



# The City of Ferndale

## Agenda

### Monthly Meeting of the Downtown Development Authority (DDA) Board of Directors Downtown Development Authority Meeting

THURSDAY, OCTOBER 14, 2021 @ 8:00 AM

300 E Nine Mile Road

Ferndale MI 48220

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1. **Call to Order**
2. **Approval of Agenda** Vote Format: By Voice  
Chair asks those in favor to say, "aye", those opposed to say "no". Any member may move for a exact count.
3. **Community Reports** Updates from community organizations such as the Ferndale Area District Library, Southeast Oakland Area Chamber of Commerce, Eight Mile Boulevard Association, etc. (3 minute time limit)
4. **Call to Audience** Members of the public are invited to speak on any topic. (3 minute time limit)
5. **Presentations**
  - 5.a [Compost Pilot Program Overview](#)
  - 5.b [Woodward Moves Update](#)
  - 5.c [Update on the Planned Unit Development \(PUD\) Application for 141 Vester](#)
  - 5.d [Social Districts Update and Policy Change Discussion](#)
6. **Consent Agenda** Vote Format: By Voice  
Chair asks those in favor to say, "aye", those opposed to say "no". Any member may move for a exact count.
  - 6.a [Approval of minutes from DDA Board of Directors September 2021 meeting](#)
7. **Regular Agenda**
  - 7.a [Consideration of Resolution Related to Continued Policies for Temporary Outdoor Seating, Sales, and Accessory Structures as a COVID-19 Response](#)
8. **Other Business**
9. **Call to Board Members** Members are provided an opportunity to share general updates, recovery planning strategy, questions, concerns, etc.

## 10. Adjournment



October 14, 2021

Community & Economic  
Development

**CITY OF FERNDALE  
REQUEST FOR COUNCIL ACTION**

**FROM:** Lena Stevens

**SUBJECT:** Compost Pilot Program Overview

**SUGGESTED ACTION**

Review and Discuss Compost Pilot Program Overview

**Agenda Item Category**

Strategic Plan Item

**Agenda Item Deadline Date**

2021-10-14

**Item Description**

The City has launched a one-year residential and commercial Compost Pilot Program to help reduce the amount of food waste being sent to landfills. Composting is a sustainable alternative to disposing of food waste that turns the material into rich, healthy soil. Registration is open for both programs “one for residents and one for businesses.

**Item Background**

The City's Compost Pilot is looking for businesses who are interested in collecting and composting food waste. Participation to the program is free and voluntary. 64-gallon compost bins will be serviced in the compactor area (the same as the recycling carts). Committing to the pilot program includes completing a 6-month program survey in April and a post-program survey in the Fall of 2022. To reduce waste most effectively, businesses, especially restaurants, should compost both pre and post-consumer waste. This means both the scraps from cooking and the waste from customers’ meals.

Types of commercial compost waste:

Pre-Consumer (“Kitchen Waste”): This is due to overproduction, spoilage, expiration, trim waste, contamination, burned/dropped etc., and controlled by kitchen staff.

Post-Consumer (“Plate Waste”): This is due to behaviors, portion sizes, self service, etc, and controlled by guests.

All collected food waste will be taken to a certified compost facility. Site usage, tonnage collected, contamination issues, and cost will be monitored during the program with an associated program recommendation to be provided in 2022. Links for registration will be shared via the Ferndale Business Beat newsletter and social media. For additional questions, please contact the Zero Waste Program Coordinator at [zerowaste@ferndalemi.gov](mailto:zerowaste@ferndalemi.gov).

**Item Costs**

This pilot program is grant funded for one year.

**GL#**

N/A

**CIP#**

N/A

**Additional Notes****ATTACHMENTS:**



October 14, 2021

Community & Economic  
Development

**CITY OF FERNDALE  
REQUEST FOR COUNCIL ACTION**

**FROM:** Lena Stevens

**SUBJECT:** Woodward Moves Update

**SUGGESTED ACTION**

Review and Discuss the Revised Resolution in Support of the Road Diet on Woodward Avenue  
Adopted by City Council on Sept 13

**Agenda Item Category**

Strategic Plan Item

**Agenda Item Deadline Date**

2021-10-14

**Item Description**

The Cities of Ferndale and Pleasant Ridge have collaborated with the Michigan Department of Transportation (MDOT) to complete requirements for a proposed reduction of one lane on each side of Woodward Avenue and implement safety improvements during the State's 2022 resurfacing project. The proposed design focuses on traffic calming efforts through Downtown Ferndale that promote a more inclusive, safe, and accessible experience in our downtown.

As part of the MDOT "road diet check list", local communities are required to approve a resolution of support for the proposed street design change. MDOT requested an updated resolution following some revisions made to the original proposed design approved by Council in February, 2021. The budget authorized by City Council during the April budget process is not changed. The design modifications required by MDOT will result in a 13% reduction in the road diet design presented in February, most of that reduction is concentrated near the I-696 service drive in Pleasant Ridge. The Oakland County Executive's Office has submitted a letter of support for the project to the State of Michigan. Our project partner, the City of Pleasant Ridge has also shared a supportive letter as part of the packet

**Item Background**

Since City Council approved resolutions of support for the Woodward Avenue Road Diet Check List and for staff to apply for a Transportation Alternatives Program (TAP) grant, a number of steps occurred. Update information is always available at <https://ferndalemoves.com/project/woodward-moves-2022>.

City staff applied for a TAP grant (on behalf of Ferndale and Pleasant Ridge) based on the original concept design, which generally included a removal of one lane on each side of northbound and southbound Woodward Avenue, from 10 Mile to 8 Mile. MDOT further evaluated the original traffic study completed by the cities and determine in June 2021 that portions of the concept design would need to be redesigned to meet MDOT's standards for "level of service", which measures automobile traffic delay. MDOT determined that transitional areas near bridges, northbound/southbound Woodward Avenue at Oakland Park/Sylvan in Pleasant Ridge and northbound at 8 Mile, would operate below the State's minimum threshold for automobile traffic delay.

Since MDOT shared the traffic report's findings in June 2021, MDOT and city staff have worked together to find solutions that meet both MDOT's traffic engineering requirements and the project's goals for the communities. The revised concept design generally meets the same intent of the original concept to narrow Woodward Avenue to improve safety and provide more mobility options for all users of the street. The northbound Woodward section of the project near 8 Mile was able to be remedied through updated pavement markings within the existing MDOT right-of-way. The northbound/southbound Woodward Avenue sections near the Oakland Park/Sylvan intersection were more complex, and required a "taper" with pavement markings that gives extra distance for automobile traffic to merge from four lanes to three lanes before the separated bike lanes start/end. The revised concept design in Pleasant Ridge will divert most of their road diet portions to existing parks and alleys with signs, pavement markings, and pathway modifications. This revision also requires the southbound portion of the project in Ferndale to divert people on bicycles through alleys with signs and pavement markings (W. Oakridge to W. Maplehurst) and start the road diet at W. Maplehurst. The northbound portion of the project in Ferndale will still end at E. Oakridge, and then people on bicycles would be routed to northbound alleys with signs and pavement markings.

Now that City Council approved the resolution of support, MDOT's engineers in Lansing will review the concept and hopefully approve the project to move forward. MDOT's TAP committee will also consider the revised concept design, and make a final determination on if a grant will be awarded to Ferndale and Pleasant Ridge. As City Council previously stated, the amount of grant funding awarded would determine if the project is financially feasible for the City, and the TAP match is currently allocated from the Major Streets account. If the TAP grant is not awarded or partially awarded, City Council could decide not to continue with the project. If the TAP grant is fully awarded, staff would ask City Council to consider a funding agreement and resolution to accept the award at a future meeting. If those next steps from MDOT's Lansing engineers and the TAP committee are successful, staff would continue to work with local MDOT staff on construction documents for a potential bid in December 2021/January 2022. R

Regardless of whether the road diet moves forward, staff will be working with MDOT, the project contractor, and the Downtown Development Authority to keep businesses informed of the construction project on Woodward Avenue. Construction is expected to take place between April 2022 and November 2022.

#### LINKS:

Ferndale City Council Updated Resolution of Support

[https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/1054431/20210913-Woodward\\_Avenue\\_Road\\_Diet\\_Resolution\\_-\\_City\\_of\\_Ferndale.pdf](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/1054431/20210913-Woodward_Avenue_Road_Diet_Resolution_-_City_of_Ferndale.pdf)

Pleasant Ridge City Commission Letter of Support

[https://legistarweb-](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/1056964/2021.09.09_PR_Letter.pdf)

[production.s3.amazonaws.com/uploads/attachment/pdf/1056964/2021.09.09\\_PR\\_Letter.pdf](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/1056964/2021.09.09_PR_Letter.pdf)

Oakland County Letter of Support

[https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/1053659/20210913-](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/1053659/20210913-Woodward_Moves-Oakland_County_Letter.pdf)

[Woodward\\_Moves-Oakland\\_County\\_Letter.pdf](https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/1053659/20210913-Woodward_Moves-Oakland_County_Letter.pdf)

**Item Costs**

\$1,298,657 from Major Streets (202-000-977.000) for the Ferndale match and engineering. Estimated annual maintenance: \$55,000 for DPW snow and sweeping; \$450 annually for Eco-Counter bicycle counters.

**GL#**

City of Ferndale: Major Streets (202-000-977.000)

**CIP#**

N/A

**Additional Notes**

**ATTACHMENTS:**



October 14, 2021

Community & Economic  
Development

**CITY OF FERNDALE  
REQUEST FOR COUNCIL ACTION**

**FROM:** Lena Stevens

**SUBJECT:** Update on the Planned Unit Development (PUD) Application for 141 Vester

**SUGGESTED ACTION**

Review and Discuss Project Update

**Agenda Item Category**

Operational Item

**Agenda Item Deadline Date**

2021-10-14

**Item Description**

On October 6, the Ferndale Planning Commission conducted a public hearing on a proposed Planned Unit Development (PUD) Application for 141 Vester. No action was taken due to lack of a voting quorum. Staff were directed to review the parking concerns raised by adjacent businesses before the November Planning Commission meeting.

**Item Background**

See attached staff report for project overview and summary. You may also review the Planning Commission's October 6 agenda for full renderings, designs, and PUD application.

The primary concern raised by several business owners in attendance related to the loss of parking in the northwest quadrant of Downtown Ferndale. Businesses who provided comments included: Howe's Bayou, Valentine Distilling Co., and Bosco. Similar concerns from other adjacent businesses have been expressed during individual meetings with city staff, Mayor Piana, and Sturgeon Bay representatives.

Planning Commission October 6 Agenda

<https://d2kbbkoa27fdvtw.cloudfront.net/ferndalemi/e95383d6f1e94dd2ca44dee82a24dc870.pdf>

Planning Commission Video Recording

[https://ferndalemi.granicus.com/player/clip/875?view\\_id=1&redirect=true](https://ferndalemi.granicus.com/player/clip/875?view_id=1&redirect=true)

- Project presentation begins at 57:00 minute mark



- Public comments begin at the 1:31:00 minute mark

**Item Costs**

N/A

**GL#**

N/A

**CIP#**

N/A

**Additional Notes**

**ATTACHMENTS:**

[20211006-141\\_Vester-Planning\\_Commission\\_Staff\\_Report.pdf](#)



FERNDALE

## Community and Economic Development – Staff Report

<b>REQUEST</b>	Planned Unit Development
<b>APPLICANT</b>	Sturgeon Bay Partners 691 W. Canfield St, Detroit, MI 48201
<b>OWNER</b>	Same as above
<b>LOCATION</b>	Vester, between Woodward Ave and Bermuda
<b>PARCEL NUMBER</b>	25-27-381-028
<b>ZONING</b>	P-1 (Vehicular Parking)
<b>STAFF</b>	Justin Lyons, Planning Manager
<b>ATTACHMENTS</b>	Planned Unit Development Agreement – September 28, 2021 Planned Unit Development Application Site Plan – September 28, 2021

### Request Notes

- The Vester Flats proposal at 141 Vester proposes a sixty-six (66) unit upper-story residential and mixed-use development with 1,265 square feet of ground floor commercial space on an existing, privately owned surface parking lot.
- The property is currently zoned P-1 (Vehicular Parking). The proposal asks to rezone the property to the Central Business District (CBD) and will adhere to the Urban Flex district guidelines within the Planned Unit Development (PUD).
- The PUD application notes “substantial benefits” of the project in alignment with the PUD ordinance, including a complimentary mixture of use, sustainable building and site design, transition areas from adjacent land uses, provision of affordable housing units, diversification of housing types provided in the city, improvements to the public street system to mitigate traffic impacts or other public facility improvements to mitigate impacts of development, and pedestrian and transit-oriented development.
- The mixed-use development will support community and Master Plan goals, as well as City Council’s Inclusive Housing Policy to add affordable housing units at the 50%, 70%, and 80% Average Median Income (AMI).
- A PUD agreement is required by ordinance and has been included with details regarding deviations from the zoning ordinance, unit types, and a project summary. Deviations are noted in a chart on page 4 of the staff report, and waivers that would fall under a site plan motion are underlined.
- The project includes modifications to the north/south public alley to improve pedestrian and vehicular circulation. An Amenity Zone Maintenance Agreement, or license agreement would be considered by City Council depending on the final alley modifications proposed.

### Summary

The proposed Planned Unit Development (PUD) project includes one (1) parcel: 141 Vester, an existing, privately owned surface parking lot. The subject site is currently zoned P-1 (Vehicular Parking), and the applicants, Sturgeon Bay Partners, proposes to rezone the parcel to Central Business District (CBD) – Urban Flex Subdistrict as part of the PUD process.

Sturgeon Bay Partners and Krieger Klatt Architects met with the Planning Commission at the July 21, 2021 meeting and presented their Preliminary PUD application for discussion. The Planning Commission, staff, and community members provided feedback and the project was given direction to proceed with a formal PUD application. The project team has since reached out to adjacent businesses and property owners, as well as community transportation partners to gather feedback on the plans.

The overall development meets several goals and recommendations in the 2017 Ferndale Master Plan, including diversification of housing types, long term affordable housing, pedestrian and transit-oriented development, future redevelopment of P-1 zoned parcels, and sustainable building design. The mixed use development proposes a mix of studio, one, and two-bedroom units for a total of 66 units, and 1,265 square feet of ground floor commercial space. The maximum height of the building is 53 feet, and the lot coverage is 60% of the 28,307 lot.

Below is a detailed review of the site plan and planned unit development application. The draft Planned Unit Development agreement has been reviewed by staff and the City Attorney.

### Aerial Photo of Site & Surroundings



141 Vester Image (2021 Oakland County Property Gateway)

### Adjacent Land Uses and Zoning

The subject site includes one (1) parcel, which is zoned P-1 (Vehicular Parking). Adjacent zoning districts include CBD (Central Business District; Downtown Core subdistrict) to the west and south, P-1 to the northwest, R-3 (Single/Multiple-Family Residential) to the northeast, and MXD-1 (Mixed Use-1) to the east. The site is also within the Downtown Development Authority boundaries. The 2017 Future Land Use Map denotes “Downtown” as the recommend future land use.

### Project Rendering – Vester Avenue/Alley Elevation View



*Rendering of Proposed Project (Krieger Klatt Architects, September 2021)*

### Planned Unit Development (PUD) Considerations

The applicant provided a Planned Unit Development (PUD) application and site plan application. The applicant previously completed the preliminary PUD worksheet and presented to the Planning Commission prior to the official PUD submittal on July 21, 2021. Below is an excerpt of the PUD ordinance (Article XIII – Section 24-303) and a list of deviations from the CBD – Urban Flex zoning district as requested by the applicant (also noted in the draft agreement).

The applicant notes Master Plan Compatibility and Community Benefits in the PUD application, which detail the project's intent to meet seven (7) of the 12 "recognizable and substantial benefits" a PUD application shall provide by ordinance.

#### 1.Planned Unit Development Qualifying Conditions (Article XIII - Section 24-303)

*The planning commission shall and the city council may consider the following criteria in making its findings, recommendations and decision regarding planned unit development applications:*

- (a) The PUD shall be planned and developed as a as a cohesive project.*
- (b) The PUD shall be compatible with the overall goals and recommendations in the City of Ferndale Master Plan.*
- (c) The PUD shall result in recognizable and substantial benefits to the city overall that would not be available under the existing, underlying zoning classification. The protection of the environment, general compatibility with adjacent land uses, availability of public facilities and services and the protection of the public health, safety and welfare. Benefits beyond those otherwise required by this Ordinance may include, but are not limited to:*

- (1) Preservation of significant natural features.*
- (2) A complementary mixture of uses.*
- (3) Sustainable building and site design.*
- (4) Open space greenways to link to adjacent greenway corridors.*
- (5) Transition areas from adjacent land uses.*
- (6) Provision of affordable housing units.*

- (7) Diversification of housing types provided in the city.
- (8) Preservation of historical buildings or site features.
- (9) Improvements to the public street system to mitigate traffic impacts or other public facility improvements to mitigate impacts of development.
- (10) Pedestrian and transit oriented development.
- (11) Coordinated development of multiple assembled small parcels.
- (12) Removal or renovation of blighted buildings or sites or clean-up of site contamination.

The applicant notes compatibility with the Ferndale Master Plan in a number of ways, including “greater housing choices”, future redevelopment of the P-1 zoning district, reduction of parking requirements to promote alternative transportation options, modifications to the north/south alley to make the area safer for pedestrian circulation, and inclusion of affordable housing units.

The applicant also provided ways that “the PUD shall result in recognizable and substantial benefits to the city overall that would not be available under the existing, underlying zoning classification.” PUD applications are not required to meet all 12 standards in the ordinance, but the applicant notes the project meets at least 7 out of the 12 standards.

- (2) A complimentary mixture of uses.
- (3) Sustainable building and site design.
- (5) Transition areas from adjacent land uses.
- (6) Provision of affordable housing units.
- (7) Diversification of housing types provided in the city.
- (9) Improvements to the public street system to mitigate traffic impacts or other public facility improvements to mitigate impacts of development.
- (10) Pedestrian and transit-oriented development.

## 2. Proposed Planned Unit Development Deviation Summary

The applicant provided a draft planned unit development agreement, which has been reviewed by the City Attorney and is included in the packet. The final draft of the PUD agreement would include an accompanying Amenity Zone Maintenance Agreement to determine future maintenance of the proposed public north/south alley modifications by the applicant on the west side of the parcel in the City’s right-of-way. Any recommended revisions by the Planning Commission would be reviewed again by the City Attorney and considered by City Council during their consideration.

Requirement	Standard	Deviation
Off-Street Parking (Sec. 24-223 (g) and (j))	Residential – 66 spaces Retail – 6 spaces Total Spaces – 72 Spaces	Total Spaces Provided: 52 Spaces <b>(Total Deviation: 20 Spaces)</b>
Drive Aisle Width (Sec. 24-224)	24’ Drive Aisle	20’ Drive Aisle <b>(Total Deviation: 4’-0”)</b>
Landscaping Area (Sec. 24-304 (e))	10% of Total Lot Area = 2,830.7 Sq. Ft.	Total Landscaping Meeting Requirements = 2,784.3 Sq. Ft. = 6.30% <b>(Total Deviation: 1,046.4 Sq. Ft. / 3.70%)</b>

## Site Plan Considerations

### 1. Access and Circulation

The property would be redeveloped to include an off-street parking facility with 52 parking spaces, including two (2) accessible parking spaces. The current site has two vehicular access points on Vester Avenue, which is disruptive with the pedestrian-oriented nature of Vester Avenue. One-way vehicular access to the parking area is proposed from the north/south alley and located under podium parking of the building. The location of the off-street parking area meets the minimum 30 feet parking setback requirement for the CBD – Urban Flex zoning district and access from an existing alley, which is

encouraged in the zoning ordinance. The design also meets requirements for “visibility at intersections” at the northern egress from the building to the alley and from the south end of the alley to Vester Avenue.

The applicant is requesting a 4’ deviation from drive aisle width requirement. The required one-way drive aisle is 24’ and the applicant is requesting a 20’ drive aisle for portions of the off-street parking area. The rest of the off-street parking area generally meets parking design requirements for parking space sizes, electric vehicle charging stations, and includes 20% compact parking spaces, as well as accessible parking spaces. The applicants may ask the Planning Commission to approve the use of concrete bumper blocks, as noted in Sec. 23-224 (c) (2).

The Police Department’s review of the plan included a suggestion that the City consider a loading/unloading zoning along the development on Vester Street. Similar to the “loading zoning” on W Troy Street, the area could be explicitly for loading/unloading during daytime hours, and for on-street parking in the evening. CED staff will explore this concept further with DPW, Police, Fire, and Parking staff.

Proposed Use	Off-Street Parking Standard	Net Square Footage/Occupancy	Parking Required	Parking Provided	EV Parking Required	EV Parking Provided
Retail	1 per each 250 SF	1,581 SF gross x80% = 1,265 sq ft floor	6 spaces	0 spaces	3% or 1 space	1 space
Upper Level Residential	1 per unit	66 units	66 spaces	52 spaces	10% or 7 spaces	7 spaces
<b>Total</b>	-	-	72 spaces	<b><u>52 spaces</u></b>	13 Spaces	8 Spaces

The bicycle parking ordinance (Sec. 24-223 (e)) requires sufficient bike racks based on use (a minimum of 4 spaces). 78 bicycle parking spaces are proposed (60 enclosed; 18 fixed) in the chart on sheet L.100, which exceeds ordinance requirement of 73 total spaces. The enclosed bicycle parking is in a room on the southeast portion of the building, and fixed bicycle parking spaces are proposed in the Vester greenbelt and along the alley at the northwest portion of the site. Dimensions must be shown on the final site plan, including type of rack (standard is 2 feet wide, 6 feet long, and 3 feet 4 inches tall; minimum 5 feet behind all required spaces; minimum wall clearance of 2 feet 6 inches), and must meet Essentials of Bicycle Parking standards ([link](#)).

Proposed Use	Bicycle Parking Standard	% Enclosed/Fixed Bicycle Parking	Net Square Footage/Occupancy	Parking Required	Parking Provided
Residential	1 per bedroom	60%/40%	69 bedrooms	69 spaces	69 spaces
Retail	1 per each 1,000 SF	0%/100%	1,265 SF	1 space	9 spaces
		<b>60 spaces/18 spaces</b>	-	<b>73 spaces</b>	<b>78 spaces</b>



The site plan includes modifications to pedestrian circulation in the public north/south alley, within the structure, along Vester Avenue, and on the east side of the proposed structure. The existing 18-foot-wide public alley connects Vester Avenue with E. Breckenridge and operates as a two-way area for vehicular, bicycle, and pedestrian traffic, as well as loading/unloading. The development team heard suggestions from the Planning Commission and community regarding access, safety, lighting, and other operational concerns. The current site plan demonstrates continued 18-foot access with a 5-foot-wide pedestrian path along the building's west elevation. The site plan also proposes modifications including additional lighting and colored pavement to the 18-foot alley portion to make the alley more pedestrian-friendly, much like a shared street during evenings and weekends when there is more pedestrian activity in the alley. The Vester Avenue public right-of-way is proposed to include bicycle parking, sidewalk improvements, bench seating areas, and landscaping in alignment with pedestrian-oriented design and the CBD ordinance. The east pedestrian path provides access to the bicycle parking room and emergency staircase.

#### *PUD Deviations (and waivers)*

The applicant is requesting a 4' deviation from drive aisle width requirement. The required one-way drive aisle is 24' and the applicant is requesting a 20' drive aisle.

The site plan is deficient by 20 off-street parking spaces, which is a requested deviation by the applicant. The deviation aligns with the criteria for reduction of parking requirement as noted in Sec. 24-223 (g) and the applicant provided a shared use parking analysis by Rich & Associates. The applicant is also proposing \$30,000 to the City's auto parking fund, which could contribute to shared parking agreements or other updates to the parking system.

- (1) Shared parking by multiple uses with peak parking demands during differing times of the day or days of the week. **Appears to meet this standard and background information was shared in the analysis by Rich & Associates.**
- (2) Convenient municipal off-street parking or on-street spaces are located within 500 feet that have the capacity to handle additional parking. **Appears to meet this standard with public on-street and off-street parking within walking distance of the site.**
- (3) Expectation of walk-in business due to sidewalk connections to adjacent residential neighborhoods or employment centers. The site design incorporates pedestrian connections to the site and on-site pedestrian circulation providing safe and convenient access to the building entrance. **Appears to meet this standard with proposed pedestrian and bicycle modifications to the Vester Avenue greenbelt, bicycle parking room, as well as MoGo Bike Share passes for tenants. The north/south public alley is also proposed to be modified with decorative paving and a designated pedestrian pathway along the building.**
- (4) Availability of other forms of travel such as transit. The planning commission may require that the site design incorporate transit stops, pedestrian connections to nearby transit stops or enhanced bicycle parking facilities. **Appears to meet this standard. The subject site is located within walking distance to multiple major SMART transit routes, as well as regional bicycle routes/bicycle lanes, public parking facilities, and Downtown Ferndale.**

## **2. Building Design and Siting**

As stated in the deviations section, the PUD agreement and site plan include a comparison of the project to the CBD-Urban Flex zoning district. The project was designed to closely align with the zoning district to the south, Central Business District – Urban Flex subdistrict to provide continuity with other E. Nine Mile developments and the most recent City Master Plan. Due to the character of the proposal and adjacent zoning district, staff recommended the applicant provide a comparison of the development with adjacent zoning district. The four-story building design generally meets the requirements of the subdistrict, which is summarized on sheet L.100 and the chart below. The elevations appear to meet the ground floor fenestration requirements but should be confirmed on the final site plan.

Below is a comparison of the proposed PUD and the CBD – Urban Flex zoning requirements:

<b>CBD – Urban Flex - Storefront</b>	<b>Urban Flex</b>	<b>Proposed</b>
Minimum/Maximum Building Height (ft)	25'/55'	53'
<b>Siting</b>	<b>Urban Flex</b>	<b>Proposed</b>
Primary Frontage (min % of lot width/min-max build-to)	80%/0'-10'	94%/0'-10'
Secondary Frontage (min % of lot width/min-max build-to)	60%/0'-10'	N/A
Permitted uses within the first 30' of building depth	Active street level uses	Complies
<b>Setbacks</b>	<b>Urban Flex</b>	<b>Proposed</b>
Front, above third story (only when facing a residential district)	15'	N/A
Side, adjacent to residential district (min)	6'	N/A
Rear, adjacent to residential district (min)	20'	26' 11"
<b>Parking</b>	<b>R-3</b>	<b>Proposed</b>
Surface parking between building and frontage	Not allowed	Complies
Parking setback (min)	30'	Complies
Vehicle access	From alley; when no alley present or alley less than 20', per Sec. 24-224	Complies
<b>Building Elements</b>	<b>Urban Flex</b>	<b>Proposed</b>
Ground floor elevation (min/max)	0'/1'	0'
Ground floor clear height (min)	14'	14'
Upper story clear height (min)	9'	9'
Ground floor sill height (max)	3'	2'
Ground Floor Fenestration	70%	<b>TBD</b>
Private Open Area	10%	10%

Elevations of all sites with color and building materials are provided on sheets A.200 and A.201. Proposed materials generally meet permitted building material ordinance requirements, including limestone veneer and glazing on the ground floor, as well as James Hardie Panel siding on the upper floors with pre-finished brake metal coping and crown accents. However, the revised site plan shall denote building materials with percentages (Sec. 24-184).

- Primary Materials must be used to compose a minimum of 75% of wall area of the building base and 50% of wall area for the upper floors.
- Secondary Materials are allowed to compose a maximum of 25% of wall area in the building base and 50% of wall area for the upper floors.

The waste enclosure is located in an interior room, with access off of the adjacent Vester alley and shall include recycling. Mechanical and utilities are proposed on the roof and the northeast corner of the site. Both areas are either screened by a parapet or by landscaping according to ordinance.



### 3. Landscaping

The proposed landscaping plan (noted on sheet L.101) includes four (4) greenbelt trees, multiple decorative boxwood shrubs along public right-of-way, and Arbor Vitae to screen a transformer at the northeast portion of the site. The proposed 3.5" caliper Thornless Honey locust species meets the City's approved tree list and exceeds the ordinance minimum of 2" caliper size. The following table provides a review of the requirements of the plan in accordance with the standards of Section 24-191 and the Vegetation Ordinance:

Type	Ordinance	Requirement	Proposed
Greenbelt	1 deciduous tree for every 30' of road frontage (200'/30')	7 deciduous trees	<b><u>4 trees</u></b>
Screening Wall (N)	Screening wall where off-street parking abuts residential	5'-8' masonry screen wall	<b><u>6' vinyl screen wall</u></b>
Parking	3 trees for every 25 parking spaces; Hedge row, 3' brick wall, or 3' wrought iron fence with hedge	3 trees and either a hedge row, 3' brick wall, or 3' wrought iron fence with hedge	<b><u>0 trees</u></b>

#### *PUD Deviations (or waivers)*

The landscaping plan is deficient by six (6) trees. If there are not suitable places on-site for the total number of trees, the Planning Commission may waive this requirement in favor of funds to be placed in the City's tree fund. Payment into the Tree Fund would be as follows = 6 trees (2 in caliper) x \$250/caliper inch = \$3,000.00. A tree permit shall be submitted with a final site plan, demolition permit, or building permit for any new trees to be planted on site. There is not a fee for a tree permit.

A masonry screen wall is typically required between mixed use developments and adjacent residential districts. A vinyl screening fence is proposed and the applicant can request a waiver from the Planning Commission or include the request as a deviation in the PUD agreement.

### 4. Lighting

The exterior lighting plan includes manufacturer cut sheets and a photometric plan measured in footcandles. Lighting units include decorative lighting along Vester Ave and wall pack units. The units appear to meet footcandle requirements at lot lines and all lights appear to be fully shielded and directed downward. CED and Police Department staff recommend additional lighting in the north/south alley to offset the large building and potential safety impacts for pedestrians in the alley. The current alley lights may also be low enough that they could be damaged by adjacent vehicles.

### 5. Engineering and Stormwater Management & Fire Department

Based on the review by City engineers, the preliminary engineering plan is recommended as noted. The required 10-year underground storm detention system to be located under the off-street parking area appears to meet ordinance requirements and a long-term stormwater maintenance agreement would be considered by City Council at a later date. A water main extension from the 8" main near Woodward to, at a minimum, the east side of the proposed site. This item requires further discussion with the City and owner, but could be an improvement to public infrastructure as part of the PUD. Final items including traffic control plans during construction, final building footings and bearing pressures locations, water pump, and storm detention details in the engineering submittal.

The Fire Department reviewed the plan for emergency access, fire department connections and existing infrastructure. A fire riser room and proposed fire service line are noted on sheet C-2. Knox Box and shut

off will be included on the final site plan.

### **Alternative Site Plan Option**

In response to feedback from the Planning Commission and community members regarding more alley activation with more ground floor retail space, the applicant did provide an alternative site plan option on sheet X.100. This option would increase to the total ground floor retail/commercial space from 1,265 square feet to 1,590 square feet. This site plan would increase from off-street parking deviation from 20 spaces to 23 spaces (an increase of 3 spaces) but does align with community goals for pedestrian oriented development and alley activation.

### **Planned Unit Development and Site Plan Recommendation**

Staff recommends the application for Planned Unit Development and Site Plan approval due to alignment with the Master Plan and feedback to date. Should the Planning Commission deem the proposed application satisfactory and recommend approval, the property owners, architects, and designers will present their application to City Council for consideration at a future public hearing.

### **Example Rezoning Approval Motion**

**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of 141 Vester, after a Public Hearing was held as published for this date and place, the Planning Commission **RECOMMEND APPROVAL** of the **Planned Unit Development** application and agreement to the City Council, based on plans dated September 28, 2021, with the following findings and condition:

#### **Findings**

1. The Planning Commission held a public hearing on October 6, 2021 to consider a zoning map amendment to rezone parcel 25-27-381-028 from P-1 (Vehicular Parking) to Central Business District (CBD) – Urban Flex.
2. The proposed zoning map amendments are consistent with the goals and objectives of the Ferndale Master Plan, which designates the site as Downtown and the P-1 (Vehicular Parking) zoning district as potential redevelopment opportunities.
3. The compatibility of all the potential uses allowed in the proposed CBD-Urban Flex zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.
4. The capacity of city infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the city.
5. The apparent demand for the types of uses permitted in the requested zoning district in the city in relation to the amount of land in the city currently zoned to accommodate the demand.

#### **Conditions**

1. The rezoning recommendation is contingent upon the Planned Unit Development (PUD) application to be considered by City Council at a future public hearing.

### **Example Planned Unit Development (PUD) Approval Motion**

**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of 141 Vester, after a Public Hearing was held as published for this date and place, the Planning Commission **RECOMMEND APPROVAL** of the **Planned Unit Development** application and agreement to the City Council, based on plans dated September 28, 2021, with the following findings and subject to the following conditions:

#### **Findings**

1. The Planning Commission held a public hearing on October 6, 2021, to consider a Planned Unit Development (PUD) application.

2. The PUD is planned and developed as a cohesive project.
3. The PUD is compatible with the overall goals and recommendations in the City of Ferndale Master Plan.
4. The PUD will result in recognizable and substantial benefits to the city overall that would not be available under the existing, underlying zoning classification. The PUD will include substantial benefits, such as:
  - a. A complimentary mixture of uses with upper level residential and ground floor commercial/retail.
  - b. Sustainable building and site design with stormwater detention, energy efficiency, electric vehicle charging stations, bicycle parking, tree plantings, and new landscaping.
  - c. Transition areas from adjacent land uses, such as the Central Business District (CBD) – Downtown Core parcels and residentially-zoned parcels.
  - d. Provision of affordable housing units, which aligns with the City Council Inclusive Housing Policy.
  - e. Diversification of housing types provided in the city with upper-level residential units in the Downtown at varying income levels.
  - f. Improvements to the public street system to mitigate traffic impacts or other public facility improvements to mitigate impacts of development, including removing vehicular access from Vester Avenue, adding public bicycle parking, installation of a new water main, and widening a public alley for better pedestrian circulation.
  - g. Pedestrian and transit-oriented development that meets zoning ordinance requirements for building design and mixed use.
5. The Planning Commission recommends approval of the following deviations:
  - a. 20 off-street parking spaces and associated ordinances in Sec. 24-223 (g) and (j).
  - b. Two (2) electric vehicle charging stations.
  - c. A four (4) foot deviation from the 24-foot maneuvering lane requirement noted in Sec. 24-224.
  - d. A landscaped open space of 3.70% (or 1,046 square feet) of the 10 percent landscaped open space requirement in Sec. 24-304 (e).

### **Conditions**

1. The PUD agreement shall include an amenity zone maintenance agreement for the proposed improvements to the public right-of-way on Vester and public alley.

### **Example Site Plan Approval Motion**

**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of 141 Vester, the Planning Commission **RECOMMEND APPROVAL** of the **Site Plan** to the City Council, based on plans dated received by the Planning Department on September 28, 2021, with the following findings and subject to the following conditions:

### **Findings**

1. The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City ordinances, standards, and requirements, can be met subject to the conditions noted below.
2. The proposed improvements should have a satisfactory and harmonious relationship with the redevelopment on-site as well as existing land uses in the adjacent vicinity.
3. The proposed redevelopment will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.
4. The Planning Commission approved the use of concrete bumper blocks, as noted in Sec. 23-224 (c) (2), in locations not visible from Vester Avenue.
5. The Planning Commission waived the requirement for the three (3) greenbelt trees and three (parking lot trees) to be planted on site and accepted the applicant's request to pay into the City

tree fund for the deficiency. The applicant will file a tree permit with the City.

6. The Planning Commission waived the masonry screen wall requirement along the northeast property line and approved the vinyl screening fence as compatible with the adjacent R-3 zoned parcel.

**Conditions**

1. Final bicycle parking specifications and dimensions shall be provided on the final site plan.
2. A building materials chart that demonstrates compliance with the primary and secondary materials ordinances shall be required on the final site plan.
3. Specifications for proposed ground floor glass and fenestration percentage will be submit with the final site plan.
4. A long-term stormwater maintenance agreement shall be submit to staff during the engineering review and submit City Council for consideration.
5. Final pedestrian and traffic control plan and water main plans shall be determined and noted on the final site plan.
6. All future signage proposed shall be submit through the sign permit application.



October 14, 2021

Downtown Development Authority

**CITY OF FERNDAL  
REQUEST FOR COUNCIL ACTION**

**FROM:** Lena Stevens

**SUBJECT:** Social Districts Update and Policy Change Discussion

**SUGGESTED ACTION**

Review Social District Update and Discuss Potential Policy Changes

**Agenda Item Category**

**Agenda Item Deadline Date**

**Item Description**

**Item Background**

**Item Costs**

**GL#**

**CIP#**

**Additional Notes**

**ATTACHMENTS:**



October 14, 2021

Downtown Development Authority

**CITY OF FERNDALÉ  
REQUEST FOR COUNCIL ACTION**

**FROM:** Lena Stevens

**SUBJECT:** Approval of minutes from DDA Board of Directors September 2021 meeting

**SUGGESTED ACTION**

Review and approve minutes

**Agenda Item Category**

Operational Item

**Agenda Item Deadline Date**

2021-10-14

**Item Description**

N/A

**Item Background**

Operational item conducted each month.

**Item Costs**

N/A

**GL#**

N/A

**CIP#**

N/A

**Additional Notes**

**ATTACHMENTS:**

[DDA Minutes Sept 9 2021](#)



**VIRTUAL Monthly Meeting of the Downtown Development Authority (DDA) Board of Directors**  
**Downtown Development Authority Meeting**  
**THURSDAY, SEPTEMBER 9 @ 8:00 AM**

**1. CALL TO ORDER: 8:10 am**

MEMBERS PRESENT: Chair PJ Jacokes, Vice Chair Chris Johnston, Treasurer Sarah Brown, Members Nathan Martin, Toly Ashkenazi

MEMBERS ABSENT: Janice Semma, JeDonna Dinges, Jerome Raska, and Mayor Melanie Piana

STAFF PRESENT: Lena Stevens, Executive Director

**2. IN-PERSON MEETING RULES REVIEW**

- a. Request for all board members and audience members to wear masks regardless of vaccination status.

**3. APPROVAL OF AGENDA**

Moved by Brown, seconded by Martin to approve the Agenda as published

*AYES* – Chair PJ Jacokes, Vice Chair Chris Johnston, Treasurer Sarah Brown, Members Nathan Martin and Toly Ashkenazi

*NAYS- None*

*All ayes, motion carries.*

**4. COMMUNITY REPORTS**

- a. None.

**5. CALL TO AUDIENCE**

- a. None.

**6. CALL TO BOARD MEMBERS**

- a. Recognition of service to departing board member Jacki Smith  
Board members thanks Jacki Smith in abstention for her service to the DDA Board of Directors. Members asked if a gathering could be coordinated among the members to celebrate Jacki's work. Chair Jacokes acknowledged that the DDA is in a significantly better operating position due to the efforts of Jacki Smith.
- b. Member Brown asked about lack of DDA notification related to closure of 9 Mile and Hilton train crossing for repairs. The group discussed the responsibility of Downtown Ferndale to provide information outside of its boundaries and remain connected with City of Ferndale communications channels. Member Johnson asked if a text alert system existed that could be used to notify businesses. Member Martin noted that his vehicle was nearly towed prior to street construction and would support a text alert system.

## 7. PRESENTATIONS

### a. Presentation from Hamilton Anderson on DDA Possibilities Plan

Hamilton Anderson presented the draft DDA Possibilities Plan which is based on over a year of engagement work with the DDA and City of Ferndale. Many members, including the Executive Director, were not on the board when this plan was initiated. The RFP process was in 2018, the visioning meeting was held in early 2019 and a draft was complete in October 2019. Immediately issues were identified with the draft, and discussions with board members confirmed the plan needed a new direction. Hamilton Anderson staff dedicated their time and talent the new draft which will help provide visionary direction for the decade to come.

The DDA Board of Directors participated in a thorough discussion of the plan and supported moving forward with the adoption process.

## 8. CONSENT AGENDA

Moved by Johnston, seconded by Brown to approve the Consent Agenda as presented.

AYES – Chair PJ Jacokes, Vice Chair Chris Johnston, Treasurer Sarah Brown, Members Nathan Martin and Toly Ashkenazi

NAYS – None

***All ayes, motion carries.***

## 9. REGULAR AGENDA

### a. Approval of Improvements to the Downtown Waste Management System and Grant Match Authorization in the Amount of \$40,000

The Zero Waste Program Coordinator requested approval from the DDA to contribute to an EGLE 2021 Recycling Grant match in the amount of \$40,000. The match commitments will go to improve the downtown waste enclosures.

***Motion by Jacokes, seconded by Martin to Approve Improvements to the Downtown Waste Management System as Proposed by the Zero Waste Coordinator and Grant Match Authorization in the Amount of \$40,000***

AYES – Chair PJ Jacokes, Vice Chair Chris Johnston, Treasurer Sarah Brown, Members Nathan Martin and Toly Ashkenazi

NAYS – None

***All ayes, motion carries.***



## 10. OTHER BUSINESS

- a. Letter to Senator Jeremy Moss and Representative Regina Weiss in support of virtual meetings

***Motion by Brown, seconded by Ashkenazi to Authorize DDA Chair to send letter on behalf of the Ferndale DDA requesting temporary amendments to the Open Meeting Act be to permit public bodies to meet electronically by telephone or videoconferencing for the safety of all involved.***

AYES – Chair PJ Jacokes, Vice Chair Chris Johnston, Treasurer Sarah Brown, Members Nathan Martin and Toly Ashkenazi

NAYS – None

***All ayes, motion carries.***

## 11. ADJOURNMENT

***Motion by Member Johnston, seconded by Brown to adjourn the meeting at 10:15 A.M.***

AYES – Chair PJ Jacokes, Vice Chair Chris Johnston, Treasurer Sarah Brown, Members Nathan Martin and Toly Ashkenazi

NAYS – None

***All ayes, motion carries.***



October 14, 2021

Downtown Development Authority

**CITY OF FERNDALE  
REQUEST FOR COUNCIL ACTION**

**FROM:** Lena Stevens

**SUBJECT:** Consideration of Resolution Related to Continued Policies for Temporary Outdoor Seating, Sales, and Accessory Structures as a COVID-19 Response

**SUGGESTED ACTION**

Direct the DDA Executive Director to collaborate with City of Ferndale staff to draft resolutions extending the current relaxation of zoning regulations related to temporary outdoor seating, sales, and accessory structures as outlined in the attached resolution and work to develop permanent ordinance recommendations where appropriate.

**Agenda Item Category**

Operational Item

**Agenda Item Deadline Date**

2021-10-14

**Item Description**

In June 2020, the Ferndale City Council authorized temporary changes to relax zoning regulations for regarding certain types of outdoor seating and sales as a COVID-19 response strategy. Several businesses have utilized options to expand outdoor seating on sidewalks, parking spaces, and private property.

These policies were re-authorized in October 2020 through November 30, 2021. The DDA Executive Director is seeking policy direction from the DDA Board of Directors to keep these policies in effect while permanent ordinance changes are considered where appropriate.

**Item Background**

City staff and the DDA have worked together over the past 16 months to temporarily suspend enforcement of zoning regulations related to outdoor seating and sales on private property, and regulatory restrictions on mobile vending in the Central Business (CBD) zoning district; and create a licensing process for temporary outdoor seating and sales on certain City rights-of-way. Additionally it

created a pilot program for Temporary Accessory Structures (ex: igloos, tents, etc.) This allowed for the use of igloos or tents on rear/side yards of private property while temporarily suspending zoning regulations that would have otherwise made those structures impractical.

The resolutions adopted by Ferndale City Council related to these policies are currently effective through November 30, 2020. The DDA Executive Director and City staff are proposing that these changes remain in effect for the length of time specified below. This will provide staff with the necessary time to draft permanent ordinances where appropriate.

No complaints about these policies have been received by the DDA or the City of Ferndale to date; however, the Executive Director has taken questions about the ongoing rental of parking spaces for use as outdoor patio space. It is vital that a process be implemented to annually review and approve these types of requests with maximum transparency.

The attached resolution asks the DDA Board of Directors to declare support for the following policy initiatives, and authorize the DDA Executive Director to collaborate with City of Ferndale staff to draft the necessary resolutions for City Council.

**Authorize Through November 30, 2022: Temporary Accessory Buildings Within the Central Business District**

- Allow the continued use of structures such as igloos and tents in rear/side yards, provided they are annually permitted and meet all building, fire, and other health and human safety related codes.
- Proposed expiration date: November 30, 2022. After this date, the continued use of smaller structures such as igloos will be considered; however, tents will no longer be allowed.

**Authorize Through March 31, 2022: Temporary use of Parking Spaces by Adjacent Businesses**

- Permitting these uses for the coming 5 months provides DDA and City staff with sufficient time to prepare permanent ordinance drafts for consideration by the public and local leaders.
- This creates continuity for businesses who do not need to remove existing structures, while alerting them that changes to policy are pending.

### **Item Costs**

Currently, the fees for these options are set as follows.

**Outdoor Dining/Sales on Private Property - \$275 application fee + tent permit if required**

**Lease for Parking Spaces -**

1 Day Lease fee of \$13 per day per space.

1 Week Lease fee of \$45.50 per week per space.

1 Month Lease fee of \$156 per month per space.

**Mobile Vending and Sidewalk Vending - \$275 food truck, \$88 push cart + parking space lease if required**

Standard Sidewalk Cafe - \$100 (new applications only) + \$1.50/sq ft for alcohol serving establishments  
& \$1.00/sq ft for non-alcohol serving establishments

Tent Permit - \$50

**GL#**

N/A

**CIP#**

N/A

**Additional Notes**

**ATTACHMENTS:**

[Resolution for Temporary Outdoor Seating and Sales Policies.pdf](#)

**CITY OF FERNDALE  
DOWNTOWN DEVELOPMENT AUTHORITY  
RESOLUTION**

Moved by Member \_\_\_\_\_, Seconded by Member \_\_\_\_\_  
to adopt the following Resolution:

The Ferndale Downtown Development Authority is interested in collaborating with the City of Ferndale to develop long term policies that create flexibility in the use of public and private property in downtown in a manner that supports public health while creating a vibrant aesthetic, and

The Ferndale Downtown Development Authority recognizes that creating continuity for businesses is helpful in these challenging times; however, ensuring transparency in permitting and decision making is vital, and

The Ferndale Downtown Development Authority recognizes that the current policies related to temporary use of parking spaces and temporary use of accessory structures are set to expire on November 30, 2021.

**NOW, THEREFORE, BE IT RESOLVED** the Ferndale Downtown Development Authority directs the Executive Director to work directly with City of Ferndale Staff to draft resolutions to temporarily extend these policies as an ongoing COVID-19 response, while working to develop permanent ordinances to be adopted on the following timeline:

***Authorize Through November 30, 2022:***

*Temporary Accessory Buildings Within the Central Business District*

- Allow the continued use of structures such as igloos and tents in rear/side yards, provided they are annually permitted and meet all building, fire, and other health and human safety related codes.
- After this date, the continued use of smaller structures such as igloos will be considered; however, tents will no longer be allowed.

***Authorize Through March 31, 2022:***

*Temporary Use of Parking Spaces by Adjacent Businesses*

- Permitting these uses for the coming 5 months provides DDA and City staff with sufficient time to prepare permanent ordinance drafts for consideration by the public and local leaders.
- This creates continuity for businesses who do not need to remove existing structures, while alerting them that changes to policy are pending.

The Resolution being put to a vote, the DDA Board of Directors voted as follows:

AYES:

NAYS:

The DDA Board of Directors Chair declared such Resolution adopted.

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PJ Jacokes, Chair