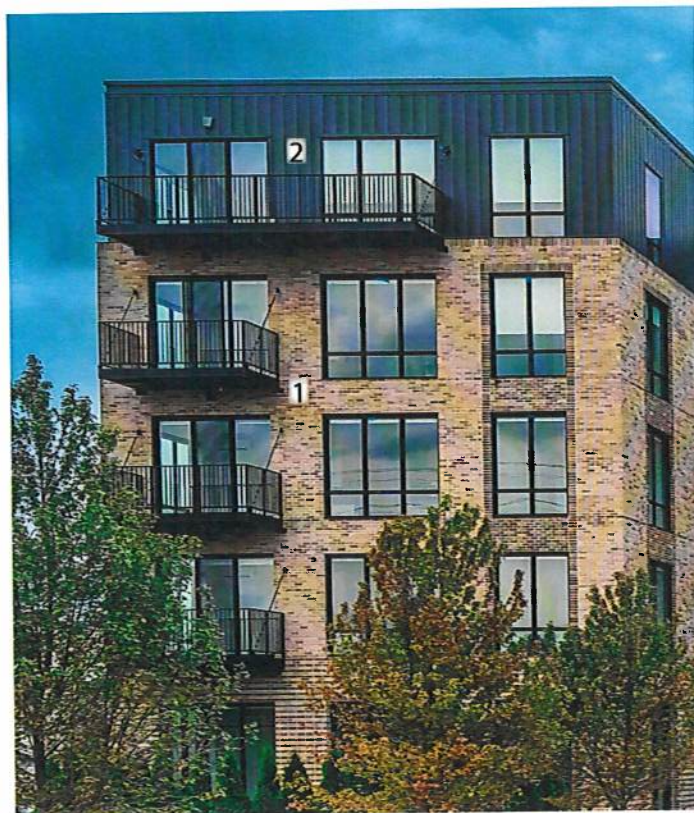
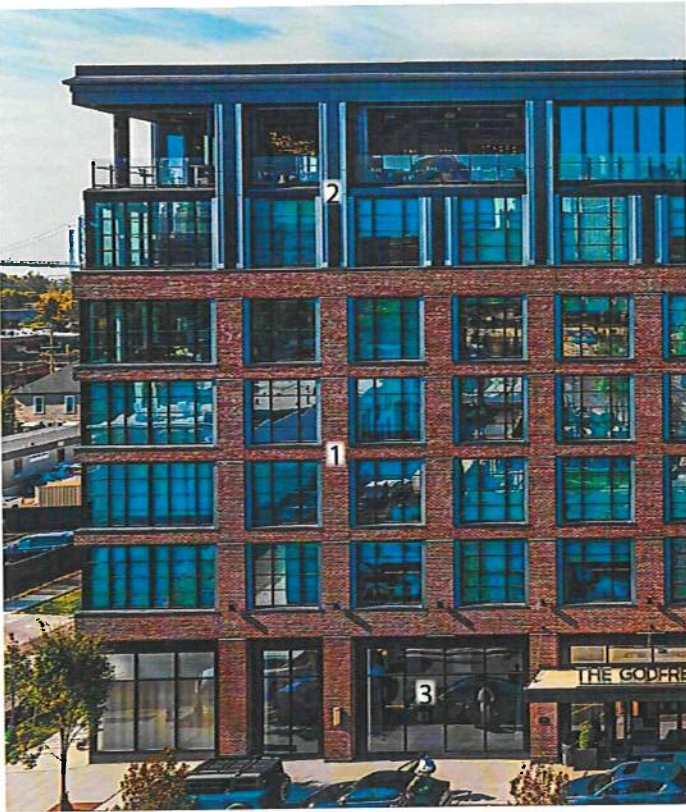
Note Key:



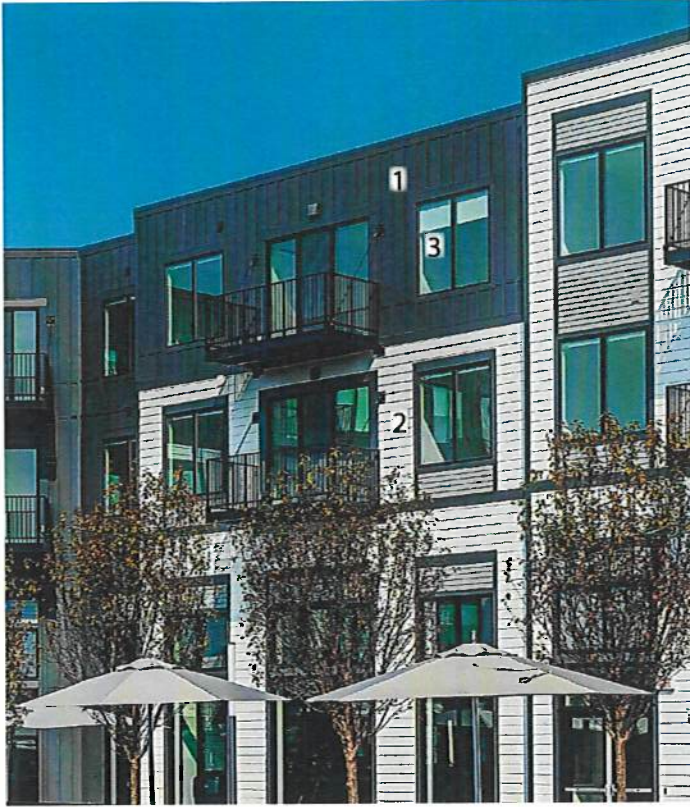
1. Masonry



2. Metal



Architectural Characteristics



Note Key:



1. Metal



2. Fiber Cement



3. Glass



Note Key:



1. Masonry

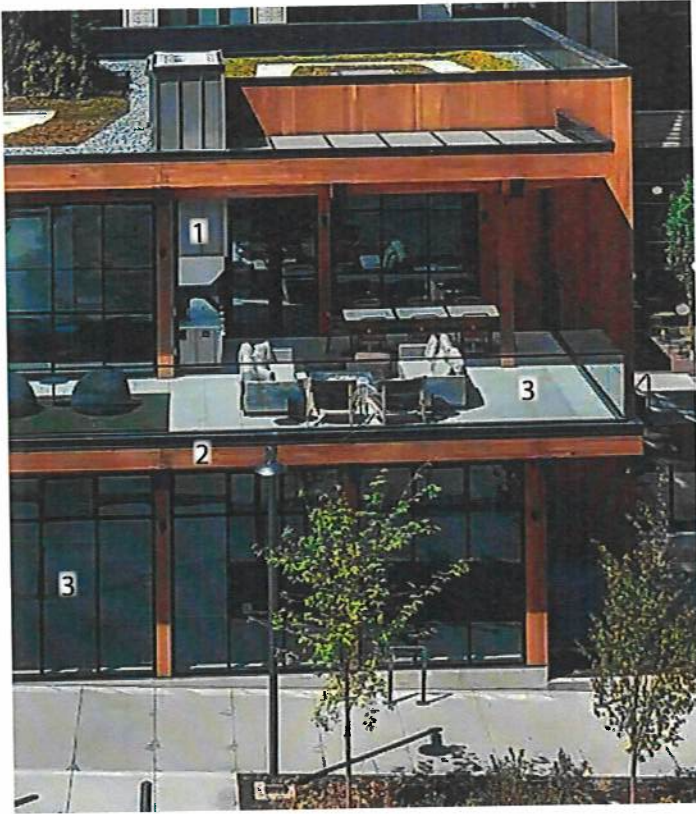


2. Glass



Architectural Characteristics

SOMERSET WEST › THE FORBES COMPANY
ELKUS MANFREDI ARCHITECTS › MARCH 7, 2025



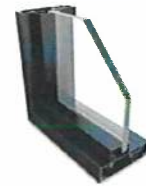
Note Key:



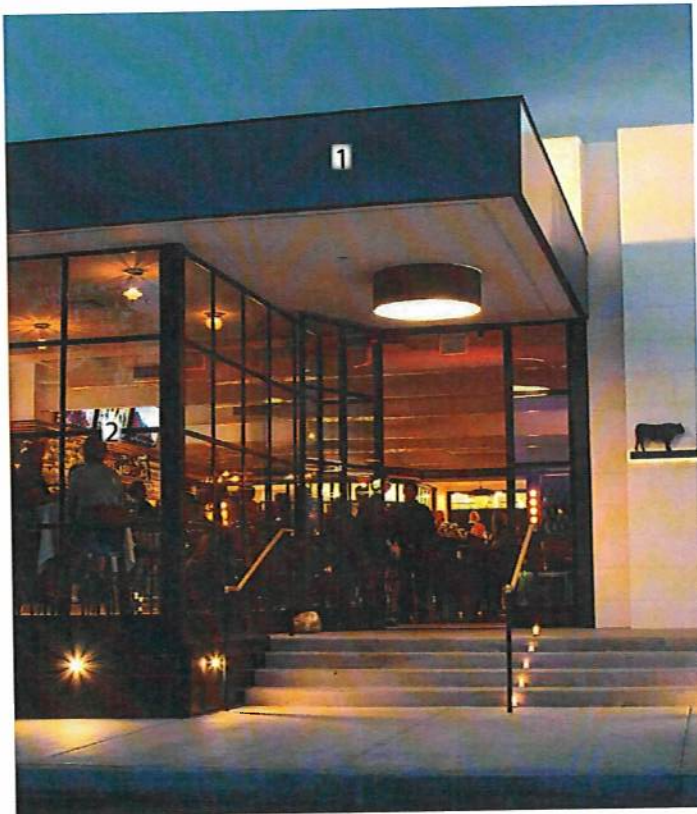
1. Metal



2. Wood



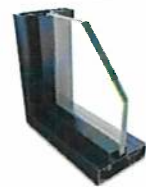
3. Glass



Note Key:



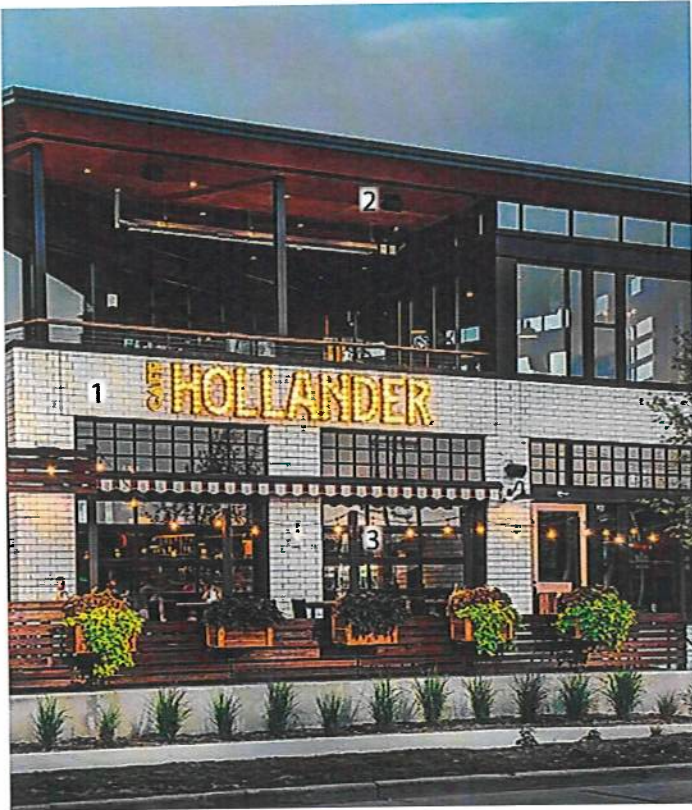
1. Metal



2. Glass

Architectural Characteristics

SOMERSET WEST › THE FORBES COMPANY
ELKUS MANFREDI ARCHITECTS › MARCH 7, 2025



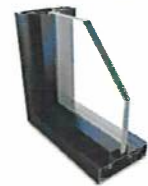
Note Key:



1. Masonry



2. Wood



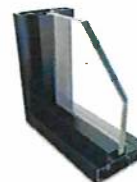
3. Glass



Note Key:



1. Precast
Concrete



2. Glass

Architectural Characteristics

SOMERSET WEST › THE FORBES COMPANY
ELKUS MANFREDI ARCHITECTS › MARCH 7, 2025

EXHIBIT I

Offsite Traffic Improvements

I. Big Beaver Road

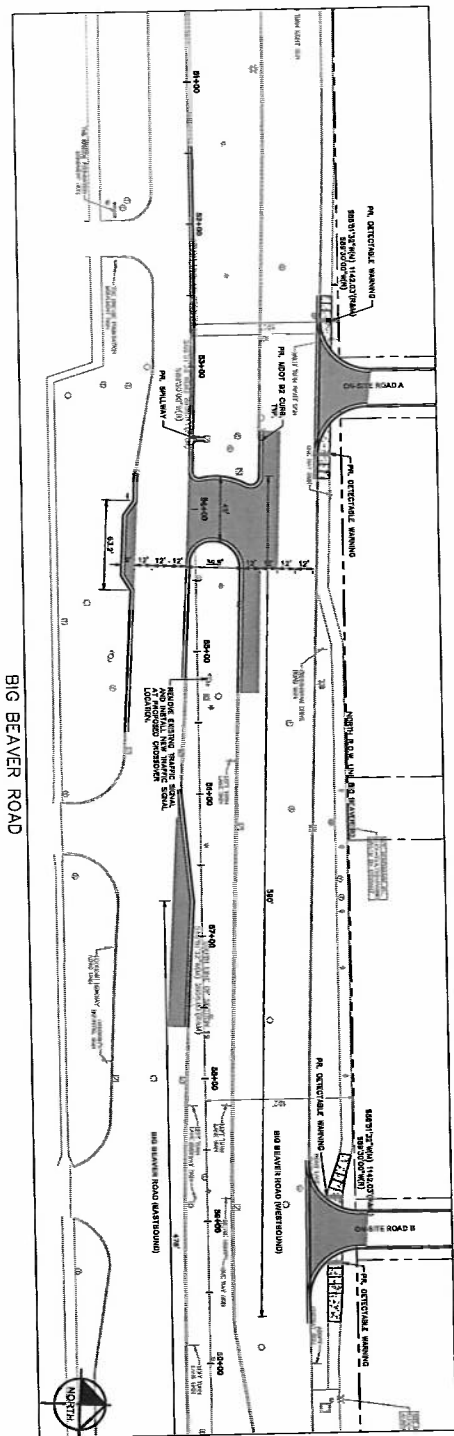
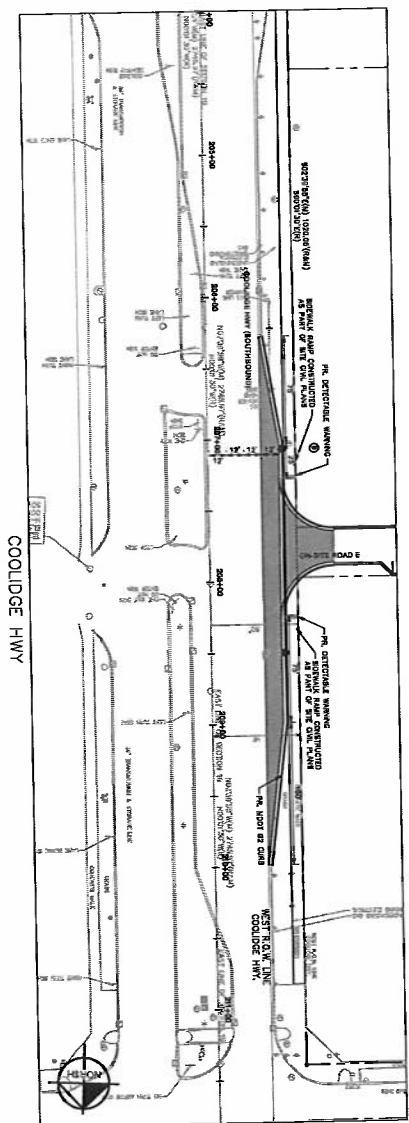
- a. Relocate west bound turn around to make it an east bound turn around including the relocation of the existing traffic signal in connection therewith as generally shown on the attached plan.
- b. Remove existing east bound to west bound turn around as generally shown on the attached plan.
- c. Extend the deceleration lane on the west bound side of Big Beaver as generally shown on the attached plan.

II. Coolidge Highway

- a. Extend the deceleration lane on the south bound side of Coolidge Highway as generally shown on the attached plan.

III. Cunningham Drive


- a. Reduce the existing 4 lanes of Cunningham Drive in each direction to 2 lanes in each direction with a center lane that will be located in between the 2 lanes.
- b. Install bike lanes on each side of Cunningham Drive along the adjacent properties to Cunningham Drive.






811 Know what's below.
Call before you dig.


GRAPHIC SCALE IN FEET

PAVING LEGEND




10' x 12' PLANKING, 1/2" x 2" x 10',
 8' x 12' 3/4" x 3/4" CONCRETE
 SIDEWALK, CONCRETE, 4" x 6"
 MOOT TYPE 82 CURB AND GUTTER
 MOOT TYPE 82 VALLEY GUTTER
 EXISTING CURB AND GUTTER
 PROPERTY LINE

NOTE PER RCOC STANDARD

[illegible]

SCALE: AS NOTED
DESIGNED BY: JBL
DRAWN BY: JBL
CHECKED BY: JBL

Kimley-Horn
of Michigan, Inc.
12000 KIMLEY-HORN RD. NORTON
MI 48154
PHONE: 313-277-1880
WWW.KIMLEY-HORN.COM

No.	REVISIONS	DATE	BY	

ROADWAY PLAN SHEET

**SOMERSET WEST
OFF-SITE
ROADWAY**

20840000
SHEET NUMBER
R3.0

EXHIBIT J

TROY SIGN ORDINANCE
CHAPTER 85

Chapter 85 - Signs

85.01.00 Administration

85.01.01 Title, Purpose and Severability

A. Short Title: This Ordinance shall be known as and may be cited as the City of Troy Sign Ordinance.

B. Findings and Purpose:

1. It is hereby determined that proliferation of signs in the City is unduly distracting to motorists and pedestrians, creates a traffic hazard, and reduces the effectiveness of signs needed to direct and warn the public. Too many signs can overwhelm the senses, impair sightlines and vistas, create feelings of anxiety and dismay, affect the tranquility of residential areas, impair aesthetics and degrade the quality of a community.
2. It is also determined that the appearance of the City is marred by proliferation of signs.
3. It is also determined that proliferation of signs restricts light and air.
4. It is also determined that proliferation of signs negatively affects property values. This Ordinance promotes safe, well-maintained, vibrant and attractive residential and business neighborhoods while accommodating the need for signs to function for the purposes for which they are intended.
5. It is also determined that the individual user's rights to convey a message must be balanced against the public's right to be free of signs which unreasonably compete with one another, distract drivers and pedestrians, and create safety concerns and confusion. This Ordinance is intended to balance the individual user's desire to attract attention with the citizens' right to be free of unreasonable distractions.
6. It is also determined that proliferation of signs results in an inappropriate use of land. The purpose of this Ordinance is to control the occurrence and size of signs in order to reduce the aforementioned negative effects.
7. It is also determined that there is a unique value to signs which provide a means of exercising constitutional freedom of expression.
8. It is also determined that the signs of least value to people within the City are those which carry commercial messages other than the advertisement of any product, service, event, person, institution or business located on the premises where the sign is located (off premise sign) or indicates the sale or rental of such premises.
9. It is further determined that off premise signs are unduly distracting to motorists and residents because of the periodic changing of the message on such signs and because such signs are generally larger and are predominantly located along busy highways where several businesses are located in close proximity to each other, thereby posing a greater risk to the City's interest in traffic safety and aesthetics. Additionally, off-premises signs can also deter the redevelopment of a parcel or limit the redevelopment potential of a site due to extended lease periods for off-premises signs.
10. It is further determined a proliferation of off premise signs creates confusion and the perception of visual clutter in conflict with one of the goals and themes of the

Chapter 85 - Signs

City of Troy Master Plan. This Ordinance supports the purposes and recommendations of various area specific plans adopted in support of orderly development and ensures that signs are located, designed, constructed, installed and maintained in a way that protects life, health, property, and the public welfare.

11. It is also determined that the regulations contained in this Ordinance are the minimum amount of regulation necessary to achieve its purposes.
12. It is also determined that restrictions in this Ordinance on the size of signs, their height and placement on real estate, are the minimum amount necessary to achieve its purposes.

(Rev. 09-24-2018; Effective 10-04-2018)

- C. Severability: If any court of competent jurisdiction shall declare any part of this Ordinance to be invalid, such ruling shall not affect any other provisions of this Ordinance.

(Rev. 09-24-2018; Effective 10-04-2018)

85.01.02 Enforcement:

- A. This Chapter shall be administered and enforced by the Zoning Administrator as provided for in Chapter 3 of the Troy City Code.

(Rev. 06-07-2010)

- B. Responsibility of Compliance: The owner of any property on which a sign is placed, and the person maintaining said sign are equally responsible for the condition of the sign and the area in the vicinity thereof.

- C. Removal of Signs: Should any sign be found unsafe, insecure, improperly constructed or not in accordance with the requirements of this Chapter, the Sign Erector and/or Owner shall be required to make the sign safe, secure and otherwise in compliance with the requirements of this Chapter.

(Rev. 09-24-2018; Effective 10-04-2018)

- 85.01.03 Definitions: For the purpose of this chapter, certain terms, words and tenses used herein, shall be interpreted or defined as follows:

Amortization: Amortization refers to the grace period in which a sign that becomes nonconforming as a result of an amendment to this Chapter must be removed, which allows the owner of such sign to recoup their investment in the sign prior to its removal.

(Rev. 09-24-2018; Effective 10-04-2018)

Board of Appeals: Board of Appeals means the Building Code Board of Appeals.

Business Development: One or more uses within a building or buildings that share common parking facilities.

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Department: The Planning Department of the City of Troy, its officers, inspectors and other employees.

(Rev. 06-07-2010)

Display Time: The amount of time a message and/or graphic is displayed on an Electronic Message Sign.

(Rev. 09-24-2018; Effective 10-04-2018)

Dissolve: A mode of messaging transition on an Electronic Message Sign accomplished by varying the light intensity or pattern, in which the first message gradually appears to dissipate and lose legibility with the gradual appearance and legibility of the second message.

(Rev. 09-24-2018; Effective 10-04-2018)

Dynamic Frame Effect: An Electronic Message Sign frame effect in which the illusion of motion and/or animation is used.

(Rev. 09-24-2018; Effective 10-04-2018)

Electronic Message Sign (EMS): A sign or portion of a sign, that displays an electronic image or video, which may or may not include text, including any sign or portion of a sign that uses changing lights or similar forms of electronic display such as LED to form a sign message with text and or images wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. This definition includes without limitation television screens, plasma screens, digital screens, flat screens, LED displays, video boards, and holographic displays.

(Rev. 09-24-2018; Effective 10-04-2018)

Fade: A mode of message transition on an Electronic Message Sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

(Rev. 09-24-2018; Effective 10-04-2018)

Frame: A complete, static display screen on an Electronic Message Sign.

(Rev. 09-24-2018; Effective 10-04-2018)

Frame Effect: A visual effect on an Electronic Message Sign applied to a single frame. See also Dynamic Frame Effect.

(Rev. 09-24-2018; Effective 10-04-2018)

Ground Sign: A freestanding sign supported by one or more uprights, braces, or pylons located in or upon the ground and not attached to any building.

Illuminance: The amount of light falling upon a real or imaginary surface, commonly called "light level" or "illumination". Measured in foot candles (lumens/square foot).

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(Rev. 09-24-2018; Effective 10-04-2018)

LED: Light emitting diode

(Rev. 09-24-2018; Effective 10-04-2018)

Major Thoroughfare: A street which is intended to serve a large volume of traffic for both the immediate area and the region beyond. Any street with a right of way existing or proposed, of one hundred twenty (120) feet or greater as designated in the City of Troy Master Plan.

(Rev. 09-24-2018; Effective 10-04-2018)

Off Premise Sign: A sign that may include a commercial message, and directs attention to any business, profession, product, activity, commodity, or service offered, sold, manufactured or furnished on property or premises other than that upon which the sign is located.

(Rev. 09-24-2018; Effective 10-04-2018)

Owner: A person, firm, partnership, association or corporation and/or their legal successors that own real property or personal property. For purposes of this Chapter, the term owner may also refer to a lessee in possession of the subject real or personal property.

(Rev. 09-24-2018; Effective 10-04-2018)

Person: Any individual firm, partnership, association or corporation and their legal successors.

Premise: A tract or parcel of land with the buildings thereon.

(Rev. 09-24-2018; Effective 10-04-2018)

Projecting Sign: A sign which is affixed to any building or part thereof, or structure, which extends beyond the building wall or parts thereof, or structure, by more than twelve (12) inches.

Public Property: All publicly-owned property, including streets, rights-of-way, and everything affixed thereto and there over.

Road Closure Construction Sign: A sign permitted when road lane(s) adjacent to a property are closed, due to road construction activity, for a period of 30 or more calendar days.

(Rev. 06-07-2010)

Roof line: The vertical distance measured from the established grade to the highest point of the roof surface for flat roofs, the deck line of mansard roofs, and the average height between eaves and ridge boards for gable, hip and gambrel roofs.

Chapter 85 - Signs

Roof Sign: A sign that is erected, constructed or maintained upon, and projects above or beyond the roof or parapet.

Scroll: A mode of message transition on an Electronic Message Sign in which the message appears to move vertically across the display surface.

(Rev. 09-24-2018; Effective 10-04-2018)

Sign: A sign means any structure or wall or other object used for the display of any message, and includes but is not limited to any bill, poster, placard, handbill, flyer, painting, balloon, streamer or other similar object in any form whatsoever which may contain printed or written matter in words, symbols, or pictures, or in any combination thereof attached to or affixed to the ground or any structure.

(Rev. 09-24-2018; Effective 10-04-2018)

Sign Erector: Any person engaged in the business of erecting, altering, or removing signs on a contractual or hourly basis.

Temporary Sign: A sign constructed of paper, cloth, canvas, plastic, cardboard, wall board, plywood or other like material without a permanent foundation or otherwise permanently attached to the ground that appears to be intended or is determined by the Zoning Administrator to be displayed for a limited time.

(Rev. 09-24-2018; Effective 10-04-2018)

Transition: A visual effect used on an Electronic Message Sign to change from one message to another.

(Rev. 09-24-2018; Effective 10-04-2018)

Travel: A mode of message transition on an Electronic Message Sign in which the message appears to move horizontally across the display surface.

(Rev. 09-24-2018; Effective 10-04-2018)

Wall Sign: A sign attached to, painted on, or placed flat against the exterior wall or surface of any building, no portion of which projects more than 12 inches from the wall, and which may not project above the roof or parapet line.

Zoning Administrator: The City Manager or his/her designee, the person charged with the administration of this Ordinance.

85.01.04 Requirements for Permits

- A. Permit Required: It is unlawful for any person to erect, re-erect, alter or relocate any sign without obtaining a permit from the Zoning Administrator and paying the applicable permit fee, as set forth in Chapter 60 of the City Code.

(Rev. 06-07-2010)

Exceptions:

1. Sign Permits shall not be required for street signs, which are erected by the City, State or Federal Government for street direction or traffic control.
2. Sign Permits shall not be required for signs located on the interior of buildings.
3. Sign Permits shall not be required for signs that are not visible from any adjacent right-of-way which do not exceed thirty-six square feet.
4. Sign Permits shall not be required for small ground signs for uses other than one and two family dwellings, as long as the signs are not more than two square feet in area.
5. Sign Permits shall not be required for temporary signs, as set forth in Section 85.03.02 of this Chapter.
6. Sign Permits shall not be required for flags that are allowed by Section 85.03.05.

(Rev. 09-24-2018; Effective 10-04-2018)

B. Permit Application: Applications for sign permits shall be made upon forms provided by the Department and shall contain the following information:

1. Name, address and telephone number of applicant.
2. Name and address of the Sign Erector.
3. Location of the building or structure to which the sign is to be attached or lot where the sign is to be erected.
4. Position of the sign in relation to nearby buildings, structures, property lines, and existing or proposed rights-of-way.
5. The zoning district of the real property where the sign is to be located.
6. Plans and specifications for the proposed sign and the method of construction and attachment to the building or placement in the ground.

(Rev. 09-24-2018; Effective 10-04-2018)

7. If deemed necessary by the Zoning Administrator, stress sheets and calculations, bearing the signature and seal of a registered professional engineer or architect, which show the structure as designed for dead load and wind pressure, and demonstrate that the proposed sign will satisfy the regulations adopted by the City of Troy.

(Rev. 09-24-2018; Effective 10-04-2018)

8. Such other information as the Zoning Administrator may require to demonstrate that the proposed sign would meet full compliance with this and other applicable laws of the City of Troy and the State of Michigan.

(Rev. 06-07-2010)

- C. Permit Fees: Permit fees are as set forth in Chapter 60 of the City Code.

(Rev. 09-24-2018; Effective 10-04-2018)

85.01.05 Prohibited Signs

- A. Signs in Right-of-Way: No sign shall be located in, project into, or overhang a public right-of-way or dedicated public easement, except as provided below:

1. Signs established and maintained by the City, County, State, or Federal Governments may be located in the right of way.
2. Banners for City sponsored events may be permitted on publicly owned property, subject to the approval of the City Manager.

(Rev. 09-24-2018; Effective 10-04-2018)

3. In its discretion, City Council may approve an agreement to allow residential development identification signs in the medians of boulevard entrance streets. Any such agreement shall require continuing liability insurance and also provide satisfactory maintenance of the sign, as well as any other condition that is deemed necessary by the Troy City Council to protect the right of way. The agreement must also indicate the City Council's approval of the proposed design and materials for the sign. The residential development identification sign shall not exceed five feet in height, and shall not be more than 50 square feet in area. The height of such signs shall not exceed 30" when located in the corner clearance area depicted in Figure 85.01.05 A.

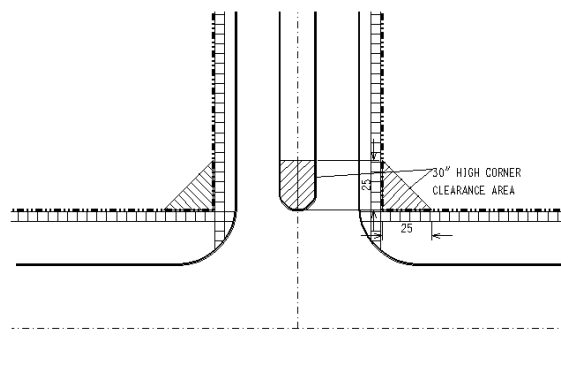


Figure 85.01.05 A

Chapter 85 - Signs

- B. Corner Clearance: Signs higher than 30 inches shall be prohibited in the triangular area formed at the intersection of any two street right-of-way lines (existing or proposed) by a straight line drawn between said right-of-way lines at a distance along each line of 25 feet from their point of intersection. No sign shall be located in that area, or project into, or overhang into the area.
- C. Roof Projecting Signs: Roof projecting signs are prohibited.
- D. Fire Escapes: No signs of any kind shall be attached to or placed upon a building in such a manner as to obstruct any fire escape.
- E. Support Location: No pole, cable or support of any nature shall be placed on any publicly owned property, street right-of-way, or proposed street right-of-way.
- F. Traffic Interference: No advertising device shall be erected or maintained which simulates or imitates in size, color, lettering, or design any traffic sign or signal or other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse traffic.
- G. Flashing Signs: Flashing or intermittent illumination of signs shall be prohibited.
- H. Off Premise Signs: Off premise signs are prohibited in all zoning districts. This prohibition is applicable only to signs displaying commercial messages.

(Rev. 09-24-2018; Effective 10-04-2018)

85.01.06 Inspections

- A. Concealed Work: In cases where fastenings are to be installed and enclosed in such a manner that the Inspector cannot easily remove material to see the fastenings and material used, the Sign Erector must advise the Zoning Administrator so that the inspection may be made before concealment.
- B. Compliance Certification: All signs shall be inspected at original installation; if found to comply with this chapter, the sign shall be issued a certificate of compliance.
- C. Inspections of Existing Signs: The Zoning Administrator can inspect existing signs to determine compliance with the provisions of this chapter.

(Rev. 06-07-2010)

85.01.07 Non-Conforming Signs:

- A. Intent: It is the intent of this Chapter to encourage eventual elimination of signs that, as a result of an amendment to this Chapter, becomes non-conforming. It is considered as much a subject of health, safety, and welfare as the prohibition of new signs in violation of this Chapter. It is the intent, therefore, to administer this

Chapter 85 - Signs

Chapter to facilitate the removal of non-conforming signs while simultaneously avoiding any unreasonable invasion of established private property rights.

(Rev. 09-24-2018; Effective 10-04-2018)

B. Continuance: A non-conforming sign shall be maintained in good condition. A non-conforming sign may be continued, but shall not be:

1. Replaced by another non-conforming sign; or
2. Structurally altered so as to prolong the life of the sign; or
3. Expanded; or
4. Re-established after damage or destruction to the sign, if the estimated expense of reconstruction exceeds 50% of the estimated replacement cost of the sign.
5. Continued for more than eight (8) years after receiving notification that the sign does not comply with the size, height, and/or setback provisions of this Chapter as amended.

(Rev. 09-24-2018; Effective 10-04-2018)

C. Removal: A non-conforming sign shall be removed upon a showing that it is unsafe, unduly distracting to motorists or pedestrians, creates a traffic hazard, or reduces the effectiveness of signs needed to direct and warn the public.

(Rev. 09-24-2018; Effective 10-04-2018)

D. EMS Illumination Non-Conformity: Any sign existing as of the effective date of this subsection that exceeds the EMS illumination levels permitted under Section 85.03.06 shall be modified and/or adjusted and made to comply with the provisions of 85.03.06 within 30 days of the effective date of this subsection.

(Rev. 09-24-2018; Effective 10-04-2018)

E. For purposes of amortization, after the effective date of this subsection, the Zoning Administrator shall cause to be made a list of every existing sign that fails to comply with Section 85.01.05 H, and the size, height, and/or setback provisions of Chapter 85 as amended, and shall provide written notification to the permit holder of each such non-conforming sign describing the non-conformity and advising the permit holder that the sign may be continued for a period not to exceed eight (8) years from the date of such notification.

(Rev. 09-24-2018; Effective 10-04-2018)

Chapter 85 - Signs

85.01.08 Appeals:

A. Procedure

1. Any person aggrieved by any decision, ruling or order from the Building Inspector, Zoning Administrator, or any other City official in connection with an application for a sign permit may appeal that decision to the Board of Appeals and request a variance from the requirements of this Chapter. The appeal shall be made by filing an application for a hearing with the Department. The application shall specify the grounds for the appeal. The Zoning Administrator shall transmit the application and all other documents relating to the appeal to the Board of Appeals. Upon receipt of the Appeal Application, the Building Inspector shall administratively establish a date of the Public Hearing. The public hearing shall be scheduled within 30 days of the receipt of a complete application or placed on the agenda of the next occurring agenda of the Board of Appeals, whichever is later, in order to meet the notice requirements set forth below.

(Rev. 09-24-2018; Effective 10-04-2018)

2. The Zoning Administrator shall notify all owners of real property within 300 feet of the real property that is proposed as the site of the sign subject to the appeal. The notice shall be sent by U.S. Mail to the owners at the address listed with the Troy Assessing Department, and shall be postmarked no less than 14 days before the date of the Public Hearing.

(Rev. 06-07-2010)

3. A final decision on an appeal shall be made by the Board of Appeals within 30 days of the public hearing, unless a final decision is tabled or postponed for the purpose of receiving additional information needed to make a final decision or if it is tabled or postponed at the request of the applicant.

(Rev. 09-24-2018; Effective 10-04-2018)

B. Powers of the Board of Appeals

1. Subject to the provisions of the following subsection, the Board of Appeals shall grant specific variances from the requirements of this Chapter, upon a showing of each of the following:

(Rev. 09-24-2018; Effective 10-04-2018)

- a. Exceptional characteristics of the property for which the variance is sought make compliance with the requirements of this Chapter substantially more difficult than would be the case for the great majority of properties in the same zoning district. Characteristics of property which shall be considered include exceptional narrowness, shallowness, smallness, irregular shape, topography, vegetation, and other similar characteristics; and

(Rev. 09-24-2018; Effective 10-04-2018)

- b. The characteristics which make compliance with the requirements of this Chapter difficult must be related to the premises for which the variance is sought, not some other location; and

(Rev. 09-24-2018; Effective 10-04-2018)

- c. The characteristics which make compliance with the requirements of this Chapter difficult shall not be of a personal nature; and

(Rev. 09-24-2018; Effective 10-04-2018)

- d. The characteristics which make compliance with the requirements of this Chapter difficult must not have been created by the owner of the premises, a previous owner, or the applicant; and

(Rev. 09-24-2018; Effective 10-04-2018)

- e. The proposed variance will not be harmful or alter the essential character of the area in which the property is located, will not impair an adequate supply of light and air to adjacent property, or unreasonably increase congestion in public streets, or increase the danger of fire or endanger public safety, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City.

(Rev. 09-24-2018; Effective 10-04-2018)

- 2. Limitation on Variances: In no case shall any variance be granted that would result in a sign that exceeds the height, size, or setback provisions of this Chapter by 25% or that would increase the number of signs permitted by this Chapter by more than 25%.

(Rev. 09-24-2018; Effective 10-04-2018)

85.01.09 Violations

- A. It shall be unlawful for any person to erect, construct, maintain, enlarge, alter, move, or convert any sign in the City of Troy, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this Chapter. Any person violating any of the provisions of this Chapter shall be responsible for committing a Municipal Civil Infraction subject to the provisions of Chapter 100 of the Code of the City of Troy. Each day that a violation continues is deemed a separate Municipal Civil Infraction. Sanctions for each violation of Chapter 85 shall include a fine of not more than \$500, costs, damages and injunctive orders as authorized by Chapter 100. Any sign constituting an immediate hazard to health and safety is deemed a nuisance and may be removed by the Zoning Administrator at the expense of the owner of the sign or other responsible party, in the discretion of the Zoning Administrator.

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(Rev. 06-07-2010)

- B. Signs in Public Right-of-Way: In addition to the penalties prescribed in paragraph 85.01.09 A, any sign erected in violation of this Chapter may be removed by the Zoning Administrator or his/her authorized representative and stored in a safe location for at least 48 hours. During this period of time, the owner of the sign may obtain the sign from the Zoning Administrator upon request and payment of a fee of Fifty Dollars (\$50) for each sign to cover the costs of removal and storage. After 48 hours, the Zoning Administrator may dispose of the sign.

(Rev. 06-07-2010)

- C. Public Nuisance: Signs installed after the effective date of the adoption or subsequent amendment of this Chapter that are in violation of this Chapter are hereby declared to be public nuisances, and may be abated by the City. The City can take any legal action to abate the public nuisance. The collection of removal fees from the Owner, Sign Erector, or other responsible person shall not preclude the City from prosecuting the responsible person.

85.02.00 General Provisions

85.02.01 Construction Requirements

- A. Material Requirement: All signs shall be designed and constructed in conformity to the provisions for materials, loads, and stresses of the latest adopted edition of the Michigan Building Code and the requirements of this Chapter.
- B. Fastenings: All signs must be erected in such a manner and with such materials to remain safe and secure during the period of use and all bolts, cables, and other parts of such signs shall be kept painted and free from corrosion. Any defect due to the fault of the Sign Erector shall be repaired by the Sign Erector.
- C. Revolving Signs: Signs that revolve shall make no more than four complete revolutions per minute.

(Rev. 09-24-2018; Effective 10-04-2018)

- D. Revolving Signs: Signs that revolve shall make no more than four complete revolutions per minute.
- E. Proximity to Electrical Conductors: No sign shall be erected so that any part, including cables, guys, etc, will be within six feet of any electrical conductor, electric light pole, street lamp, traffic light, or other public utility pole or standard.

85.02.02 Illuminated Signs:

- A. Illumination: Only listed electrical devices shall be used for the illumination of signs. These listed electrical devices shall be installed in accordance with the requirements of the regulations adopted by the City of Troy. No open spark or flame

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may be used for display purposes unless specifically approved by the Zoning Administrator.

(Rev. 06-07-2010)

- B. Shielding from Residential Districts: Any lighting used to illuminate signs shall be directed away from and shall be shielded from any adjacent residential zoning districts and shall not adversely affect driver visibility on adjacent public thoroughfares.

- C. Electronic message signs shall be permitted subject to the sign regulations set forth in Section 85.03.06.

(Rev. 09-24-2018; Effective 10-04-2018)

85.02.03 Identification of Sign Erector:

- A. Sign Erector's Imprint: Every sign, other than temporary signs herein defined, must carry the identification of the Sign Erector, in clearly legible letters.
- B. Re-hanging: In case of re-hanging or re-erection of any sign, the Sign Erector must place his/her identification and the date of the re-hanging on the sign.

85.02.04 Measurement of Signs:

- A. Sign Area: For the purpose of this Chapter, the area of the sign shall include the total area within any circle, triangle, rectangle or other geometric shape enclosing the extreme limits of writing, representation, emblem or any similar figure, together with any frame, ground sign support, or other material forming an integral part of the display or used to differentiate such sign from the background against which it is placed, and is further calculated as follows:

(Rev. 09-24-2018; Effective 10-04-2018)

1. Single Face Sign: For a single face sign, the area shall be computed as the total exposed exterior surface in square feet.
2. Multi-faced Signs: When the sign has two or more faces, the area of all faces shall be included in computing the area of the sign.

Exceptions:

1. For a sign that has two or more faces placed back to back, the area shall be computed as one-half the total exposed exterior surface area in square feet.
2. For a sign that has two or more faces so arranged that the faces are greater than 24 inches from one another or such sign with any two faces that form a "V" is greater than 15 degrees, the area shall be computed as a single face sign.

3. Ground Signs: Support poles, bases, reveals, or similar components not exceeding 24 inches in thickness or depth shall not be included in the area computation.

(Rev. 09-24-2018; Effective 10-04-2018)

4. Wall Signs: When a sign consists solely of writing, representation, emblems, logos, or any other figure or similar character which is painted or mounted on the wall of a building or a self-supporting wall or fence, without distinguishing border, the area of such sign shall be computed as if it were framed by a border consisting of horizontal and vertical lines touching the outer limits of the sign and extending not more than one foot from smaller sign elements. However, in no instance shall there be any line having a dimension of less than one foot.

(Renumbered: 09-24-2018; Effective 10-04-2018)

- B. Sign Height: The height of the sign is measured from the ground to the highest point of the sign from the ground.

85.02.05 Allowable Signs:

- A. The Zoning District Regulations and Table 85.02.05 set forth the allowable signs in each zoning district. These are in addition to the signage that is exempted from permits by Section 85.01.04 A.
- B. Nothing in this Chapter shall be construed so as to prohibit ideological or non-commercial advertising on any sign on which commercial advertising is allowed.

C. Specific Zoning District Regulations

1. R-1 One Family Residential and RT One Family Attached Residential Districts: Signs in R-1 and RT districts shall be allowed as follows:

(Rev. 09-24-2018; Effective 10-04-2018)

- a. For non-single family uses, one sign not to exceed 100 square feet in area.

(Rev. 09-24-2018; Effective 10-04-2018)

- b. For one, two, and multiple family housing development entrances, a maximum of two signs not exceeding a total of 100 square feet in area.

(Rev. 09-24-2018; Effective 10-04-2018)

- c. For one, two, and multiple family housing developments under construction, one sign not to exceed 100 square feet in area is

allowed until such time as a certificate of occupancy is issued for all units in the development.

(Rev. 09-24-2018; Effective 10-04-2018)

2. Multiple-Family, UR Urban Residential, MHP Manufactured Housing and C-F Community Facilities Districts: Signs in MF, UR, MHP and CF Districts shall be allowed as follows:

(Rev. 09-24-2018; Effective 10-04-2018)

- a. One sign not to exceed 100 square feet in area.
(Rev. 09-24-2018; Effective 10-04-2018)
- b. One additional sign not to exceed 36 square feet in area.
(Rev. 09-24-2018; Effective 10-04-2018)
- c. No sign shall be located closer than 30 feet to any property line of an adjacent R-1 or RT District.

(Rev. 09-24-2018; Effective 10-04-2018)

3. Office, OM Office Mixed Use and R-C Districts: Signs in O, OM, and RC districts shall be allowed as follows:

(Rev. 09-24-2018; Effective 10-04-2018)

- a. One ground sign for each building in accordance with Table 85.02.05.
(Rev. 09-24-2018; Effective 10-04-2018)
- b. One additional ground sign for each building, not to exceed thirty-six square feet in area, if the site fronts on a major thoroughfare.
(Rev. 09-24-2018; Effective 10-04-2018)
- c. Any number of wall signs, such that the total combined area of all wall signs for each tenant shall not exceed 10% of the front area of the structure or tenant area. Wall signs must be located on the face of the area that is occupied by the tenant.

(Rev. 09-24-2018; Effective 10-04-2018)

- d. No sign shall be located closer than 30 feet to any property line of an adjacent R-1 or RT district.

(Rev. 09-24-2018; Effective 10-04-2018)

4. CB, Community Business, GB General Business and PV Planned Vehicle Sales: Signs in CB, GB, and PV shall be allowed as follows:

(Rev. 09-24-2018; Effective 10-04-2018)

- a. One ground sign in accordance with Table 85.02.05.

(Rev. 09-24-2018; Effective 10-04-2018)

- b. The required setback for ground signs from adjacent residentially zoned property shall be the same as for buildings within the zoning district.

(Rev. 09-24-2018; Effective 10-04-2018)

- c. Any number of wall signs, such that the total combined area of all wall signs for each tenant shall not exceed 10% of the front area of the structure or tenant area. Wall signs must be located on the face of the area that is occupied by the tenant.

(Rev. 09-24-2018; Effective 10-04-2018)

- d. An automobile dealership within the PV district shall be allowed one additional ground sign not to exceed thirty-six (36) square feet in area per side.

(Rev. 09-24-2018; Effective 10-04-2018)

- 5. IB, Integrated Industrial and Business District: Signs in the IB District shall be allowed as follows:

(Rev. 09-24-2018; Effective 10-04-2018)

- a. One ground sign in accordance with Table 85.02.05.

(Rev. 09-24-2018; Effective 10-04-2018)

- b. One additional ground sign, not to exceed thirty-six square feet in area, if the site fronts on a major thoroughfare.

(Rev. 09-24-2018; Effective 10-04-2018)

- c. Any number of wall signs, such that the total combined area of all wall signs for each tenant shall not exceed 10% of the front area of the structure or tenant area. Wall signs must be located on the face of the area that is occupied by the tenant.

(Rev. 09-24-2018; Effective 10-04-2018)

- d. No sign shall be located closer than 50 feet to any property line of an adjacent R-1 or RT district.

(Rev. 09-24-2018; Effective 10-04-2018)

- 6. BB Big Beaver, MR Maple Road, and NN Neighborhood Node Districts: Signs in the BB, MR, and NN Districts shall be allowed as follows:

(Rev. 09-24-2018; Effective 10-04-2018)

- a. One ground sign for each building in accordance with Table 85.02.06.

(Rev. 09-24-2018; Effective 10-04-2018)

- b. One additional ground sign for each building, not to exceed thirty-six square feet in area if the site fronts on a major thoroughfare.

(Rev. 09-24-2018; Effective 10-04-2018)

- c. Any number of wall signs, such that the total combined area of all wall signs for each tenant shall not exceed 10% of the front area of the structure or tenant area. Wall signs must be located on the face of the area that is occupied by the tenant.

(Rev. 09-24-2018; Effective 10-04-2018)

- d. Interior or exterior signs, including signs affixed to windows, must comply with the Transparency Requirements of the Zoning Ordinance.

(Rev. 09-24-2018; Effective 10-04-2018)

- e. One pedestrian-scaled wall sign or projecting sign per tenant, provided it does not exceed twelve square feet in area and does not project more than forty eight (48) inches from the wall.

(Rev. 09-24-2018; Effective 10-04-2018)

TABLE 85.02.05 STANDARDS FOR GROUND SIGNS			
Zoning District	Minimum Setbacks*	Maximum Height	Maximum Area
All R and C-F	10 ft.	12 ft.	See Section 85.02.05 C (1) & 85.02.05 C (2)
All CB, GB, BB, IB, MR, NN, O, R-C and-PV	0 ft.	10 ft.	50 sq. ft.
	20 ft.	20 ft.	100 sq. ft.

* Indicates setback from existing street right-of-way, or from planned right-of-way (as indicated in Master Thoroughfare Plan), whichever is greater.

(Rev. 09-24-2018; Effective 10-04-2018)

85.03.00 General Exceptions: The regulations of this Chapter shall be subject to the following exceptions.

85.03.01 Special Event Signs

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- A. Signs that will be displayed for a period of seven (7) consecutive days or less are allowed as long as a Special Event Sign permit is issued. The application for a Special Event sign permit shall be submitted to the Zoning Administrator, and shall include the following:

(Rev. 09-24-2018; Effective 10-04-2018)

1. Plans indicating the following:
 - a. Site layout (building location, parking, etc.)
 - b. Number, size and location of proposed signs, including banners, flags, cold air balloons, and other forms of signage.
2. Documentation detailing desired dates for the placement of the Special Event signs.
3. If the applicant for the Special Event Sign permit is not the property owner of the site where the signage is proposed to be located, then the written approval of property owner must be submitted with the application.
4. The required application fee, as set forth in Chapter 60 of the Troy City Code.

Exception: All fees for a Special Event sign application shall be waived for all non-profit applicants who provide satisfactory proof of the non-profit status to the Zoning Administrator.

- B. A Special Event Sign permit shall be issued for not more than seven (7) consecutive days within any twelve (12) month period.
- C. No more than four off-site signs related to a Special Event may be permitted. Such off-site signs shall each be limited to six (6) square feet in area. Applicant must also submit written approval from the owners of properties where the off-site Special Event Signs are proposed to be located. This permission must be provided prior to the issuance of a permit.

85.03.02 Temporary Signs

- A. Temporary signs as defined in Section 85.01.03 are allowed without a permit subject to the following:
1. Size of Temporary Signs: The total aggregate sign area of all temporary signs on any one site shall not exceed fourteen (14) square feet. The maximum size of individual temporary signs shall not exceed six square feet in area. Temporary signs shall not be higher than forty-two (42) inches above average mean grade of the yard on which it is placed.

Exceptions:

- a. For uses other than one and two family dwellings, temporary signs for buildings under construction shall be a maximum size of 10% of the square foot area of the front of the structure, and not more than 10 feet in height.
- b. One temporary sign located on vacant land that is for sale or for lease, when the parcel exceeds two acres in area, shall be allowed to have a size equal to 15 square feet of sign area per acre of land or 15 square feet of sign area per 100 lineal feet of thoroughfare frontage. In no case shall the sign be allowed to exceed 100 square feet of sign area or be more than 10 feet in height.

(Rev. 09-24-2018; Effective 10-04-2018)

2. Location of Temporary Signs:

- a. Temporary signs shall not be attached to any utility pole or be located within any public right-of-way.
- b. Temporary signs shall not be located closer than twenty (20) feet to the edge of the traveled portion of the roadway and shall not be located in a dedicated right-of-way.
- c. Temporary signs shall not be erected in such a manner that they will or reasonably may be expected to interfere with, obstruct, confuse or mislead traffic.
- d. Temporary signs cannot be placed or constructed so as to create a hazard of any kind.
- e. Prior to the erection or placement of a temporary sign, the permission of the property owner where the sign is to be located must be secured.
- f. Signs shall be located so as to comply with the corner clearance requirements of Section 85.01.05 B.
- g. Temporary signs shall not be illuminated except as provided in Section 85.03.06.

(Rev. 09-24-2018; Effective 10-04-2018)

- 3. Time Limitations for Temporary Signs: Temporary signs shall be removed within 60 days of placement, except for temporary signs that are located on real property that is for sale or lease.

(Rev. 09-24-2018; Effective 10-04-2018)

85.03.03 Road Closure Construction Signs

One sign, not exceeding 36 square feet in area, shall be permitted for each owner or tenant of a building located on property adjacent to a road lane that is closed due to construction activity for a period of 30 or more calendar days. Ground signs shall not exceed 10 feet in height and shall be located outside of the right-of-way. Wall signs shall be placed flat against the exterior surface of the building, shall not project more than 12 inches from the building surface, and shall not project above the roof or parapet line. Signs shall be removed upon the opening of all road lanes adjacent to the property.

(Renumbered: 09-24-2018; Effective 10-04-2018)

85.03.04 Signs on Motor Vehicles

- A. No person, corporation, partnership or other legal business entity shall attach a sign to a motor vehicle, trailer, or other mobile structure where the primary use of such structure is to provide a base for such sign or to constitute the sign itself. This provision shall not be interpreted to prohibit identification signs on vehicles used for normal business purposes, nor shall it be interpreted to prohibit bumper stickers.

(Rev. 09-24-2018; Effective 10-04-2018)

- B. No person shall place a sign on a motor vehicle offered for sale or trade except as follows:

1. Properly licensed auto dealerships and properly licensed used car lots may place signs on motor vehicles located on the dealership lot.
2. The owner of a motor vehicle may place a sign on or within the vehicle provided:
 - a. The vehicle is located only on the vehicle owner's residential property; and
 - b. Not more than one vehicle with a sign is displayed on the residential property.

(Rev. 09-24-2018; Effective 10-04-2018)

3. The owner of non-residential property may place or allow to be placed a sign on or within the vehicle provided that not more than one vehicle is displayed on the nonresidential property

(Rev. 09-24-2018; Effective 10-04-2018)

- C. Proof that the vehicle described in the citation issued for violating this Section was parked in violation of this Section, together with proof that the defendant named in

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the citation was at the time of the cited parking the registered owner of the vehicle constitutes a presumption that the registered owner is responsible for the violation.

(Renumbered; Rev. 09-24-2018; Effective 10-04-2018)

- D. Signs on motor vehicles allowed under this Section do not require permits.

(Renumbered; Rev. 09-24-2018; Effective 10-04-2018)

85.03.05 Flags

(Renumbered: 06-07-2010)

A flag adopted by the federal government, a state government, or the local government may be displayed under the law that adopts its use and as provided below in the following subsections:

(Rev. 09-24-2018; Effective 10-04-2018)

- A. In residentially zoned districts, two flags and one flag pole may be displayed. Each flag may not exceed 15 square feet in area and the flag pole may not exceed 25 feet in height.

(Rev. 09-24-2018; Effective 10-04-2018)

- B. In nonresidential zoned districts, 4 flags and two flag poles may be displayed. Each flag may not exceed 15 square feet in area and the flag poles may not exceed 30 feet in height.

(Rev. 09-24-2018; Effective 10-04-2018)

- C. One small flag of no more than one square foot in area may be attached to vehicles on display for sale or rent at vehicle sales and service establishments. Such flags must be no higher than two feet above the height of the vehicle as if it were displayed at grade level.

(Rev. 09-24-2018; Effective 10-04-2018)

- D. Flags allowed under this Section do not require permits.

(Rev. 09-24-2018; Effective 10-04-2018)

85.03.06 Electronic Message Signs:

- A. Where Permitted:

1. Electronic Message Signs (EMS) shall be permitted solely as a ground sign subject to the requirements of the zoning district in which it is located. However, only one (1) EMS shall be permitted per premise.

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2. EMS shall be subject to the maximum height and area requirements set forth in Section 85.02.05, provided that the EMS portion of any ground sign shall not exceed fifty (50) square feet.

(Rev. 09-24-2018; Effective 10-04-2018)

B. Illumination:

1. No such electronic changeable copy sign shall display an illuminative brightness of such intensity or brilliance that it impairs the vision or endangers the safety and welfare of any pedestrian, cyclist, or person operating a motor vehicle;
2. EMS illumination shall not exceed 0.3 foot candles above ambient light levels based upon EMS illumination measurement criteria set forth in Section 85.03.06 B (3) and Table 85.03.06.

(Rev. 09-24-2018; Effective 10-04-2018)

Table 85.03.06	
Sign Area Versus Measurement Distance	
Area of Sign sq. ft.	Measurement (ft.)
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95
95	97
100	100
110	105
120	110
130	114
140	118
150	122
160	126

170	130
180	134
190	138
200	141
*For signs with an area in square feet other than those specifically listed in the table (i.e., 12 sq ft, 400 sq ft, etc.), the measurement distance may be calculated with the following formula: Measurement Distance = $\sqrt{\text{Area of Sign Sq. Ft.} \times 100}$	

3. EMS Illumination Measurement Criteria: The illuminance of an EMS shall be measured with an illuminance meter set to measure foot candles accurate to at least two decimals. Illuminance shall be measured on all sides, at night, with the EMS off, and again with the EMS displaying a white image for a full color-capable EMS, or a solid message for a single-color EMS. Sign measurements shall be taken at night. All measurements shall be taken as close as practical to a perpendicular plane of the sign, measured at a height of 60 inches, at the distance determined by the total square footage of the EMS as set forth in the accompanying Sign Area of a Sign versus Measurement Distance table.

(Rev. 09-24-2018; Effective 10-04-2018)

C. Message Display and Communication:

1. The display time of an EMS shall not be less than one minute per message display.
2. The transition or change of message shall appear instantaneous without the use of special effects such as dissolve or fade.
3. An EMS shall not exhibit any characteristics of movement or flashing and shall not use techniques defined as dynamic frame effect, scroll, or travel.
4. No EMS message display shall resemble or simulate any warning or danger signal, or any official traffic control device, sign, signal or light or have the brilliance or intensity that will interfere with any official traffic sign, device or signal.
5. An EMS shall not include any audio message.

(Rev. 09-24-2018; Effective 10-04-2018)

D. Miscellaneous:

1. No sign shall be permitted to operate unless it is equipped with:
 - a. A default mechanism that will cause the sign to revert immediately to a black screen if the sign or any component thereof malfunctions.

- b. A non-glare panel covering the electronic changeable copy display or other equivalent method approved by the city to substantially reduce glare.
 - c. Dimming Capabilities: All permitted EMS shall be equipped with a sensor or other device that automatically determines the ambient illumination and programmed to automatically dim according to ambient light conditions.
 - d. A written certification from a sign manufacturer or other approved testing agency that the light intensity has been preset to conform to the brightness and display standards established herein and that the preset levels are protected from end user manipulation by password protected software or other method.
- 2. The owner or controller of said electronic changeable copy sign must adjust the sign to meet these brightness standards in accordance with this chapter. The adjustment must be made immediately upon notice of non-compliance from the City.

From: [Planning](#)
To: [Brent Savidant](#)
Subject: FW: Former Kmart parcel/plan
Date: Friday, October 25, 2024 2:09:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)



Jackie Ferencz
Office Manager |
City of Troy Planning Dept
O: 248.524.3364



From: Rhonda Hendrickson <rmhendrickson11@gmail.com>
Sent: Friday, October 25, 2024 12:30 PM
To: Planning <planning@troymi.gov>
Subject: Former Kmart parcel/plan

You don't often get email from rmhendrickson11@gmail.com. [Learn why this is important](#)

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I am writing, knowing that you have green-lighted a plan for the former Kmart parcel that is adjacent to my neighborhood. So, as you can imagine, I have watched with interest what will eventually be done there and am excited for something finally.

In 2007, I sent a letter to Nate Forbes talking about what I felt would be wonderful for the Troy community, based on a trip I just took in Italy. He responded graciously, but of course, we all know what happened then.

I address you today, having looked at the design plan on your website. Coincidentally, I have just returned from a 30 day trip to Germany and Austria, and I come away with the same impression about what would be a community enhancement for what amounts to the last large parcel on Big Beaver that could give residents a chance for a place of gathering.

Every city and small village in Europe has a piazza or platz, or square that people are drawn to gather in. It is surrounded by restaurants and cafes, fountains and beauty. It is what creates the cafe culture and connects the community there.

When I look at the plan for the site as it is today, I see 1.09 acres of open green space amidst

buildings, not including walkways. That is slightly larger than my backyard for such significant acreage. I would like to know what the design intent is for that space. For the 750 living units to walk the dog or meet? Lunch spot for office workers? What about it serves the greater community?

In Dresden Germany, the platz there was huge, with underground parking and at least 30 restaurants and cafes, and small retail shopping. It included hotels, as this plan does and was certainly a draw for both locals and visitors to gather.

I would love to see a place that draws in the community and hope that height of buildings and layout does not create a "fortress" (like the old Kmart building) that makes it feel that it is only for those on the "inside."

My husband and I have ridden our bikes to Birmingham to get that community feel more than I can say over the years. I understand the need for density=taxes, but over the many years it always felt like a promise was dangled regarding this parcel, that it would finally give Troy a "town center" residents sorely wished for and most certainly weighed in on if asked.

Perhaps I read the design plan incorrectly or it's not in finished form, if that is the case, I am interested in what the timeline is for that. No ground has been broken. And discussion could take place to see if there is a way to squeak out a more robust open space that would invite the *whole* community in, celebrate gathering and create a place that would complement the Somerset Collection by being an outdoor draw for locals and visitors alike. The weather in Europe bothered no-one. People were outside in cafes in cold or damp weather. Musicians playing to entertain and people enjoying a square that has stood since the 1300's. I would say that shows a good idea to have legs. There are lots of offices in Troy. Lots of new hotels. Many new restaurants. Is there anything stopping Troy from making this parcel unique from all those others? I look forward to your input.

Thank you,

Rhonda Hendrickson

35 year Troy resident

3833 Estates DR

248 390-7196 c

From: [Mehrunnisa Ahmad](#)
To: [Planning](#)
Subject: Somerset west redevelopment
Date: Thursday, April 3, 2025 11:33:00 PM

You don't often get email from ahmadmehrunnisa@gmail.com. [Learn why this is important](#)

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Respected planning committee,

My name is Mehrunnisa Ahmad, I have been a Troy resident for the past 15 plus years. I wanted to share my thoughts with the commission on the ordinance rewrite and the Somerset West Redevelopment (formerly the Kmart Plaza).

Regarding the ordinance rewrite, there is a significant need to lower housing costs in Troy. As one of the best places to raise a family, start a business, and attend a public school district in the state and country, we must recognize why many families want to live in Troy, especially new young families. In a heavily diverse city, where 57% of the population has earned a bachelor's degree or higher, many families choose to live in Troy so their children can attend Troy schools. Many new young families want to provide their children with a strong foundation that can help them land competitive jobs. These families want to prepare their children for the future workforce, and I hope you see the value in increasing accessibility for these families who share our values.

To help increase accessibility, I encourage careful planning and design of mixed-use housing (areas or buildings where residential spaces are combined with non-residential spaces, such as retail or office spaces) and denser housing (areas with a large number of housing units per unit of land area, such as apartments and condos). Studies have shown that mixed-use and denser housing can increase property values, lower traffic congestion, attract more businesses, increase economic activity, and increase housing supply, which can ultimately lead to lower housing costs. For mixed-use housing, efforts such as the Zenith Apartments recently approved on Wattles and Dequindre should continue to be encouraged. For denser housing, developers see the interest of young families in Troy, but are restricted from benefiting from the demand for density. The ordinances should be updated to allow more density by default, especially near the Big Beaver corridor and neighborhood nodes where families can take advantage of the amenities Troy has to offer.

Regarding the Somerset West Redevelopment, the multifamily housing intended for the site has received excitement from many Troy residents. I hope there is an opportunity to set aside homes for both affordable and senior housing. To subsidize some of the housing costs, I hope there are efforts to encourage the developer to pursue funding from organizations such as the Oakland County Housing Trust Fund. The developer's willingness to create a vibrant, walkable, mixed-use development should be applauded. More efforts should be made in Troy to encourage future developers to follow suit and help Troy live to its promise as the city of tomorrow, today.

Thank you for your time and all you do on the planning commission.
Mehrunnisa Ahmad

From: [Albano Cekaj](#)
To: [Planning](#)
Subject: Somerset west and affordable housing
Date: Thursday, April 3, 2025 8:02:45 PM

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Dear Troy Planning Commission,

My name is Albano Cekaj. I have been a Troy resident for the past 25 years. I wanted to share my thoughts with the commission on the ordinance rewrite and the Somerset West Redevelopment (formerly the Kmart Plaza).

Regarding the ordinance rewrite, there is a significant need to lower housing costs in Troy. As one of the best places to raise a family, start a business, and attend a public school district in the state and country, we must recognize why many families want to live in Troy, especially new young families. In a heavily diverse city, where 57% of the population has earned a bachelor's degree or higher, many families choose to live in Troy so their children can attend Troy schools. Many new young families want to provide their children with a strong foundation that can help them land competitive jobs. These families want to prepare their children for the future workforce, and I hope you see the value in increasing accessibility for these families who share our values.

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willingness to create a vibrant, walkable, mixed-use development should be applauded. More efforts should be made in Troy to encourage future developers to follow suit and help Troy live to its promise as the city of tomorrow, today.

Thank you for your time and all you do on the planning commission.

From: [Mary Ellen Barden](#)
To: [Planning](#)
Subject: Tonight's Meeting
Date: Tuesday, April 8, 2025 11:20:43 AM

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Hello,

I called and left a message. I am not sure how to file my concerns for tonight's meeting regarding the old K-Mart Headquarters site.

My concern is the increased foot traffic. In order to prevent unwanted foot traffic in the adjoining neighborhood, I believe they should put a fence around the property that matches the fence around the data center. In addition, I do not believe the 100' easement is even close to being adequate. I believe that is the reason for such a large green area on the east side of Coolidge. I am even more concerned now due to the plan being office space instead of upscale condos. I believe the industrial HVAC will create a noise issue and as such, I also suggest creating landscaping to help buffer the noise. In addition, I would want to be assured that the area be designed in such a way that we are not looking at meters, garbage dumpsters and discourages using the backspace as a place for general junk collection. Also the lighting they are planning on using is very bright. What has created even more concern, is they have been terrible neighbors neglecting the property since they have owned it. It is true recently they picked up the lot (which is already accumulating debris) but I believe that is to placate the situation as they prepare to submit a proposal to Troy. While I appreciated the job they did, it doesn't negate how they have ignored my requests in the past. The yellow lighting currently being used in the parking lot is much dimmer than the lights around Somerset. I say this because I see more light from the front of the mall than I do from the ones right in my backyard.

Thank you for your time. Please feel free to contact me with any questions.

Sincerely,

Mary Ellen Barden
2105 Babcock Dr.
Troy, MI 48084
248-425-5790

From: [Mary Ellen Barden](#)
To: [Ethan Baker](#); [Theresa Brooks](#); [Hirak Chanda](#); [Mark A Gunn](#); [David Hamilton](#); [Ellen C Hodorek](#)
Cc: [Brent Savidant](#); [Planning](#)
Subject: Fwd: Appointment
Date: Wednesday, April 16, 2025 4:41:26 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[04142025 CDP and PDP Set PUD.pdf](#)

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commissioners, City Council Members and Mayor Baker,

I am writing as a long-time resident of Troy, having lived in this city since 1992 and raised my family here, to respectfully express my concerns about the proposed development near the east side of Coolidge. While I understand the importance of thoughtful development, I believe this particular project raises several issues that have not been adequately addressed.

My foremost concern is the increase in foot traffic that will inevitably impact our quiet, established neighborhood. To mitigate this, I strongly urge the Commission to require the installation of a perimeter fence around the new development that matches the existing fencing around the adjacent data center. This would help discourage unwanted foot traffic and protect the character of the neighborhood.

Furthermore, I believe the proposed 100-foot easement is insufficient. It appears the green space on the east side of Coolidge was previously established for this very reason—to act as a buffer. Given that the plan now calls for office space rather than the originally proposed upscale condominiums, this concern becomes even more pressing. Office development brings different traffic patterns, noise levels, and lighting concerns compared to residential use.

The potential for industrial HVAC equipment noise adds another layer of disruption. To address this, I recommend the incorporation of intentional landscaping to help buffer noise and maintain the tranquility of the area.

Additionally, I would ask the Commission to ensure that the design of the development considers the visual impact on neighboring homes. This includes properly concealing utility meters, dumpsters, and service areas to avoid creating an unsightly view or inviting general disarray. It's important this backspace is not treated as an afterthought, but as part of the development that must be kept clean and orderly.

Another serious issue is the brightness and type of lighting proposed. The current yellow-toned parking lot lights are far less intrusive than those planned, and much dimmer than the lighting at Somerset Mall—despite being closer to my home. Lighting design must prioritize nearby residents, particularly when it impacts backyard spaces and sleeping areas.

Lastly, I feel compelled to mention that the property's current owners have not demonstrated good neighborly conduct. The lot has been poorly maintained for years, and while some cleanup has occurred recently, I suspect this was done in anticipation of submitting the development proposal. Unfortunately, their past pattern of neglect, including a lack of

response to previous resident concerns, does not inspire confidence in future stewardship.

Our neighborhood deserves the same level of consideration shown to others. The large easement on the east side of Coolidge was clearly deemed necessary by previous Commissions and Council Members. I respectfully ask that the same thoughtful approach be applied now.

Please take our concerns seriously, and help us preserve the peaceful environment that has made this area such a wonderful place to live for decades.

----- Forwarded message -----

From: **Brent Savidant** <SavidantB@troymi.gov>

Date: Tue, Apr 15, 2025 at 1:53 PM

Subject: RE: Appointment

To: Mary Ellen Barden <mebarden1@gmail.com>

Cc: Frank A Nastasi <Frank.Nastasi@troymi.gov>

I was not brushing you off. I simply do not believe that meeting in person is necessary, since you did an excellent job of describing your concerns both in writing and verbally. The City has negotiated on behalf of the neighborhood to the north from the beginning of the process. If you believe what is proposed is inadequate you can communicate your concerns directly with Planning Commission and City Council.

The most recent CDP is attached.

Please look at Page 15. The CDP proposes a 100-foot buffer area where there will be no buildings. Keep in mind, the maximum proposed height north of Cunningham is 50 feet. This represents only half the setback distance.

Please look at page 34. This shows the proposed northern buffer of the PUD, abutting your neighborhood to the south. There is a cross-section provided showing proposed landscaping. The applicant proposes a berm with coniferous trees planted on the berm with additional rows of trees planted south of the berm. This is a robust landscape plan and is considerably higher than the standard in the Zoning Ordinance for similar projects. This seems to address your written and spoken concerns. Except for your comment that there was trash on the site, which I will communicate with the applicant.

The City Manager is copied so he is aware of our interaction.



R. Brent Savidant, AICP
Community Development Director

City of Troy
O: 248.524.3366



From: Mary Ellen Barden <mebarden1@gmail.com>
Sent: Tuesday, April 15, 2025 12:45 PM
To: Brent Savidant <SavidantB@troymi.gov>; Planning <planning@troymi.gov>
Subject: Re: Appointment

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I wholeheartedly disagree and do not appreciate the brush off. Are any of the concerns being addressed in their plans? After speaking with the developer I am pretty sure he has no plan on changing anything unless the city of Troy requires him to. Who represents me here and fights for my interests?

On Tue, Apr 15, 2025 at 9:32 AM Brent Savidant <SavidantB@troymi.gov> wrote:

Thank you for the email.

I believe I have a firm understanding of your concerns. You have communicated them clearly via email and reiterated your concerns verbally to the Planning Commission on April 8. You had the opportunity to speak with the developer directly at the neighborhood meeting they hosted. You have the opportunity to attend the Planning Commission public hearing on April 22. You have the opportunity to attend the City Council public hearing (no date set yet). Any email correspondence you provide will be shared with both boards and read by all board members. You have a voice and it will be listened to.



R. Brent Savidant, AICP
Community Development Director

City of Troy
O: 248.524.3366



From: Mary Ellen Barden <mebarden1@gmail.com>
Sent: Tuesday, April 15, 2025 6:01 AM
To: Brent Savidant <SavidantB@troymi.gov>; Planning <planning@troymi.gov>
Subject: Appointment

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Hello Brian,

I would like to have a sit down meeting with you to discuss concerns regarding the land use permit for the corner of Big Beaver and Coolidge (the old K-mart site). It seems only fair to talk to us individually the same as you are talking to the developer. Having been a resident for more than 30 years, I remember how Troy steam rolled through the data center in the corner of the back lot

It might be useful for you to come here so I can show you what I'm talking about?

Looking forward to speaking with you,

Mary Ellen Barden













From: [Dylan J Clark](#)
To: [Brent Savidant](#)
Subject: Fw: An open letter Kmart redevelopment Troy MI ...
Date: Thursday, May 1, 2025 3:29:44 PM
Attachments: [Outlook-cid_133E0E.png](#)

FYI...

Best,



Dylan Clark, M.P.A.
Senior Management Analyst
Troy City Manager's Office
O: 248-524-1087

From: Scot Beaton <scotbeaton@gmail.com>
Sent: Thursday, May 1, 2025 3:01 PM
To: City Council Email <CityCouncilEmail@troymi.gov>
Subject: An open letter Kmart redevelopment Troy MI ...

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An open letter Kmart redevelopment Troy MI ...

.....

Nathan Forbes, Forbes Frankel Troy Ventures LLC ... Brent Savidant, AICP | Community Development Director Troy MI ...

Planning commission meeting April 22, 2025 ... per YouTube watch of a lengthy planning commission discussion ... I strongly feel that Nathan Forbes was treated unfairly by the planning commission.

After that meeting I also would strongly feel I might walk too. "car service centers, drive-thru" what embarrassing questions to even ask.

Troubled ... Troy MI may not understand this incredible gift to their Big Beaver corridor from the

University of Michigan.

Troubled ... 'the University of Michigan can't be trusted to build an aesthetically pleasing medical center.' I question does the Troy MI planning commission know the University of Michigan is one of the top universities world wide.

Troubled ... planning commission members may not understand the cost of a billion dollar development ... all Nathan Forbes was asking for was phase one, build streets and sewers. This should have gone on to City Council.

Toby Buechner planning commission member "my house is in that picture" seemed to be the only member who made sense of this first phase proposal and the continuing need for flexibility in today's market.

Troubled ... planning commission members may not understand speck office and speck brick and mortar retail for over a decade have been in the financial toilet. It's a whole new world out there with work at home and home delivery.

Troubled ... I find sophomoric statements like "you could build all office on this site" from planning commission members who are out of touch with today's market.

What is buildable today are mixed-use developments; primary, majority of square footage is residential and I thought Nathan Forbes made that clear to the planning commission members.

IMO ... The meeting went on and on with planning commissioners asking the same questions over and over again and making requests that were too premature to approve phase one.

A lot of time spent on the surface parking lot on the north side of the U of M medical building, which I feel Nathan Forbes delivered a good answer.

.....

Nathan Forbes, I am one who has spent much of my free time past 55 years reading everything a can get my hands on, architecture, architects, urban planning. I actually did shed a tear the day Zaha Hadid died.

Nathan Forbes, my ideas are always free and please consider these 'creative' ideas from a creative guy who loves architecture as you; and move hopefully forward with this new development.

Kmart redevelopment ... I also grew up with this building ... was at the time a 'breakthrough world class development' when built ... I remember the headlines.

I also remember when Forbes Frankel Troy Ventures LLC built Somerset North Troy MI ... that also at the time a 'breakthrough world class development' when built ... I remember those headlines too.

Somerset North Troy MI, parking ... first of its kind; tall ceilings ... a non claustrophobic parking garage. An indoor mall with a glass ceiling that was a throwback design to the 1851 Crystal Palace England.

All that metal was more than support to hold up the glass but many extra supports for decoration only. Brilliant beautiful design!

.....

Nathan Forbes, when you drop names like Earl Sarrian then your building elevations should live up to his design standards... like you said Somerset North Troy MI.

IMO ... What is proposed ... well I have seen these building elevations a 100 times over ... and I feel Nathan Forbes you have the talent to do even better. Also building surface materials don't always make the building pretty.

Nathan Forbes why does the architectural guidelines only promote only built today modern architecture? There is a revival as of late for more traditional or art deco architecture ... more now in Europe and spreading to North America. Or called “transitional design or eclecticism**.”

University of Notre Dame School of Architecture; a new revival in traditional architecture that is also modern.* Nathan Forbes ... may I suggest your team and the University of Michigan please look into what these young minds are creating before moving forward with your design.

This is also a good watch <https://www.youtube.com/watch?v=rfsuU8V40U0&t=2s> New York City's Great 1920s Revival.

Many studies North America ... 85% are very tired of all the new built today modern architecture. Many articles 'we are making North America all look the same.' Your residential buildings and commercial IMO do look like all others as of late.

Your five over one residential buildings look like the many new buildings in the Triangle District Birmingham MI, or downtown Royal Oak or Ferndale MI. Do you want that same ‘look’ for your new development in Troy MI?

The U of M medical building... does it not just looks like another big modern office building or hospital? So far that is what illustrated in your plans. You could suggest to them why can't this development look more like the University of Michigan in Ann Arbor?

Could you not do the research, explore a more timeless traditional style of architecture. Could this U of M medical centerpiece take on a look of more stone trim and an ivy league university reclaimed brick with less glazing? Or a grand front porch and steps with columns facing the central park?

Why a flat roofline? What makes Louis Kamper Book Tower or Albert Kahn's Fisher Building so stunning, a distinctive roofline. Fisher Building roof is covered with semi-glazed green terra cotta. Nathan Forbes would that look not be more, your words “Cranbrook-esque.”

Nathan Forbes, did your family not step out of the box when they built Somerset North Troy MI ... a throwback design to the 1851 Crystal Palace England. Question ... why build another big built today modern office building or hospital with a flat roof? Somerset North Troy MI has a stunning ceiling.

note: Residential, commercial, office buildings ... you show depressing dull gray bricks ... do we not like color anymore? Fiber cement board and metal siding... all this could be considered inexpensive building materials.

And if you like Earl Sarrian why can't your new hotel embrace his talent and build a true Mid-20th Century Modern Hotel tower? What would the late Minoru Yamasaki think of this proposal so far as presented ... IMO ... BORING!

.....

Surface parking lots; north lot, I understand now the revision to the proposal ... wish the planning board did. Not a good idea to build parking garages to tear down later.

Future development north of the U of M medical center building; build to infill that large surface parking

lot, why instead of bookend never good looking parking garages... A better look could be a campus of multiple buildings, green space with parking on the first floor. And a roofline and look to match the main building.

As stated; Nathan Forbes did your family not reinvent the parking garage with Somerset North Troy MI. Why can't you reinvent the underground parking garage? Could you concenter the entire parcel south of the new U of M medical building to Big Beaver Blvd. be built on top of a one floor below grade parking garage.

Including all internal streets for traffic, a twelve foot ceiling with as few supports as possible and open to the sky natural light wells. Trees when planted at parking garage level would grow to thirty footers through the light wells up into the central park.

Parking could also be a ground level but only indoor on the west and east sides, first floor of the mixed-use buildings with curb cuts only to Coolidge Boulevard and Cunningham Drive. No outdoor surface parking lots only drop-off for cars, trucks and deliveries.

.....

Create a new central park with no cars or trucks or surface parking lots in front of the new U of M medical building ... Why not a 'European style town square' with mixed-use surface streets for pedestrians and non mortise vehicles like bicycles.

These internal mixed-use surface streets would accommodate vehicles used for events and all emergency vehicles like police and fire.

Office, retail, restaurants first and some second floors, and third floors and up... residential with balconies overlooking this new 'European style town square.'

Nathan Forbes, all I see so far is a small green park on top of an underground water retention system and two large surface parking lots and streets only for cars and trucks in front of the new U of M medical building.

Stunning architecture should only front Big Beaver road and not your fault, I am not seeing a lot of that as of late ... Nathan Forbes let's not forget the late Minoru Yamasaki 'Grand Boulevard Plan.' IMO ... auto drop-offs is not the best look for a Big Beaver streetscape.

.....

Could it be possible to have two slender residential towers with a 400+ foot maximum height near the corner of Big Beaver and Coolidge Boulevard one could be 1/2 hotel and 1/2 residential. The other tower all residential. Could they also have a Fisher Building style roofline to match the new U of M building.

.....

Unprotected bike lanes in a street are a bad idea... let's not continue to make this mistake, separate bike streets from roadways is a better idea. One only has to look as far as what they are doing in the Netherlands. They are now removing all unprotected bike lanes and replacing their infrastructure with bike streets.

Nathan Forbes you could set the trend for Troy MI; building bike streets around and thru this new development. Bike riders get seriously hurt in unprotected bike lanes... do you want this on your conscience?

.....

This is a special corner in Troy MI ... Nathan Forbes ... I found your love of "symmetry", design; the continued love for building the very best in the city of Troy MI ... Let's put it this way Troy MI should be very thankful of your current proposal.

Or let's also put it this way ... one only has to look at what my grandparents or your great-grandparents built The Coronado Apartments 3751 Second Avenue Detroit MI and the new built today modern apartment building across the street. What will survive time?

IMO ... what is presented so far ... more of the same surface parking lots and streets for cars and trucks. Are you going to build a development that will all be torn down in the next 60 years like most new developments like this will, or a development that will be innovative in design and cherished for generations to come.

Nathan Forbes you are an incredible developer and a skilled and persuasive orator; please concenter these free innovative suggestions as you move forward.

Nathan Forbes, Forbes Frankel Troy Ventures LLC ... Brent Savidant, AICP | Community Development Director ... always thanks for your time. Please forward this letter to all planning commission members and the Troy MI city council.

.....

"Architecture is art, but unlike art that can be hung inside a gallery architecture is public art and can have either good or bad consequences affecting a cities character and charm."

Scot Beaton -- semi retired five time national, international NYC Clio award winning designer
political experience former Rochester Hills City Council member 1988 to 1997 President, Rochester Hills City Council
655 Bolinger Street Rochester Hills MI 48307
<https://www.linkedin.com/in/scot-beaton-474a7b51>

.....

quotes from the Oakland Press

Nathan Forbes... He said the new development would be "very Cranbrook-esque," with high-quality brick, stone and metal used.

"I'm a little bit fit to be tied. Maybe we'll see you again and maybe we won't," said Nate Forbes, managing partner of The Forbes Co., after the city's Planning Commission postponed a decision Tuesday, April 22, that would have moved the project forward.

*The University of Notre Dame School of Architecture emphasizes a revival of traditional and classical architecture, integrating these principles with modern practices and sustainability.
This approach aims to create a built environment that is both functional and beautiful, emphasizing human-centered design and community engagement.

**Both transitional design and eclecticism can be used to describe a combination of traditional and modern architectural elements.
While both terms involve blending styles, they have subtle differences. Transitional design specifically focuses on bridging the gap between traditional and modern, often emphasizing a balance and a timeless

aesthetic.

Eclecticism, on the other hand, is broader and can incorporate elements from various historical styles, creating a more diverse and personalized look.

From: [Alecia Billington](#)
To: [Planning](#)
Subject: Planning Commission Input
Date: Thursday, April 3, 2025 9:06:38 PM

You don't often get email from alecia.billington@gmail.com. [Learn why this is important](#)

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Dear Troy Planning Commission,

My name is Alecia Billington. I have been a Troy resident for the past 7 years. I wanted to share my thoughts with the commission on the ordinance rewrite and the Somerset West Redevelopment (formerly the Kmart Plaza).

Regarding the ordinance rewrite, there is a significant need to lower housing costs in Troy. As one of the best places to raise a family, start a business, and attend a public school district in the state and country, we must recognize why many families want to live in Troy, especially new young families. In a heavily diverse city, where 57% of the population has earned a bachelor's degree or higher, many families choose to live in Troy so their children can attend Troy schools. Many new young families want to provide their children with a strong foundation that can help them land competitive jobs. These families want to prepare their children for the future workforce, and I hope you see the value in increasing accessibility for these families who share our values.

To help increase accessibility, I encourage careful planning and design of **mixed-use housing** (*areas or buildings where residential spaces are combined with non-residential spaces, such as retail or office spaces*) and **denser housing** (*areas with a large number of housing units per unit of land area, such as apartments and condos*). Studies have shown that mixed-use and denser housing can increase property values, lower traffic congestion, attract more businesses, increase economic activity, and increase housing supply, which can ultimately lead to lower housing costs. For mixed-use housing, efforts such as the Zenith Apartments recently approved on Wattles and Dequindre should continue to be encouraged. For denser housing, developers see the interest of young families in Troy, but are restricted from benefiting from the demand for density. The ordinances should be updated to allow more density by default, especially near the Big Beaver corridor and neighborhood nodes where families can take advantage of the amenities Troy has to offer.

Regarding the Somerset West Redevelopment, the multifamily housing intended for the site has received excitement from many Troy residents. I hope there is an opportunity to set aside homes for both affordable and senior housing. To subsidize some of the housing costs, I hope there are efforts to encourage the developer to pursue funding from organizations such as the **Oakland County Housing Trust Fund**. The developer's

willingness to create a vibrant, walkable, mixed-use development should be applauded. More efforts should be made in Troy to encourage future developers to follow suit and help Troy live to its promise as the city of tomorrow, today.

Thank you for your time and all you do on the planning commission.

From: [Deanna Katto](#)
To: [Planning](#)
Subject: Somerset West Redevelopment and Ordinance Rewrite - Resident Feedback
Date: Thursday, April 3, 2025 6:30:19 PM

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Dear Troy Planning Commission,

I hope all is well!

My name is Deanna. I grew up in Troy and have been a resident for many years. I wanted to share my thoughts with the commission on the ordinance rewrite and the Somerset West Redevelopment (formerly the Kmart Plaza).

Regarding the ordinance rewrite, there is a significant need to lower housing costs in Troy. As one of the best places to raise a family, start a business, and attend a public school district in the state and country, we must recognize why many families want to live in Troy, especially new young families. In a heavily diverse city, where 57% of the population has earned a bachelor's degree or higher, many families choose to live in Troy so their children can attend Troy schools. Many new young families want to provide their children with a strong foundation that can help them land competitive jobs. These families want to prepare their children for the future workforce, and I hope you see the value in increasing accessibility for these families who share our values.

To help increase accessibility, I encourage careful planning and design of **mixed-use housing** (*areas or buildings where residential spaces are combined with non-residential spaces, such as retail or office spaces*) and **denser housing** (*areas with a large number of housing units per unit of land area, such as apartments and condos*). Studies have shown that mixed-use and denser housing can increase property values, lower traffic congestion, attract more businesses, increase economic activity, and increase housing supply, which can ultimately lead to lower housing costs. For mixed-use housing, efforts such as the Zenith Apartments recently approved on Wattles and Dequindre should continue to be encouraged. For denser housing, developers see the interest of young families in Troy, but are restricted from benefiting from the demand for density. The ordinances should be updated to allow more density by default, especially near the Big Beaver corridor and neighborhood nodes where families can take advantage of the amenities Troy has to offer.

Regarding the Somerset West Redevelopment, the multifamily housing intended for the site has received excitement from many Troy residents. I hope there is an

opportunity to set aside homes for both affordable and senior housing. To subsidize some of the housing costs, I hope there are efforts to encourage the developer to pursue funding from organizations such as the **Oakland County Housing Trust Fund**. The developer's willingness to create a vibrant, walkable, mixed-use development should be applauded. More efforts should be made in Troy to encourage future developers to follow suit and help Troy live to its promise as the city of tomorrow, today.

Thank you for your time and all you do on the planning commission!

Best,
Deanna Katto
(248) 885-3516

From: [Fabrice Smieliauskas](#)
To: [Planning](#)
Subject: comments on Somerset West Redevelopment
Date: Friday, April 4, 2025 8:33:52 AM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Troy Planning Commission,

My name is Fabrice Smieliauskas. I have been a Troy resident for the past five years. I wanted to share my thoughts with the commission on the ordinance rewrite and the Somerset West Redevelopment (formerly the Kmart Plaza).

Regarding the ordinance rewrite, there is a significant need to lower housing costs in Troy. As one of the best places to raise a family, start a business, and attend a public school district in the state and country, we must recognize why many families want to live in Troy, especially new young families. In a heavily diverse city, where 57% of the population has earned a bachelor's degree or higher, many families choose to live in Troy so their children can attend Troy schools. Many new young families want to provide their children with a strong foundation that can help them land competitive jobs. These families want to prepare their children for the future workforce, and I hope you see the value in increasing accessibility for these families who share our values.

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Troy live to its promise as the city of tomorrow, today.

Thank you for your time and all you do on the planning commission. Fabrice Smieliauskas

From: [Joel M.](#)
To: [Planning](#)
Subject: Troy Planning Commission Input
Date: Thursday, April 3, 2025 9:39:00 PM

You don't often get email from joelme@gmail.com. [Learn why this is important](#)

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Dear Troy Planning Commission,

My name is Joel Meulenberg. I have been a Troy resident for the past 8 years. I wanted to share my thoughts with the commission on the ordinance rewrite and the Somerset West Redevelopment (formerly the Kmart Plaza).

Regarding the ordinance rewrite, there is a significant need to lower housing costs in Troy. As one of the best places to raise a family, start a business, and attend a public school district in the state and country, we must recognize why many families want to live in Troy, especially new young families. In a heavily diverse city, where 57% of the population has earned a bachelor's degree or higher, many families choose to live in Troy so their children can attend Troy schools. Many new young families want to provide their children with a strong foundation that can help them land competitive jobs. These families want to prepare their children for the future workforce, and I hope you see the value in increasing accessibility for these families who share our values.

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Thank you for your time and all you do on the planning commission.

From: [Kelly](#)
To: [Planning](#)
Date: Friday, April 4, 2025 8:50:44 AM

You don't often get email from kajonestroy@gmail.com. [Learn why this is important](#)

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My name is Kelly Jones and I am a 26 year resident of Troy.

As you know, Troy's reputation as a top city for families and businesses makes it a highly desirable place to live, especially for younger families seeking quality schools.

To keep Troy accessible, we must address housing affordability.

I urge the Planning Commission to support mixed-use and higher-density housing and rezone office districts for flex or residential use. Mixed-use developments and denser housing options can create walkable neighborhoods while expanding our housing supply, focusing on young families and seniors. Given the post-COVID decline in office use, rezoning is crucial for Troy's long-term viability. Research shows these strategies can boost property values, reduce congestion, attract businesses, and stimulate economic growth—all while improving affordability.

Regarding the Somerset West Redevelopment, the multifamily housing intended for the site is exciting! I hope there is an opportunity to set aside homes that are affordable to young families and seniors.

I encourage the Planning Commission to consider mixed use and high density housing, as well as rezoning office districts for flex or residential purposes.

Thank you for your time,
Kelly Jones

From: [Qudsia](#)
To: [Planning](#)
Subject: Ordinance Rewrite & the Somerset West Redevelopment
Date: Thursday, April 3, 2025 10:55:59 PM

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Dear Troy Planning Commission,

My name is Qudsia Lone. I have been a Troy resident for the past 14 years. I wanted to share my thoughts with the commission on the ordinance rewrite and the Somerset West Redevelopment (formerly the Kmart Plaza).

Regarding the ordinance rewrite, there is a significant need to lower housing costs in Troy. As one of the best places to raise a family, start a business, and attend a public school district in the state and country, we must recognize why many families want to live in Troy, especially new young families. In a heavily diverse city, where 57% of the population has earned a bachelor's degree or higher, many families choose to live in Troy so their children can attend Troy schools. Many new young families want to provide their children with a strong foundation that can help them land competitive jobs. These families want to prepare their children for the future workforce, and I hope you see the value in increasing accessibility for these families who share our values.

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Regarding the Somerset West Redevelopment, the multifamily housing intended for the site has received excitement from many Troy residents. I hope there is an opportunity to set aside homes for both affordable and senior housing. To subsidize some of the housing costs, I hope there are efforts to encourage the developer to pursue funding from organizations such as the **Oakland County Housing Trust Fund**. The developer's

willingness to create a vibrant, walkable, mixed-use development should be applauded. More efforts should be made in Troy to encourage future developers to follow suit and help Troy live to its promise as the city of tomorrow, today.

Thank you for your time and all you do on the planning commission.

Qudsia Lone

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-----Recommendations:-----

Make a difference in the world: <http://usa.humanityfirst.org/>

For Humanity First International, go to: www.humanityfirst.org

From: [Mike f](#)
To: [Planning](#)
Subject: Ordinance Rewrite & Somerset W Redevelopment
Date: Friday, April 4, 2025 9:32:11 AM

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Dear Troy Planning Commission,

Our names are Mike Flores & Josh Curie, and we have been residents of Troy for the past year. We're writing to share our thoughts on the future ordinance rewrite (April 22nd) and the proposed Somerset West Redevelopment (formerly the Kmart Plaza).

We believe there is a pressing need to address housing affordability in Troy. As one of the best cities in Michigan—and the country—for raising a family, starting a business, and accessing top-tier public education, it's no surprise that many families are eager to call Troy home, particularly younger families. In our diverse city, where 57% of residents hold a bachelor's degree or higher, many are drawn here by the opportunity to enroll their children in Troy's exceptional schools. These families are investing in their children's futures, hoping to provide a strong foundation that leads to success in a competitive global workforce. We should ensure Troy remains accessible to families who share these values and aspirations.

We encourage the Commission to promote **mixed-use** and **higher-density housing** as well as **rezoning office districts to flex or residential uses**. Mixed-use developments—combining residential units with retail, office, or other non-residential spaces—along with denser housing options like apartments and condos, can create vibrant, walkable neighborhoods while expanding our housing supply. Rezoning areas zoned office to flex or residential use is critical to the viability of our city given the post Covid crash in office use. Research shows that these housing models can raise property values, reduce traffic congestion, attract businesses, and stimulate local economic growth—all while helping to lower housing costs over time.

Troy has already taken steps in the right direction, approving similar projects of late. These kinds of efforts should be expanded. When it comes to higher-density housing, recently proposed projects clearly recognize the demand among young families, but current ordinances often restrict their ability to meet that demand. I urge the Commission to revise zoning to allow greater density by default—especially along the **Big Beaver corridor** and in **neighborhood nodes**, where residents can benefit from the many amenities our city has to offer.

Regarding the Somerset West Redevelopment, the multifamily housing intended for the site has received excitement from many Troy residents. We hope there is an opportunity to set aside homes for both affordable and senior housing. To subsidize some of the housing costs, I hope there are efforts to encourage the developer to pursue funding from organizations such as the **Oakland County Housing Trust Fund**. The project's willingness to create a vibrant, walkable, mixed-use development should be applauded. More efforts should be made in Troy to encourage future projects to follow suit.

Thank you for your time, and for your commitment to making Troy an inclusive, forward-thinking city for all.

Sincerely,

Mike & Josh
Paddington Street
248-275-3145

Dear Troy Planning Commission,

My name is Cheryl Webster Miller, and I have been a resident of Troy for the past 36 years. I'm writing to share my thoughts on the future ordinance rewrite (April 22nd) and the proposed Somerset West Redevelopment (formerly the Kmart Plaza).

I believe there is a pressing need to address housing affordability in Troy. As one of the best cities in Michigan—and the country—for raising a family, starting a business, and accessing top-tier public education, it's no surprise that many families are eager to call Troy home, particularly younger families. In our diverse city, where 57% of residents hold a bachelor's degree or higher, many are drawn here by the opportunity to enroll their children in Troy's exceptional schools. These families are investing in their children's futures, hoping to provide a strong foundation that leads to success in a competitive global workforce. We should ensure Troy remains accessible to families who share these values and aspirations.

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Thank you for your time, and for your commitment to making Troy an inclusive, forward-thinking city for all.

Sincerely,
Cheryl Webster Miller, 113 Streamview Drive, Troy 48085

From: [Kristin Pingree](#)
To: [Planning](#)
Subject: Developing Former Kmart HQ
Date: Tuesday, April 8, 2025 6:40:35 PM

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Dear Troy Planning Commission,

My name is Kristin Pingree, and I have been a Troy resident for the past 12 years. I wanted to share my thoughts with the commission on the ordinance rewrite and the Somerset West Redevelopment of the former Kmart Plaza.

To help increase housing accessibility, I encourage the planning commission to pursue the design and building of mixed-use housing and denser housing. Studies have shown that mixed-use and denser housing can increase property values, lower traffic congestion, attract more businesses, increase economic activity, and increase housing supply and increased affordability. The ordinances should be updated to allow more density by default, especially near the Big Beaver corridor where families can take advantage of the amenities Troy has to offer.

Regarding the Somerset West Redevelopment, the multifamily housing intended for the site has received excitement from many Troy residents. More efforts should be made in Troy to encourage future developers to follow suit and help Troy live to its promise as the city of tomorrow, today.

Thank you for your time and all you do on the planning commission.

Sincerely, Kristin Pingree

From: [Ren Nushaj](#)
To: [Planning](#)
Subject: Ordinance and old K-Mart site
Date: Friday, April 4, 2025 8:01:59 AM

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Good morning.

My name is Ren Nushaj, and I have been a resident of Troy most of my adult life. I'm writing to share my thoughts on the future ordinance rewrite (April 22nd) and the proposed Somerset West Redevelopment (formerly the Kmart Plaza).

I believe there is a pressing need to address housing affordability in Troy. As one of the best cities in Michigan—and the country—for raising a family, starting a business, and accessing top-tier public education, it's no surprise that many families are eager to call Troy home, particularly younger families. In our diverse city, where 57% of residents hold a bachelor's degree or higher, many are drawn here by the opportunity to enroll their children in Troy's exceptional schools. These families are investing in their children's futures, hoping to provide a strong foundation that leads to success in a competitive global workforce. We should ensure Troy remains accessible to families who share these values and aspirations.

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Thank you for your time, and for your commitment to making Troy an inclusive, forward-thinking city for all.

--

Sincerely,

Ren Nushaj
Attorney at Law

Troy Law Center
Attorneys & Counselors
5960 Livernois Rd.
Troy, MI 48098

Tel. (248) 649-1000
Fax. (248) 792-3487
[Troy Law Center.com](http://TroyLawCenter.com)

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Note to clients: This e-mail is an attorney-client privileged communication, and the privilege may be lost if you forward or disclose it to third parties.

From: [Mary Ellen Barden](#)
To: [Ethan Baker](#); [Theresa Brooks](#); [Hirak Chanda](#); [Mark A Gunn](#); [David Hamilton](#); [Ellen C Hodorek](#)
Cc: [Brent Savidant](#); [Planning](#)
Subject: Re: Appointment
Date: Friday, April 18, 2025 3:07:50 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

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Dear Mayor Baker, Planning Commissioners, and City Council Members,

I am writing as a concerned resident of the subdivision north of the K-mart redevelopment site regarding the proposed site plan located north of Cunningham. While I understand the city's desire to grow and encourage economic development, I have serious concerns about the potential impact this project may have on our community.

Specifically, I am concerned about:

- **Traffic congestion/increased noise/environmental impact/light pollution**
- **Lack of transparency in the planning process and insufficient public consultation**
- **Potential negative effects on property values or quality of life**
- **Difference in easement allotment comparative to what the city felt was necessary for the project east of Coolidge**
- **No fencing/barrier to keep our neighborhood from unwanted intrusions**
- **No plan to develop the easement landscaping during phase one in order to protect our homes from construction noise and general dust created during construction**

I respectfully request that the city reconsider or modify this development plan and take into account the voices and interests of local residents. A more thorough review, an environmental impact study, and a series of public forums for community input equal to the face time the developer has had thereby ensuring that this development serves the best interests of all stakeholders.

As a member of this community, I ask that you prioritize responsible growth, community engagement, and long-term planning. I appreciate your attention to this matter and look forward to hearing how our concerns will be addressed. Based on the current site plan forwarded to me, none of our concerns have been addressed. Mr. Savidant stated he has been advocating on our behalf, but nothing in the current plan would point to any concessions for our community and we are only allotted a letter and three minutes at commission meetings. I would appreciate someone from the city coming and speaking to me so I can show them what I am talking about in the our corner with the berm being significantly less protective.

Sincerely,

Mary Ellen Barden

On Wed, Apr 16, 2025 at 4:39 PM Mary Ellen Barden <mebarden1@gmail.com> wrote:

Dear Planning Commissioners, City Council Members and Mayor Baker,

I am writing as a long-time resident of Troy, having lived in this city since 1992 and raised

my family here, to respectfully express my concerns about the proposed development near the east side of Coolidge. While I understand the importance of thoughtful development, I believe this particular project raises several issues that have not been adequately addressed.

My foremost concern is the increase in foot traffic that will inevitably impact our quiet, established neighborhood. To mitigate this, I strongly urge the Commission to require the installation of a perimeter fence around the new development that matches the existing fencing around the adjacent data center. This would help discourage unwanted foot traffic and protect the character of the neighborhood.

Furthermore, I believe the proposed 100-foot easement is insufficient. It appears the green space on the east side of Coolidge was previously established for this very reason—to act as a buffer. Given that the plan now calls for office space rather than the originally proposed upscale condominiums, this concern becomes even more pressing. Office development brings different traffic patterns, noise levels, and lighting concerns compared to residential use.

The potential for industrial HVAC equipment noise adds another layer of disruption. To address this, I recommend the incorporation of intentional landscaping to help buffer noise and maintain the tranquility of the area.

Additionally, I would ask the Commission to ensure that the design of the development considers the visual impact on neighboring homes. This includes properly concealing utility meters, dumpsters, and service areas to avoid creating an unsightly view or inviting general disarray. It's important this backspace is not treated as an afterthought, but as part of the development that must be kept clean and orderly.

Another serious issue is the brightness and type of lighting proposed. The current yellow-toned parking lot lights are far less intrusive than those planned, and much dimmer than the lighting at Somerset Mall—despite being closer to my home. Lighting design must prioritize nearby residents, particularly when it impacts backyard spaces and sleeping areas.

Lastly, I feel compelled to mention that the property's current owners have not demonstrated good neighborly conduct. The lot has been poorly maintained for years, and while some cleanup has occurred recently, I suspect this was done in anticipation of submitting the development proposal. Unfortunately, their past pattern of neglect, including a lack of response to previous resident concerns, does not inspire confidence in future stewardship.

Our neighborhood deserves the same level of consideration shown to others. The large easement on the east side of Coolidge was clearly deemed necessary by previous Commissions and Council Members. I respectfully ask that the same thoughtful approach be applied now.

Please take our concerns seriously, and help us preserve the peaceful environment that has made this area such a wonderful place to live for decades.

----- Forwarded message -----

From: **Brent Savidant** <SavidantB@troymi.gov>

Date: Tue, Apr 15, 2025 at 1:53 PM

Subject: RE: Appointment

To: Mary Ellen Barden <mebarden1@gmail.com>
Cc: Frank A Nastasi <Frank.Nastasi@troymi.gov>

I was not brushing you off. I simply do not believe that meeting in person is necessary, since you did an excellent job of describing your concerns both in writing and verbally. The City has negotiated on behalf of the neighborhood to the north from the beginning of the process. If you believe what is proposed is inadequate you can communicate your concerns directly with Planning Commission and City Council.

The most recent CDP is attached.

Please look at Page 15. The CDP proposes a 100-foot buffer area where there will be no buildings. Keep in mind, the maximum proposed height north of Cunningham is 50 feet. This represents only half the setback distance.

Please look at page 34. This shows the proposed northern buffer of the PUD, abutting your neighborhood to the south. There is a cross-section provided showing proposed landscaping. The applicant proposes a berm with coniferous trees planted on the berm with additional rows of trees planted south of the berm. This is a robust landscape plan and is considerably higher than the standard in the Zoning Ordinance for similar projects. This seems to address your written and spoken concerns. Except for your comment that there was trash on the site, which I will communicate with the applicant.

The City Manager is copied so he is aware of our interaction.



R. Brent Savidant, AICP
Community Development Director

City of Troy
O: 248.524.3366



From: Mary Ellen Barden <mebarden1@gmail.com>
Sent: Tuesday, April 15, 2025 12:45 PM

To: Brent Savidant <SavidantB@troymi.gov>; Planning <planning@troymi.gov>
Subject: Re: Appointment

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I wholeheartedly disagree and do not appreciate the brush off. Are any of the concerns being addressed in their plans? After speaking with the developer I am pretty sure he has no plan on changing anything unless the city of Troy requires him to. Who represents me here and fights for my interests?

On Tue, Apr 15, 2025 at 9:32 AM Brent Savidant <SavidantB@troymi.gov> wrote:

Thank you for the email.

I believe I have a firm understanding of your concerns. You have communicated them clearly via email and reiterated your concerns verbally to the Planning Commission on April 8. You had the opportunity to speak with the developer directly at the neighborhood meeting they hosted. You have the opportunity to attend the Planning Commission public hearing on April 22. You have the opportunity to attend the City Council public hearing (no date set yet). Any email correspondence you provide will be shared with both boards and read by all board members. You have a voice and it will be listened to.



R. Brent Savidant, AICP
Community Development Director

City of Troy
O: 248.524.3366



From: Mary Ellen Barden <mebarden1@gmail.com>
Sent: Tuesday, April 15, 2025 6:01 AM

To: Brent Savidant <SavidantB@troymi.gov>; Planning <planning@troymi.gov>
Subject: Appointment

Some people who received this message don't often get email from mebarden1@gmail.com. [Learn why this is important](#)

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Hello Brian,

I would like to have a sit down meeting with you to discuss concerns regarding the land use permit for the corner of Big Beaver and Coolidge (the old K-mart site). It seems only fair to talk to us individually the same as you are talking to the developer. Having been a resident for more than 30 years, I remember how Troy steam rolled through the data center in the corner of the back lot

It might be useful for you to come here so I can show you what I'm talking about?

Looking forward to speaking with you,

Mary Ellen Barden

From: [Jasper Gill](#)
To: [Planning](#)
Subject: Somerset West/ U of M questions
Date: Tuesday, April 22, 2025 2:15:00 PM

You don't often get email from drjaspergill@gmail.com. [Learn why this is important](#)

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Greetings,

I am unable to attend tonight so I wanted to relay my thoughts to you prior to the meeting tonight for the Somerset West/UofM Health campus. My house is in their renderings so I will be able to walk here with my three young children and wife. A few questions if you also may have some insight on these for the proposed area:

1. **Weekend farmers market.** In one of their pictures they have a sample of tents set up like a farmer's market. With the ample parking and the grassy area this would be great for Troy to restart and relocate it here to really amplify this as a Troy community area on Sundays.
2. **No grocery store any more in the renderings.** Will a small format Holiday Market like in Birmingham be added?
3. In the renderings in front is this a **Restaurant Row, coffee shop**, etc or just like Ocean Prime across the street, where it is just two restaurants across from each other?
4. Is there any consideration for an exercise facility on the grounds? Are the Forbes/Frankel involved with the **Equinox gym** on the other side of town?
5. The grass and trees are nice, but could a **playground** for children be added?
6. It looks like the parking deck has been removed for surface parking. Would they consider reversing this back?

Thank you for your time,

Jasper Gill

From: [Christopher Henne](#)
To: [Planning](#)
Subject: Having a variety of housing in Troy is important!
Date: Tuesday, April 8, 2025 7:00:28 PM

You don't often get email from ceh142@gmail.com. [Learn why this is important](#)

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Troy Planning Commission,

My name is Christopher Henne. I have been a Troy resident for the past 8 years. I wanted to share my thoughts with the commission on the ordinance rewrite and the Somerset West Redevelopment (formerly the Kmart Plaza).

Regarding the ordinance rewrite, there is a significant need to lower housing costs in Troy. Troy is one of the best places to raise a family, start a business, and attend a public school district in the state and country. As such, we should recognize and encourage that many families want to live in Troy, especially new young families. In a heavily diverse city, where 57% of the population has earned a bachelor's degree or higher, many families choose to live in Troy so their children can attend Troy schools. Many new young families want to provide their children with a strong foundation that can help them land competitive jobs. These families want to prepare their children for the future workforce, and I hope you see the value in increasing accessibility for these families who share our values. The thing is, many such young families just plain cannot afford to move into one of Troy's single family homes, especially the megahomes that developers seem to love building here. I know that my family's Troy home was not our first or even second home, simply due to the cost of living here!

To help increase accessibility, I encourage careful planning and design of **mixed-use housing** (*areas or buildings where residential spaces are combined with non-residential spaces, such as retail or office spaces*) and **denser housing** (*areas with a large number of housing units per unit of land area, such as apartments and condos*). Studies have shown that mixed-use and denser housing can increase property values, lower traffic congestion, attract more businesses, increase economic activity, and increase housing supply, which can ultimately lead to lower housing costs. For mixed-use housing, efforts such as the Zenith Apartments recently approved on Wattles and Dequindre should continue to be encouraged. For denser housing, developers see the interest of young families in Troy, but are restricted from benefiting from the demand for density. The ordinances should be updated to allow more density by default, especially near the Big Beaver corridor and neighborhood nodes where families can take advantage of the amenities Troy has to offer.

Regarding the Somerset West Redevelopment, the multifamily housing intended for the site has received excitement from many Troy residents. I hope there is an opportunity to set aside homes for both affordable and senior housing. To subsidize some of the housing costs, I hope there are efforts to encourage the developer to pursue funding from organizations such as the **Oakland County Housing Trust Fund**. The developer's

willingness to create a vibrant, walkable, mixed-use development should be applauded. More efforts should be made in Troy to encourage future developers to follow suit and help Troy live to its promise as the city of tomorrow, today, and not just a target for firms like Blackrock, who want to buy up expensive single family homes as their occupants age out of our community, in order to turn them into even more expensive rental homes for younger families who would prefer to actually buy into and put down roots in our community.

Thank you for your time and all you do on the planning commission.

From: [Kristin Pingree](#)
To: [Planning](#)
Subject: Developing Former Kmart HQ
Date: Tuesday, April 8, 2025 6:40:35 PM

You don't often get email from kristinpingree@gmail.com. [Learn why this is important](#)

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Dear Troy Planning Commission,

My name is Kristin Pingree, and I have been a Troy resident for the past 12 years. I wanted to share my thoughts with the commission on the ordinance rewrite and the Somerset West Redevelopment of the former Kmart Plaza.

To help increase housing accessibility, I encourage the planning commission to pursue the design and building of mixed-use housing and denser housing. Studies have shown that mixed-use and denser housing can increase property values, lower traffic congestion, attract more businesses, increase economic activity, and increase housing supply and increased affordability. The ordinances should be updated to allow more density by default, especially near the Big Beaver corridor where families can take advantage of the amenities Troy has to offer.

Regarding the Somerset West Redevelopment, the multifamily housing intended for the site has received excitement from many Troy residents. More efforts should be made in Troy to encourage future developers to follow suit and help Troy live to its promise as the city of tomorrow, today.

Thank you for your time and all you do on the planning commission.

Sincerely, Kristin Pingree

From: [Mary Ellen Barden](#)
To: [Planning](#); [Brent Savidant](#)
Cc: [Ethan Baker](#); [Theresa Brooks](#); [Hirak Chanda](#); [Mark A Gunn](#); [David Hamilton](#); [Ellen C Hodorek](#)
Subject: North Parcel of the old K-Mart Site
Date: Monday, May 12, 2025 7:00:22 PM

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First, I would like to briefly address a comment made by a commission member at the last meeting. While I understand the rules prevent addressing individuals directly, I feel it is important to respond to the statement that "the landscaping is very nice". Unfortunately, this does not reflect the reality of the current condition, and I am attaching photos to provide accurate context.

More importantly, I am formally requesting that maintenance of the set back area and the installation of a perimeter fence around the north parcel be made conditions for moving forward with Phase 1 of the project. These measures are essential to help preserve the quiet character of our neighborhood and ensure security, especially given the increase in foot traffic this development is likely to bring. A fence and proper maintenance would also help mitigate the impact of dust and noise on adjacent residences during construction.

Additionally, I would like to express concern regarding the setback requirements. The east project allowed for a 15-acre setback, yet we are being told that an additional 100 feet is not feasible. I understand that accommodating this request would require agreement among all parties involved, but if it were made a condition for moving forward on Phase 1, it would provide a strong incentive to reach a mutually acceptable solution.

Thank you for your consideration of these concerns.

Mary Ellen Barden

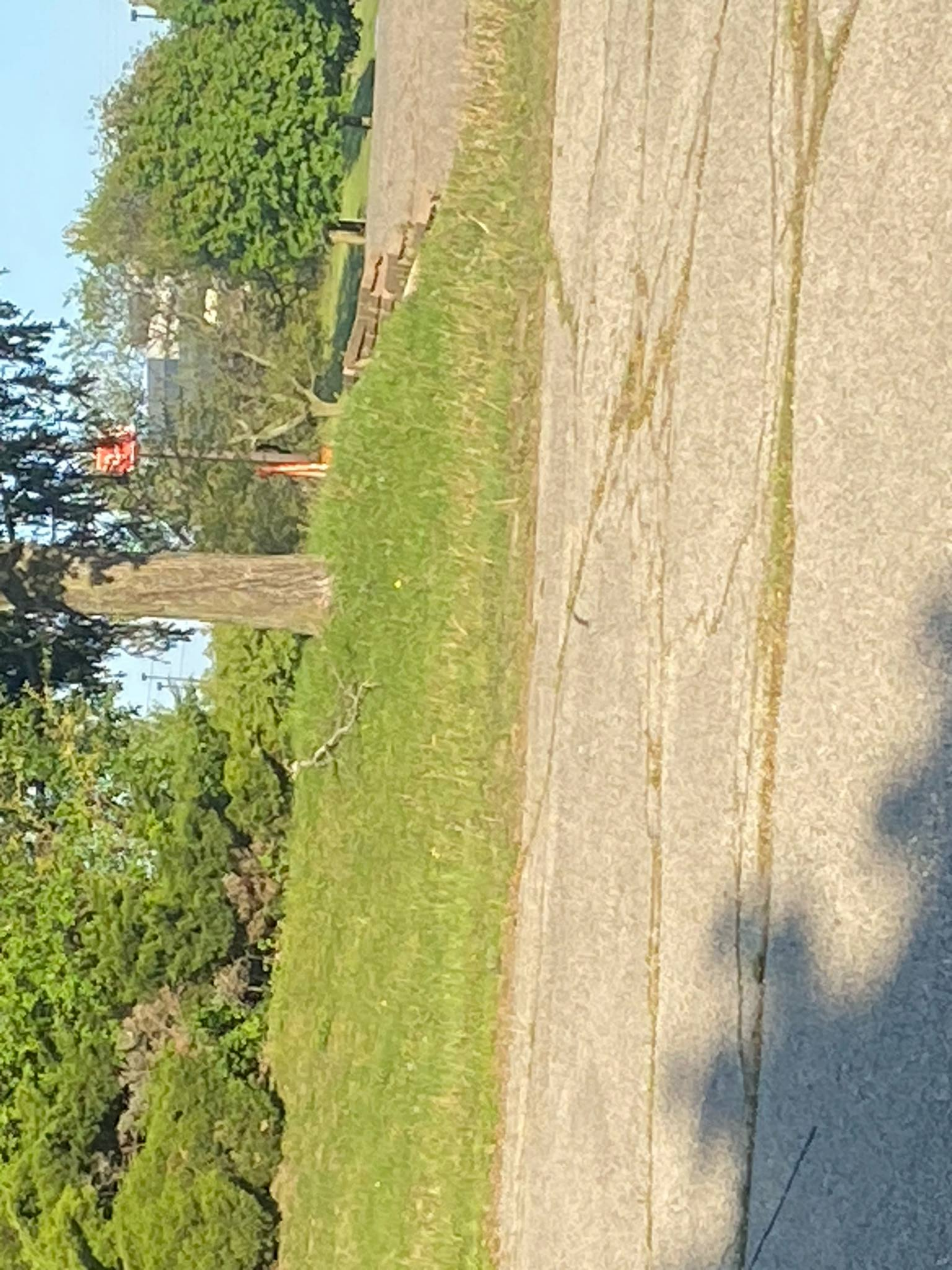
















































From: [Planning](#)
To: [Brent Savidant](#)
Subject: FW: I'm surprised you didn't respond most city planners do
Date: Wednesday, May 7, 2025 9:13:31 AM

From: Scot Beaton <scotbeaton@gmail.com>
Sent: Wednesday, May 7, 2025 2:26 AM
To: Planning <planning@troymi.gov>
Subject: I'm surprised you didn't respond most city planners do

You don't often get email from scotbeaton@gmail.com. [Learn why this is important](#)

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Brent Savidant ... many letters over the years to ... Nik Banda, City Manager/Economic & Community Dev.
Rochester MI ... Sara Roediger - City of Rochester Hills, Planning & Economic Development Director ... Bryan
Barnett Mayor Rochester Hills ... Nicholas Dupuis Planning Director Birmingham MI ... just a few.

Brent Savidant ... call or email any of them ... they all respond to my letters 100% ... did you take the time to
forward this open letter to your City Council or your Planning Commission?

I would request a response from you and your department.

Always thanks for your time

Scot Beaton

.....

An open letter Kmart redevelopment Troy MI ...

Nathan Forbes, Forbes Frankel Troy Ventures LLC ... Brent Savidant, AICP | Community Development Director Troy MI ...

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Troubled ... I find sophomoric statements like "you could build all office on this site" from planning commission members who are out of touch with today's market.

What is buildable today are mixed-use developments; primary, majority of square footage is residential and I thought Nathan Forbes made that clear to the planning commission members.

IMO ... The meeting went on and on with planning commissioners asking the same questions over and over again and making requests that were too premature to approve phase one.

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All that metal was more than support to hold up the glass but many extra supports for decoration only. Brilliant beautiful design!

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Nathan Forbes why does the architectural guidelines only promote only built today modern architecture? There is a revival as of late for more traditional or art deco architecture ... more now in Europe and spreading to North America. Or called "transitional design or eclecticism**."

University of Notre Dame School of Architecture; a new revival in traditional architecture that is also modern.* Nathan Forbes ... may I suggest your team and the University of Michigan please look into what these young minds are creating before moving forward with your design.

This is also a good watch <https://www.youtube.com/watch?v=rfsuU8V40U0&t=2s> New York City's Great 1920s Revival.

Many studies North America ... 85% are very tired of all the new built today modern architecture. Many articles 'we are making North America all look the same.' Your residential buildings and commercial IMO do look like all others as of late.

Your five over one residential buildings look like the many new buildings in the Triangle District Birmingham MI, or downtown Royal Oak or Ferndale MI. Do you want that same 'look' for your new development in Troy MI?

The U of M medical building... does it not just looks like another big modern office building or hospital? So far that is what illustrated in your plans. You could suggest to them why can't this development look more like the University of Michigan in Ann Arbor?

Could you not do the research, explore a more timeless traditional style of architecture. Could this U of M medical centerpiece take on a look of more stone trim and an ivy league university reclaimed brick with less glazing? Or a grand front porch and steps with columns facing the central park?

Why a flat roofline? What makes Louis Kamper's Book Tower or Albert Kahn's Fisher Building so stunning, a distinctive roofline. Fisher Building roof is covered with semi-glazed green terra cotta. Nathan Forbes would that look not be more, your words "Cranbrook-esque."

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note: Residential, commercial, office buildings ... you show depressing dull gray bricks ... do we not like color anymore? Fiber cement board and metal siding... all this could be considered inexpensive building materials.

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Surface parking lots; north lot, I understand now the revision to the proposal ... wish the planning board did. Not a good idea to build parking garages to tear down later.

Future development north of the U of M medical center building; build to infill that large surface parking lot, why instead of bookend never good looking parking garages... A better look could be a campus of multiple buildings, green space with parking on the first floor. And a roofline and look to match the main building.

As stated; Nathan Forbes did your family not reinvent the parking garage with Somerset North Troy MI. Why can't you reinvent the underground parking garage? Could you conceder the entire parcel south of the new U of M medical building to Big Beaver Blvd. be built on top of a one floor below grade parking garage.

Including all internal streets for traffic, a twelve foot ceiling with as few supports as possible and open to the sky natural light wells. Trees when planted at parking garage level would grow to thirty footers through the light wells up into the central park.

Parking could also be a ground level but only indoor on the west and east sides, first floor of the mixed-use buildings with curb cuts only to Coolidge Boulevard and Cunningham Drive. No outdoor surface parking lots only drop-off for cars, trucks and deliveries.

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Create a new central park with no cars or trucks or surface parking lots in front of the new U of M medical building ... Why not a 'European style town square' with mixed-use surface streets for pedestrians and non motorized vehicles like bicycles.

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From: [Planning](#)
To: [Brent Savidant](#)
Subject: FW: An open letter Kmart redevelopment Troy MI ...
Date: Wednesday, May 7, 2025 9:24:30 AM

From: Scot Beaton <scotbeaton@gmail.com>
Sent: Thursday, May 1, 2025 2:53 PM
To: nforbes@theforbescompany.com; Planning <planning@troymi.gov>
Subject: An open letter Kmart redevelopment Troy MI ...

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From: Scot Beaton

To: Planning; Sara Roediger; Nik Banda; Nicholas Dupuis

Subject: K-Mart PDF Troy MI

Date: Saturday, April 26, 2025 10:52:25 PM

You don't often get email from scotbeaton@gmail.com. [Learn why this is important](https://apps.troy.mi.gov/BoardsAndCommittees/OnbaseItem?documentId=6727082)
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Have you not heard ... there is a revival as of late for traditional architecture and a revival of art deco in towns like New York City.

University of Notre Dame School of Architecture; a new revival in traditional architecture.

This is a good watch <https://www.youtube.com/watch?v=rfsuU8V40U0&t=2s> New York City's Great 1920s Revival

85% of your community does not like built today modern architecture!

What would the late Minoru Yamasaki think of this proposal... BORING!

Why not more green space and underground parking or a reflecting pool? Where is a town square?

All I see is a large surface parking lot in front of the new medical building.

Why not smaller footprints and taller residential buildings?

Why depressing gray bricks ... do we not like color anymore?

Why fiber cement board and metal siding... cheap looking building materials.

Why ... this is a special corner in Troy MI ... Why can't Troy demand better?

Brent Savidant, AICP | Community Development Director ... always thanks for your time.

**"Architecture is art, but unlike art that can be hung inside a gallery
architecture is public art and can have either good or bad consequences**

affecting a cities character and charm.”

Scot Beaton -- semi retired five time national, international NYC Clio award winning designer
political experience former Rochester Hills City Council member 1988 to 1997 President,

Rochester Hills

City Council

655 Bolinger Street Rochester Hills MI 48307

<https://www.linkedin.com/in/scot-beaton-474a7b51>

From: [Fabrice Smieliauskas](#)
To: [Planning](#)
Subject: comment on Somerset West Redevelopment and Northland Enclave
Date: Friday, May 9, 2025 5:31:51 PM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Troy Planning Commission,

My name is Fabrice Smieliauskas, and I have been a proud resident of Troy for the past five years. I am writing to share my thoughts on two items scheduled for discussion at your upcoming meeting.

First, please note that Troy is not "built out", and these two opportunities prove it is not. I hail from Mississauga, Ontario, a suburb similar to Troy as a home to many immigrants and middle to upper-middle class residents, with a large commercial property base. Brent Savidant knows it well. Mississauga's population density is 6,391 people per square mile, vs. Troy's 2,609 per square mile. Troy has a lot more room to grow up, to "fill in the blanks" and the underused spaces in the city, to grow to our full capacity of well over 100,000 residents.

The Planning Department has not yet produced its report on North Troy. It will likely show that, as in metro Detroit generally, our office space is heavily underused: https://www.craigslist.com/real-estate/overbuilt-metro-detroit-office-market-leads-record-low-rents?share-code=17468259140265070-196b72bfb43&utm_id=gfta-ur-250509. Northland Enclave proposal to rezone underused office space in North Troy into residential use is an excellent example of the kind of forward-thinking planning Troy needs to densify North Troy and make it more vibrant than it currently is. I rarely see any pedestrian or biker on Corporate Drive, getting some exercise or making their way without a car to the retail on Crooks Rd. This will help. In addition, the central K-Mart property of course must be redeveloped.

Second, I urge the Commission to prioritize the development of economically attainable housing in Troy. As one of Michigan's—and the nation's—most desirable cities to raise a family, start a business, and benefit from exceptional public education, Troy continues to attract a growing number of young families. Our diverse community, where 57% of residents hold a bachelor's degree or higher, is often drawn by the opportunity to enroll children in our top-tier school system. These families are investing in their children's futures, and we should ensure that Troy remains accessible

to those who share in that commitment.

To meet this need, I strongly encourage the Commission to support mixed-use and higher-density residential developments, and to consider rezoning underutilized office districts for flex or residential use. Mixed-use projects—blending residential, retail, and office spaces—not only promote walkable, vibrant neighborhoods, but also increase our housing supply. Likewise, allowing greater density through apartments and condominiums can help lower housing costs, accommodate future population growth, and attract businesses. In the wake of the post-COVID decline in office occupancy, rezoning office space is a practical and forward-looking solution.

Research consistently shows that communities with these housing models benefit from higher property values, reduced traffic congestion, local economic growth, and stronger neighborhood connectivity. Fortunately, Troy has already taken encouraging steps in this direction, approving projects that reflect these priorities. These efforts should be expanded.

Higher-density developments recently proposed in Troy demonstrate clear demand, particularly among younger families, but are often hindered by outdated zoning ordinances. I urge the Commission to revise our zoning code to support greater density by default—especially along the Big Beaver Corridor and in designated neighborhood nodes, where proximity to amenities enhances livability.

Thank you for your time and your continued commitment to making Troy a more inclusive, adaptable, and forward-looking city for all residents.

Sincerely,
Fabrice Smieliauskas

From: [Mary Ellen Barden](#)
To: [Ethan Baker](#); [Theresa Brooks](#); [Hirak Chanda](#); [Mark A Gunn](#); [David Hamilton](#); [Ellen C Hodorek](#); [Rebecca A. Chamberlain-Creanga](#)
Cc: [Brent Savidant](#)
Subject: June 9 PUD Approval – Request for Modifications and Neighborhood Protections
Date: Wednesday, June 4, 2025 5:01:04 PM
Attachments: [My summary of consent judgment.docx](#)

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Baker and Members of the City Council,

It is my understanding that the original Consent Judgment came about as a result of the City of Troy's desire to prevent overdevelopment at this corner and to retain control over the type of housing allowed. That original intent now seems increasingly at odds with what is being proposed through the current PUD.

Attached is a timeline summary I compiled from documents obtained through the Freedom of Information Act (FOIA). I hope this context helps illustrate why many of us in the surrounding residential neighborhood feel that the spirit of the original vision has eroded over time.

It has also been frustrating to repeatedly hear that the 100-foot easement is part of the Consent Judgment, only to learn that it is actually from a previous PUD and is being used for this PUD. This process has been a learning journey, but the underlying issue remains: the lack of sufficient protection for the adjacent residential area.

To be clear, I **support development on this property**, and I believe a PUD should be approved on June 9. However, it should be **modified** to include a **larger easement between commercial and residential zones** and reflect the same level of **landscaping detail and resident protections** found in the original consent judgment and early amendments—such as the November 22, 1977 and September 25, 1980 revisions. Those amendments not only prioritized buffering and aesthetics but also included clear legal provisions to protect residents, including attorney fees for enforcement.

I was also struck by the extensive correspondence that accompanied those earlier agreements. That transparency and proactive communication allowed everyone involved to understand the terms before approval. I urge the city to take a similar approach today—especially with such a significant development.

Please take this opportunity to reach out to Mr. Forbes and negotiate better protections for Troy residents. Development of this property is long overdue, but it must be done in a way that honors the city's original vision to protect its neighborhoods.

I respectfully ask the Council to **revisit the PUD conditions** and consider all reasonable measures—whether through easement adjustments, enhanced zoning buffers, fencing for clear separation—to restore a thoughtful balance between economic growth and neighborhood preservation.

Thank you for your time and commitment to this community.

Sincerely,
Mary Ellen Barden

On May 9, 1973 Sheffield Development Company and Troy entered into a consent judgment. It created a plan for how the different parcels involved were to be developed.

- Parcel A for R1B One Family Residential : Include a minimum of 10 acres primarily of wooded land to be designated for community park (this included our subdivision)
- Parcels C and D office space in the O M Office Mid-Rise District classification-Parcel D was determined to be usable for a 7 story office building with a gross floor area no greater than 200,000 square feet and shall be located on the northwest portion. Said office building shall not be located more than 350' to any land zoned for residential classification. It created a minimum of 3,300 parking spaces on parcels B, C and D
- It required that Sheffield consents to convey to the City by quit claim deed the property needed to construct pavement
- It also committed Sheffield to construct, at it's expense a secondary or loop paved road and a strip of land for Big Beaver right of way an a location on Big Beaver Road right-of-way consisting of two lanes of pavement extending along the entire footage of the property and a strip of land for a Beach Road right-of-way
-

On November 22, 1977 Amended Paragraph 5 as follows

5 (a) Office Floor area from 200,000' to 850,000 '

5 (b) 850,000' of floor space allowable on Parcels C & D allocated as follows:

225,000' conveyed to K-mart and 625,000' for Sheffield

5 (c) Parcel D retained by Sheffield is usable for a 7 story office building with a gross floor space no greater than 200,000 square feet and located on the northwest portion of parcel. I shall not be located more than 350' from residential

5 (d) 3,300 parking spaces for parcels B, C, D

On September 25, 1980 Modifies paragraph 5(c)

Plaintiff and Defendant stipulate to modify paragraph 5(c) as follows:

Plaintiff will erect a five (5) story building located on the northwest portion of Parcel D, which will be located no closer than 200 feet from the property line of Beach-Wood Recreation Association, Inc. (Beach-Wood) and 300 feet from Lot #55 at 2331 Chelsea Court, and 325 feet from Lot #34 at 2207 Babcock Drive both in Sheffield Manor Subdivision, Troy, Michigan.

Plaintiff agrees to comply with the landscaping plan attached hereto as Exhibit A to be installed in the first planting season after the entry of this modified Judgment. For Lot 34, Sheffield Manor Subdivision identified as (2207 Babcock Drive) and Lot 55 Sheffield Manor Subdivision (2331 Chelsea Court), Troy, Michigan, Plaintiff agrees to replace any planted materials placed under this Stipulation that die at any

time forever and in perpetuity after installation and to perpetually maintain the landscaping and planted materials erected on the berms adjacent thereto. Plaintiff agrees to replace any planted materials as to all other areas covered in Exhibit A for up to a period of two (2) years after installation and agrees to maintain the landscaping and planted materials erected on the berm owned by Plaintiff.

Beach-Wood Recreation Association agrees by its consent to this agreement and by assenting to this stipulation hereby grants an easement to Plaintiff and to allow Plaintiff or its successors or assigns to come upon Beach-Wood property to maintain and/or replace the landscaping and planted materials adjacent to the lots in Sheffield Manor Subdivision Commonly identified as 2331 Chelsea Court, Troy Michigan and 2207 Babcock Drive, Troy, Michigan as it recognized that Plaintiff is planting materials and landscaping on the property of the swim club adjacent to said lots.

This agreement shall be binding upon the successors, assigns, beneficiaries and heirs of all signatories to this agreement and shall inure to the benefit of the parties herein or subsequent purchasers of the affected land.

Plaintiff agrees that if litigation is necessary by residents at 2331 Chelsea Court, Troy, Michigan or 2207 Babcock Drive, Troy Michigan or successor purchasers of said residences or the Defendant to enforce the provisions of this agreement, Plaintiff will reimburse the participants in such litigation in the amount of their actual reasonable attorney fees

Plaintiff agrees upon entry of the modified Judgment: It will pay to Beach-Wood the sum of \$18,000.000, subject to the condition that \$18,000 of said sum shall be deposited with Charles L. Burleigh, Jr., attorney for Beach-Wood, to be held by him in escrow and used, so far as necessary, to pay costs of landscaping the south berm located on the Beach-Wood property according to the drawing Hereto attached, said landscaping to be installed no later than when Sheffield does its landscaping and Plaintiff further agrees to maintain said landscaping in perpetuity. Any balance of the \$18,000.00 amount remaining after completion of said landscaping and payment for same will be unrestricted.

On January 14, 1981 Amendment to Paragraph 5 c

Changes building to 5 stories and 200 feet from Beachwood and 300 feet from 2331 Chelsea and 325' from 2207 Babcock Drive

Extensive landscape plan with perpetual maintenance and replacement and give access to Sheffield for berm maintenance.

Commits Sheffield to reimbursing residents for any reasonable litigation costs necessary to enforce landscape agreements

Sheffield agrees to pay \$18,000 to Beachwood for landscaping costs and to grant them an easement to erect and maintain a fence on Sheffield property and provide suitable grading, soil preparation and seeding of the south face and to provide light from one or more fixtures on pole in parking lot to luminate the bathhouse area for purposes of security

On November 4, 1992 Third Order of Amendment

Substitutes Prudential for Sheffield

Adds Paragraph 10

(a) confirms commercial office complex has been built on Parcels B, C and D

(b) conveys to K-Mart (D-2) 3270 W. Big Beaver Rd and requires them to obtain a separate and distinct tax ID

On December 20, 1998 Forth Order Amending Judgment (signed by Mayor Stine)

Adds Paragraph 11

11 (a) Changes Plaintiff from to WHC-SIX and Kmart

11 (b) Kmart current title holder of parcels D-1 and F

11 (c) Site plan modifying land and use regulations

- 1.) 140' Easement from residential lot line, landscaping requirements for setback and 30 parking spaces
- 2.) Planting plan (revision date 10/30/98)
- 3.) Kmart obligated to maintain landscaping and parking areas at the same level of maintenance as occurs adjacent to its headquarters
- 4.) Requires Kmart to operate data center in a manner to never cause the noise level from building to exceed 65 decibels at any residential lot line
- 5.) All rooftop equipment shall be totally screened from view from all sides.

11 (d) Troy Council has approved the plan

11 (e) Kmart or successor may develop Parcel D-1 and F per site plan (I do not have this information)

November 28, 2006 – Amends Paragraph 12 (signed by Mayor Shilling)

Sheffield Office replaces WHC-SIX as plaintiff. GM Equities and Diamond are added as plaintiffs

12 (a) Sheffield Office Substituted for WHC-SIX

12 (b) GM Equities and Diamond are substituted for Kmart

12 (c) Revise Site Plan for D-1 is approved

12 (d) Diamond to convey Kmart Parcel D-1-B allow them to alter parcel according to revised site plan

12 (e) Revised site plan is approved by City per revised sit plan which includes but is not limited to:

- i) Curb Cut on Cunningham for purpose of ingress and egress for parcel D-B
- ii) Parking for not more than 209 spaces on D-1-B
- iii) Equipment: Satellite dish and generator for Parcel D-1-B with screening
- iv) Landscaping for 1,995 square feet located along the east-west boundary behind the "Data Center"

12 (f) Temporary curb easement until curb cut is completed on D-1-B

12 (g) Division of Parcel D-1 into Parcels D-1-A and D-1-B and the assignment of separate tax ID numbers for Parcels

12(h) Division of D1 shall not result in greater parking density and set back requirements for each of the individual Parcels, than originally required for D-1 and consolidates them

January 7, 2013 Sixth Order Amending Consent Judgment (no exhibits attached to my copy)

Parcel Ownership

- (i) Parcel D-1-A owned by Ventures
- (ii) Parcel D-1-B owned by Sears
- (iii) Parcel D-2 owned by Equities
- (iv) Parcel D-1-A, Parcel D-1-B and Parcel D-2 , collectively comprising all of Parcel B, Parcel C and Parcel D in original consent judgment owned by Sheffield

Amendment to confirm the current configuration and ownership of each parcel which comprises the Property and to allow Sears the right to install a fence on Parcel D-1-B

Further confirms ownership of each parcel

- (i) D-1-A owned by Ventures
- (ii) D-1-B owned by Sears
- (iii) D-2 owned by Equities
- (iv) Sheffield Parcel owned by Sheffield

Sears fence shall be protected by bumper blocks where required and all trees removed during construction to be replace and orders maintenance of fence

From: [Mary Ellen Barden](#)
To: [Ethan Baker](#); [Theresa Brooks](#); [Hirak Chanda](#); [Mark A Gunn](#); [David Hamilton](#); [Ellen C Hodorek](#); [Rebecca A. Chamberlain-Creanga](#)
Cc: [Brent Savidant](#)
Subject: Re: June 9 PUD Approval – Request for Modifications and Neighborhood Protections
Date: Thursday, June 5, 2025 10:41:15 AM

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Baker and City Council Members,

As it seems the Planning Commission and City Council may have lost sight of what the *backs* of office buildings can actually look like, I took the time to drive around the office developments located just south and southeast of the proposed site. I photographed several of these "forgotten" areas—spaces that, over time, have clearly suffered from a lack of attention and upkeep. As I'm sure you can imagine, I could have continued driving and found many more examples.

Notably, all of the office buildings I observed that border residential areas have **some form of barrier**—either a **fence** or a **stone wall**—to buffer the impact on nearby homes. This I was particularly interested in because Mayor Baker asserted people don't walk through developed areas into residential. Clearly these residents did not feel that way and protection was added. These photos include locations such as Draft Kings, the rear of the south end of Somerset Collection, and the area behind what **used to be** the Bank of America building.

That phrase—“*used to be*”—is a key point. There is no guarantee who will own or occupy these properties in the future. That's exactly why it is so important to **plan now** for worst-case scenarios, not just the best intentions of today's developers.

What may begin as a well-maintained, high-end project can easily devolve into something far less desirable if ownership changes or tenant interest declines. Without proper buffers—like fencing and strong easement protection—our neighborhood will bear the consequences.

Please don't overlook these issues. Protect the long-standing neighborhoods that have supported this community for decades by **requiring a fence** and adopting long-term safeguards as part of the PUD approval.

Sincerely,
Mary Ellen Barden

On Wed, Jun 4, 2025 at 5:00 PM Mary Ellen Barden <mebarden1@gmail.com> wrote:

Dear Mayor Baker and Members of the City Council,

It is my understanding that the original Consent Judgment came about as a result of the City of Troy's desire to prevent overdevelopment at this corner and to retain control over the type of housing allowed. That original intent now seems increasingly at odds with what is being proposed through the current PUD.

Attached is a timeline summary I compiled from documents obtained through the Freedom of Information Act (FOIA). I hope this context helps illustrate why many of us in the surrounding residential neighborhood feel that the spirit of the original vision has eroded over time.

It has also been frustrating to repeatedly hear that the 100-foot easement is part of the Consent Judgment, only to learn that it is actually from a previous PUD and is being used for this PUD. This process has been a learning journey, but the underlying issue remains: the lack of sufficient protection for the adjacent residential area.

To be clear, I **support development on this property**, and I believe a PUD should be approved on June 9. However, it should be **modified** to include a **larger easement between commercial and**

residential zones and reflect the same level of **landscaping detail and resident protections** found in the original consent judgment and early amendments—such as the November 22, 1977 and September 25, 1980 revisions. Those amendments not only prioritized buffering and aesthetics but also included clear legal provisions to protect residents, including attorney fees for enforcement.

I was also struck by the extensive correspondence that accompanied those earlier agreements. That transparency and proactive communication allowed everyone involved to understand the terms before approval. I urge the city to take a similar approach today—especially with such a significant development.

Please take this opportunity to reach out to Mr. Forbes and negotiate better protections for Troy residents. Development of this property is long overdue, but it must be done in a way that honors the city's original vision to protect its neighborhoods.

I respectfully ask the Council to **revisit the PUD conditions** and consider all reasonable measures—whether through easement adjustments, enhanced zoning buffers, fencing for clear separation—to restore a thoughtful balance between economic growth and neighborhood preservation.

Thank you for your time and commitment to this community.

Sincerely,
Mary Ellen Barden









CLEARANCE 10' 6"

2301

4267











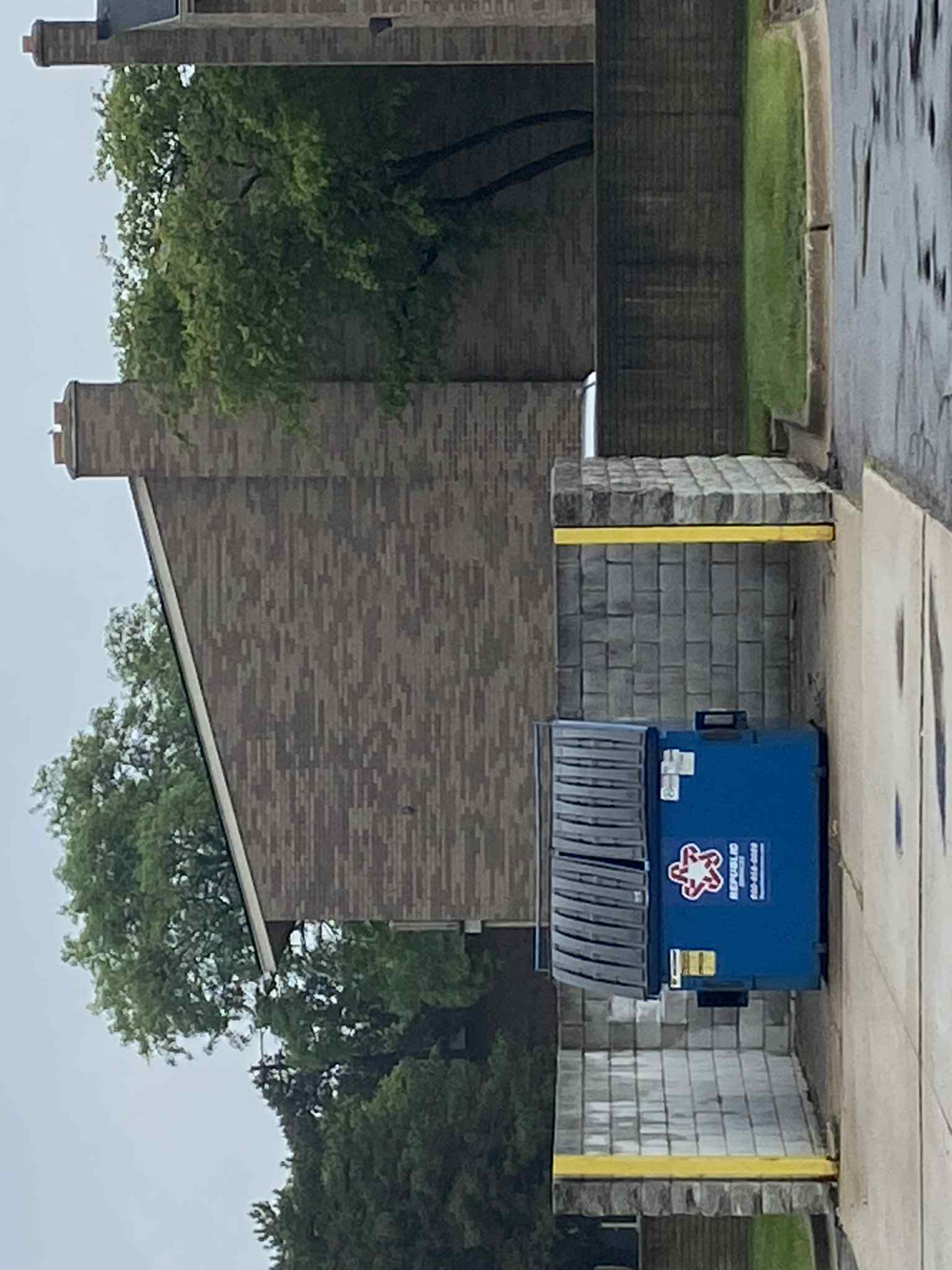
















ERROR ARE CLOSER
KEY APPEAR



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CLEARANCE 13' 4"

2401

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CLEARANCE 13' 6"

2301

4267







From: [Ethan Baker](#)
To: [CMO Distribution List](#); [Brent Savidant](#)
Subject: Fwd: Amended PUD Agreement Misrepresentation
Date: Friday, June 6, 2025 6:47:34 AM

Ethan Baker
Mayor of Troy
500 W. Big Beaver Road
Troy, Michigan 48084
248.716.4279

Begin forwarded message:

From: Mary Ellen Barden <mebarden1@gmail.com>
Date: June 6, 2025 at 5:22:11 AM EDT
To: Ethan Baker <Ethan.Baker@troymi.gov>
Cc: CMO Distribution List <CityManager@troymi.gov>, Lori G Bluhm <BluhmLG@troymi.gov>
Subject: Re: Amended PUD Agreement Misrepresentation

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mayor Baker,

While I appreciate you reaching out and reviewing what Mr. Forbes is proposing for the landscape design, the fact remains that you and the City Council will be voting on the PUD this coming Monday. If the PUD is not amended to increase the easement to **200 feet**, then any landscaping Mr. Forbes submits will have **no binding effect**—it will not be something he is legally obligated to honor.

It's important to remember that Mr. Forbes has already sold off portions of this property, and there is no certainty about who will ultimately develop the remaining land. As Ms. Perakis has frequently pointed out, **promises are nice, but without clear and enforceable language in the agreement, there is no accountability.**

You'll also notice that I have not publicly criticized the overall development plan, even though—as we discussed—I do not believe the proposed architecture aligns with Mr. Forbes' descriptions. I've chosen to focus instead on what absolutely needs to be addressed before final approval: **the easement.**

What matters most at the June 9th meeting is establishing **thoughtful, enforceable easements** that genuinely protect the adjacent neighborhood. Once the PUD is approved, that opportunity will be gone.

Please take care of your long-standing residents of Troy and insist on a wider buffer that reflects both the original intent of the Consent Judgment and the real, lived experiences of those of us directly impacted.

Sincerely,

Mary Ellen Barden

On Thu, Jun 5, 2025 at 9:05 PM Ethan Baker <Ethan.Baker@troymi.gov> wrote:

I will wait to see the landscaping plan presented. It may very well be that the plan is to do the 200' even though the PUD only requires 100'. This happens frequently.

Thank you,
Ethan

Ethan Baker
Mayor of Troy
500 W. Big Beaver Road
Troy, Michigan 48084
248.716.4279

On Jun 5, 2025, at 6:29 PM, Mary Ellen Barden
<mebarden1@gmail.com> wrote:

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Baker,

I want to take a moment to clarify a comment you made regarding the site plan for the property adjacent to our residential neighborhood. You noted that the green space appeared to be "pretty large." However, upon measuring the space using the scale provided at the bottom of the site plan, it actually amounts to approximately **200 feet**—not the 100 feet. Clearly a deceptive rendering of the site plan.

This discrepancy is concerning. I don't understand why the City has been so reluctant to revisit this with Mr. Forbes. It feels as though there's a lack of recognition for just how **valuable this land is**—not only in terms of real estate, but in terms of its long-term impact on the neighboring community.

Mr. Forbes is fortunate to be developing on one of the most premium sites in Oakland County. Given that, it's hard to understand why the City won't **advocate more strongly** for meaningful green space protections for the residents who live nearby. Why won't you fight for **our** green space with the same determination and commitment the City demonstrated when negotiating for the park along Big Beaver?

We are not asking for the impossible—we are asking for fairness, for foresight, and for the City to fight for neighborhood protection with the same tenacity it fought for the park on the south side. Please don't let this opportunity to do right by your constituents slip away.

Sincerely,

Mary Ellen Barden