

# Council has final word on Muirwood rezoning

By Joanne Maliszewski  
staff writer

Beztek Building Co. officials say an expansion is necessary to pump new financial life into strapped Muirwood Square. But the majority of Farmington Hills council members just couldn't approve a rezoning to help out the center.

Some council members suggested that they could see the request in a different light if it was part of a planned unit development or PUD that would guarantee uses on the property.

Some also expressed concern about hurting downtown Farmington, while other council members made it clear that concern was not their job.

Mayor Jonathan Grant, Nancy Bates, Aldo Vagnozzi and Terry Sever opposed the rezoning. Ben Marks, Joanne Smith and Larry Lichtman supported the rezoning. Here's what council members had to say as they voted.

• Mayor Jonathan Grant: "If I could guarantee the protection of this acreage and see this come before us as a PUD ordinance where we could have some stricter control... I would support it at that time."

He also expressed concern for Farmington and for overdevelopment of the area. "I don't think you can separate the viability of the two communities," Grant said. "It is his job to limit any impact in the area. Any development on that property is more development than we need at that intersection."

• Joanne Smith: "It does concern me we don't have a good market down there. We don't have a plethora of grocery stores. Though Farmington is concerned about more development along the Grand River corridor, Farmington officials allowed a string of centers along the thoroughfare, she said."

"I'm concerned with what's best for my city. I don't want to see that area blighted. I'm wanting to help a businessman who is willing to spend millions of dollars."

• Nancy Bates: She said couldn't support the rezoning because things change. Zoning follows the land, not the business. "I believe they will do what they say they will do — if they can do it," Bates said, adding "a lot can happen in two years (how long it would take the project to get going). She said she would consider the issue if it was a PUD."

• Larry Lichtman: He made the unsuccessful motion to support the rezoning. "I don't think we are going to resolve the development around in the city based on this one property," Lichtman asked how — without rezoning and expansion — deterioration of the center would be prevented. "I think this would be a positive thing for residents in the area. I think it's a better alternative than to have a continually distressed commercial property."

• Terry Sever: "I am of the general opinion the city has already overdeveloped. I'm not so sure the anchor (store) makes or breaks a center." He too was concerned about the lack of a guarantee that grocery store

would remain in the center for years. "My honest opinion... is that we're overdeveloped, oversaturated and that is one of the biggest problems for the dilemma we have."

• Ben Marks: Surprised with all the talk about the lack of a guarantee that Muirwood Square would be built — and remain — as Beztek proposed, he said the only guarantees occur in a consent judgment. "That's not what we are all about. We have never done it before. Is this going to be a new procedure?"

Like Smith, Marks said he couldn't be responsible for what happens to Farmington. "I'm not looking to have a fight with Farmington. But my first obligation is to the tax base of Farmington Hills. We've got to protect what we've got."

• Aldo Vagnozzi: He raised concern about Beztek's non-payment of taxes. "I think they are asking us to do something for them. I'm asking them to pay at least half their taxes."

## Muirwood Center rezoning bid rejected on second attempt

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"We think it is a better use. It will allow us to remedy a problem at Muirwood Square brought on by changing times and conditions," said architect Leonard Siegel.

The remaining six acres, plus another 1.7 on the north edge of the center, would remain open. That property would remain undeveloped unless Muirwood Apartments need a private day care or indoor recreation center, Siegel said.

Rezoning and expansion are absolutely necessary to save the ailing center, which reportedly has not done financially well since its opening more than a decade ago, said Beztek officials.

The center is 70-percent physically occupied. But the true measure is that — with rent breaks — the center has a 46-percent vacancy rate. "We are fearful we may result with less quality tenants," said Harold Steinberg, Beztek vice president of commercial properties. "We are here today asking for your help in correcting the problem." Beztek officials could not be reached for further comment on what their next course of action might be.

Eleven of the 20 residents, including Farmington officials, who spoke at Monday's public hearing, opposed the center's proposed expansion at the northwest corner of Drake and Grand River.

BEZTEK'S FAILURE to pay its taxes — an issue raised by councilman Vagnozzi — as well as concern for overdevelopment and retail saturation on the Grand River corridor, and increased traffic were recurring themes in residents' comments.

"I'm concerned about the visibility of this company," said Congress Street resident Mary Buba, referring to the 1.8 million taxes owed Farmington Hills for 1991, and \$550,000 for 1990.

Beztek's other properties "are performing very adequately," said Larry Wilkinson, Beztek representative.

"The center has not produced sufficient income to pay taxes and debt services."

An unemployed homeowner must still pay taxes. "I still think you have an obligation — if the corporation is able — to pay those taxes," Vagnozzi said. "I'm just trying to put you on a level playing field with the rest of us."

Councilman Marks disagreed. "This is a very common business practice."

Others, however, were more concerned with the potential effect on an expanded center would have on the

Grand River-Drake area, as well as downtown Farmington with its A&P supermarket.

Resolutions of opposition were read by representatives of Farmington's planning commission, city council and downtown development authority. All expressed concern about the effect on downtown retailing.

"There is only a certain amount of money to be spent in an area," said Cheryl Oliverio, a resident of Old Homestead subdivision north of the center on Drake Road. "You need quality, not quantity. We want the

nice quiet area, not the overbuilt."

Beztek officials admitted that traffic in the intersection would increase and also agreed to provide a left turn lane if Farmington Hills wouldn't do it.

Other nearby residents, primarily of Muirwood Apartments, supported Beztek's request. "You can give us older Americans a break and give us a supermarket we can get to without driving," said an apartment resident.

Kay Clark agreed. "It's not another shopping center. It's already there. I would like a store closer."

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