



REGULAR MEETING AGENDA

I. CALL TO ORDER

Roll Call

II. APPROVAL OF AGENDA

III. APPROVAL OF ITEMS ON THE CONSENT AGENDA

1. March 9, 2015 Minutes

IV. OUTSIDE DISPLAY AND SALES REQUEST

1. Alexander True Value Hardware, 22104 Farmington Road

V. SITE PLAN AMENDMENT

1. Digital Terrain, 37085 Grand River Avenue

VI. OUTDOOR SEATING SITE PLAN REVIEW

1. Sushi Mi, 32758 Grand River Avenue

VII. DISCUSSION

1. Outdoor Seating Modification and Clarification

VIII. SCHEDULE PUBLIC HEARING

1. Zoning Ordinance Text Amendment: Single Family Residential Zoning Standards

IX. PUBLIC PORTION

X. PLANNING COMMISSION COMMENT

XI. ADJOURNMENT

**Farmington City Council
Staff Report**

Council Meeting Date:
April 13, 2015

**Reference
Number
(ID # 1831)**

Submitted by: Kevin Christiansen, Economic Community Development Director

Description: March 9, 2015 Minutes

Requested Action:

Approve

Background:

Agenda Review

Review:

Kevin Christiansen Pending

City Manager Pending

Planning Commission Pending 04/13/2015 7:00 PM

FARMINGTON PLANNING COMMISSION PROCEEDINGS
City Council Chambers, 23600 Liberty Street
Farmington, Michigan
March 9, 2015

Chairperson Bowman called the Meeting to order at 7:00 p.m. in the Farmington City Council Chambers, 23600 Liberty Street, Farmington, Michigan.

ROLL CALL

Present: Babcock, Bowman, Buyers, Crutcher, Gronbach

Absent: Chiara, Majoros

A quorum of the Commission was present.

OTHER OFFICIALS PRESENT: Director Christiansen, Building Inspector Koncsol

Caitlyn Malloy-Marcon, LSL Planning

APPROVAL OF AGENDA

MOTION by Crutcher, seconded by Buyers, to approve the agenda as submitted.

Motion carried, all ayes.

APPROVAL OF ITEMS ON CONSENT AGENDA

A. February 9, 2015 Minutes

B. February 25, 2015 Special Meeting Minutes

Motion by Buyers, seconded by Crutcher, to approve the items on the Consent Agenda.

Motion carried, all ayes.

SPECIAL LAND USE AND SITE PLAN REVIEW – DUNKIN DONUTS - 20788 FARMINGTON ROAD

Chairperson Bowman introduced this agenda item and indicated that there will be a Public Hearing on this as well as site plan review this evening. She also stated that Commissioner Buyers is representing the seller of the property and after speaking with the City Attorney it was advised that he recuse himself from this agenda item.

MOTION by Gronbach, seconded by Crutcher, to recuse Buyers from this agenda item.

Motion carried, all ayes.

(Commissioner Buyers recused himself at 7:03 p.m.)

Director Christiansen indicated that this is a Special Land Use and Site Plan Review for Dunkin Donuts, 20788 Farmington Road, which is the site of the former Big Boy Restaurant. He stated that the new owner has submitted plans for a new Dunkin

Donuts to be put on this site with a drive-thru which is zoned C-3, General Commercial, and restaurants with a drive-thru are classified as Special Land Use in the C-3 District and require a Public Hearing and Site Plan Review.

He stated Vijay Patel, on behalf of Dunkin Donuts, has submitted a site plan for the redevelopment of the former Big Boy Restaurant site, which includes a final site plan, a proposed floor plan, proposed building elevations and color renderings. There is also an aerial photo of the site, as well as a site plan review letter from LSL Planning dated 3-6-15 and a site plan review memorandum from OHM dated 3-5-15. He indicated the Applicant is present for questions by the Commission and the requested action of the Planning Commission on this item is to hold the required Public Hearing and to review the submitted Special Land Use Application and Site Plan Review for Dunkin Donuts.

Caitlyn Malloy-Marcon, LSL Planning, came to the podium and explained the General Requirements for the Special Land Use, citing the six standards and indicated that it did meet all six of the requirements for the General Requirement Section. As far as the Special Land Use Drive-Thru Requirements, six were cited, and she stated the first is sufficient stacking capacity, Article XIV requiring ten stacking spaces from the area where you give your order and the site plan shows only three from order placing, seven altogether, creating a deficiency in the requirements. The second requirement is a bypass lane which she indicated the site plan does depict same. Parking space requirements for a restaurant drive-thru service, three are required for cars in waiting, and the site plan does so indicate. Four, vehicular access connections on adjacent commercial developments shall be provided where feasible as determined by the Planning Commission, she indicated there are none shown or proposed, but since the existing building is being kept where it stands that requiring such would present deficient parking and therefore none is required. Proposed clearance of canopy is not an issue as it is lower than the principle building. Outdoor speaker details were not provided and she asked for same.

Regular site plan review did find that the building footprint is remaining the same, with the only changes being to the exterior appearance. The building material will be predominantly brick and glass and some metal accents. The only issue with these elements was the accent color, where the ordinance asks for natural earth tones and the Applicant presented with an orange color. She stated the proposed exterior building looks better than what it is in its current state and all materials suggested are good choices. Traffic patterns would be similar to those created from previous use and does not negatively impact the area. Parking requirements of eight spaces plus ten stacking spaces are lacking in the stacking area for the drive-thru and second tenant space requirements are thirty-one where thirty-two are provided. She also addressed the outdoor table and parking requirements. The handicapped accessible spaces were also requested to be moved as well as the ramp. She addressed the access points and the feasibility of having one access point as opposed to two.

City of Farmington Planning Commission
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Page 3

She discussed the landscaping issues and indicated what is proposed will be a great improvement over existing. Circulation was also discussed and exterior lighting details were not provided and she asked for same.

Sign location and pictures of the wall sign were provided but not detailed as to size and materials and she asked that be provided as well.

Waste receptacles were shown to have two on the east property line and details of enclosure were not provided and she asked for same.

She summarized her report by saying there are six items that require further action on and detailed those to the Commission.

The floor was opened up for questions from the Commissioners. Hearing none, the proponent came forward. Dan Merritt, 9030 General Drive, Plymouth, Michigan, addressed the Commission on behalf of his client, Vijay Patel, seeking Special Land Use Approval for the drive-thru. He addressed the issue of stacking and asked what was required for variance on same.

Christiansen responded and stated that they felt comfortable that what was proposed was sufficient.

Merritt also addressed the drive proposed on the north side of the site to Chesley and Christiansen responded that that drive was part of the original site plan and it does serve the site well and presents no negative impact and further discussion was held.

Crutcher asked about the clearance between the parking at the east side of the building in the back and the drive-thru being 15 feet and the Petitioner responded they will know more when the survey is done and further discussion was held.

Crutcher inquired about dumpsters and it being two separate businesses requiring two separate dumpsters and if they have to be remote and Christiansen responded access would be better served with two separate locations.

Babcock expressed concern with the number of handicapped spaces and the ramp being amenable to the second tenant and further discussion was held regarding Code requirements as it relates to handicapped spaces.

Babcock inquired where the two space requirement was dictated and Christiansen responded it is a code requirement and further discussion was held.

Bowman brought up the building color and the Petitioner responded that it was the orange color that is typically seen at their Dunkin Donut locations.

MOTION by Crutcher, supported by Gronbach, to open the Public Hearing.
Motion carried, all ayes.

PUBLIC HEARING

(Public Hearing opened at 7:32 p.m.)

Chairperson Bowman invited any public present to come forward.

No public comments heard.

MOTION by Gronbach, supported by Crutcher, to close the Public Hearing.
 Motion carried, all ayes.

(Public Hearing closed at 7:32 p.m.)

Director Christiansen noted for the record that in the Commissioner's packets there was included a copy of the Notice and the date when mailed to property owners within 300 feet of the property as well as the Affidavit of Publication from the Observer and that neither elicited any responses.

MOTION by Gronbach, supported by Crutcher, to approve the Special Land Use and Site Plan Review for the Dunkin Donuts at 20788 Farmington Road, with the provision that it be in compliance with the recommendations from LSL Planning to relocate handicapped parking spaces as discussed and that signage details be provided as well as the details for lighting and dumpster enclosures; and if the applicant wants outdoor seating, a specific plan will have to be provided for that and they will have to come back before the Planning Commission for approval; and lastly, incorporating the recommendations as outlined in the letter from OHM and resolving those issues.
 Motion carried, all ayes.

(Buyers returned to Chambers at 7:37 p.m.)

SITE PLAN REVIEW – SMOKERS WONDERLAND, 34785 GRAND RIVER AVENUE

Chairperson Bowman introduced this agenda item and turned it over to staff.

Director Christiansen stated this agenda item is a site plan review for Smokers Wonderland in the World Wide Shopping Center, 34685 Grand River Avenue, to maintain existing interior lighting. The site is on C-2, Community Commercial. Interior window lighting is subject to review and approval of the Planning Commission in accordance with the requirements of Section 35.40 of the Zoning Ordinance.

He stated the applicant, Bill Mehanna, on behalf of Smokers Wonderland, is present at the meeting in order to present his request to the Commission.

He presented pictures depicting the lighting on the screen. Copies of the regulations regarding exterior lighting were included in the packets which also refers to interior lighting. He pointed out the requirements that were set forth and stated the Planning

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Commission may approve Interior window lighting for non-residential uses subject to review and in accordance with the requirements of Sections 35-48 of the Zoning Ordinance.

Christiansen explained that the neon lighting that exists in the community today is grandfathered in before this requirement became part of the ordinance. He described the lighting that exists at the store now is LED.

Gronbach inquired if the neon lighting at Tweeny's, in the same center, was grandfathered in and Christiansen responded in the affirmative. Gronbach then asked if there is an expiration to that and Christiansen stated that it runs concurrent with the business.

Koncsol explained the interior window lighting at Smokers Wonderland was the impetus for issuing a Code Enforcement warning and ticket and if LED would be considered one and the same as neon and that there is a citation pending in the 47th District Court regarding same but if the Planning Commission allows LED and finds its use appropriate, he will make the court citation go away and if not and it is not removed, he will ask the Court to proceed accordingly to have it removed. Further discussion was held.

Chairperson Bowman invited the applicant to come forward.

Bill Mehanna, 34785 Grand River, came forward and described the reasoning behind his placing LED lights in the windows of Smokers Wonderland. He described that customers were complaining about their safety because of it being dark walking from the parking lot to the store and that the LED lighting provides a brighter light but still being energy efficient at the same time.

Bowman opened the floor for questions from the Commission.

Buyers inquired if consumer and pedestrian safety were the primary concern for the Applicant putting up the lights and Mehanna responded yes, along with the energy efficiency of the LED. Buyers then pointed out some overhead lights above the sidewalk itself in the pictures provided and asked if they were utilized in the complex during evening hours as they are not depicted as being on and the Applicant responded they were installed when the LED interior lights were put in but they have to be approved by the landlord before they can be utilized. Buyers then asked if permission were granted for the use of those if they would provide enough light to improve the safety of his customers and the Applicant responded yes.

Gronbach talked about the renovations intended for the World Wide Center which should begin this spring and inquired if exterior lighting was included in the plans and Christiansen stated he did have that conversation but they have not received the details for same.

Crutcher stated that he is not convinced that the window lighting adds illumination and doesn't see a huge difference in the two pictures, one with lights on and one with lights off.

The Applicant reiterated his comments on customer complaints about it being too dark walking from the parking lot to the store.

Buyers echoed Crutcher's thoughts on the lighting and stated in looking at the lighting from a direct standpoint the LEDs are less apparent than when on a periphery and Stated that is problematic in light of 35-48 (e) which says lighting must be shielded to prevent glare at the property line.

Crutcher cited the prohibition of lighting in the ordinance language.

Bowman summarized the discussion so far and Gronbach stated that any lighting in the window would fall under the ordinance, whether it be neon or fluorescent or now LED.

Bowman asked of staff if the Planning Commission denied his request, could he seek relief from the Zoning Board of Appeals and Christiansen explained that the opportunity for modification for approval rests with the Planning Commission.

Gronbach emphasized the need to follow-up with the landlord of World Wide Center and where they are on the plans for the renovations and verify that there is adequate exterior lighting being provided as part of the renovation and that any nonfunctional lighting at the Center be made operable and also suggested perhaps encouraging Tweeny's to get rid of their neon lighting.

Christiansen responded that the comments are well taken and that we welcome new business and want to help facilitate business but things were done without consulting staff in this instance whether they could have provided guidance and that everything will be done in an effort to work with the Applicant and confer with the owner of World Wide to ensure safe egress and ingress into the stores at the Center at night.

MOTION by Buyers, supported by Crutcher, to move to deny the Site Plan Review for Smokers Wonderland, 34785 Grand River Avenue for the interior LED lighting for the reason that the interior lighting as depicted in the photograph and observed by the motion maker at the scene, do appear to run afoul of Section 35-48 (e) and (f), specifically that illumination is apparent at the property line as well as prohibited under Section F, and that the LED interior lighting would not enhance the appearance of the building.

Motion carried, all ayes.

Bowman apologized to the Applicant but explained the lighting is not in compliance with the City ordinance but that the City is working with the Center's owner and there are renovations intended which include additional lighting.

The Applicant again stated he had citizens from the City of Farmington complaining it is too dark and they don't feel safe walking in the Plaza and wants the Commission to take that into consideration

Bowman stated the Center's plans have been approved and things should start moving along as soon as the weather breaks and that the lighting issue will be addressed.

Christiansen stated he appreciates the Applicant's concerns and will work with him to find alternatives.

Bowman thanked the Applicant and welcomed him to Farmington.

DISCUSSION – REVIEW OF SINGLE FAMILY RESIDENTIAL ZONING STANDARDS

Chairperson Bowman introduced this agenda item and turned it over to staff.

Christiansen stated this item was initially discussed at the August 18th joint meeting of the City Council and Planning Commission held on August 18, 2014.

Caitlyn Malloy-Marcon from LSL Planning was present to go over their memorandum dated 3/6/15 and conduct a Power Point Presentation to discuss their findings with regard to reducing rear and front setbacks and allow for greater building height and include a process for site plan review by the Planning Commission.

Christiansen stated that the intent now in light of the additional discussion and alternatives that LSL identifies and proposes in their memorandum, that a draft zoning ordinance text amendment will be drafted and brought back before the Planning Commission.

PUBLIC COMMENT

None heard.

PLANNING COMMISSION COMMENTS

Chairperson Bowman announced that Annette Knowles, Assistant to the City Manager and Farmington DDA Executive Director, has indicated that the DDA has issued an RFP for development of the vacant parcel of land Orchard Phase II on Farmington Road and Slocum and have received one proposal in response and is looking to a member of the Planning Commission to participate in an ad hoc committee to study same.

Crutcher volunteered to serve on the committee.

ADJOURNMENT

MOTION by Buyers, seconded by Crutcher, to adjourn the meeting.
Motion carried, all ayes.

The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Secretary

**Farmington City Council
Staff Report**
Council Meeting Date:
April 13, 2015

**Reference
Number
(ID # 1832)**
Submitted by: Kevin Christiansen, Economic Community Development Director

Description: Alexander True Value Hardware, 22104 Farmington Road

Requested Action:
Background:

The applicant/petitioner has submitted plans for outdoor display and sales to be located within the front yard (parking lot) adjacent to the existing commercial building (unit) at 22104 Farmington Road - Alexander True Value Hardware (Farmington Crossroads Shopping Center). The existing commercial property is zoned C-2, Community Commercial. Seasonal commercial outdoor display and sales is permitted in the C-2 District subject to site plan review in accordance with the requirements of Article VII. CBD Central Business, C2 Community Commercial, C3 General Commercial and RO Redevelopment Overlay Districts, Section 35-102. Table of Uses, Special Provisions, sub-section (a) (6) of the Zoning Ordinance (see attached). No changes regarding the existing commercial building (unit) or other site improvements are proposed.

The submitted plans show an outdoor display area within the front yard (existing shopping center parking lot) along Farmington Road adjacent to the existing commercial building (unit). The applicant/petitioner is proposing the outdoor display and sales Monday through Saturday from 8 am to 8 pm and on Sunday from 8 am to 6 pm. The seasonal time period proposed for the outdoor display and sales is from April 15st to October 31th. A small area for outdoor display (4 to 6 pallets of seasonal materials/goods) is also proposed adjacent to the existing building (unit).

The requested action of the Planning Commission is to review the submitted outside display and sales application and site plan for Alexander True Value Hardware.

Attachments

Agenda Review
Review:
Kevin Christiansen Pending
City Manager Pending
Planning Commission Pending 04/13/2015 7:00 PM

3/20/2015

• • •

Alexander True Value Hardware
22104 Farmington Rd
Farmington, MI 48336

City Of Farmington Planning Board,

Alexander True Value Hardware would kindly request to be granted permission to conduct outdoor sales in the Northeast corner of the Farmington Crossroads Plaza Located at Nine Mile and Farmington Road. The garden center is solely in the parking lot and will not block any pedestrian sidewalks. We are granted permission from the landlord of the center for sales of flowers and similar products in the spring and summer, as well as the sales of pumpkins in the season approaching Halloween. The area will allocate from 25-30 parking spaces. The location in the parking lot will still allow for traffic flow and safe customer walking.

- Outdoor Garden Center sales will commence on April 15th and extend to no longer than June 30th
- Pumpkin Sales will begin in the Second or Third Week of September and extend to no longer than October 31st
- Garden Center and Pumpkins will be displayed on pallets and tables. We would like to put up a tent with the city's permission.
- All point of sales will be wireless and mobile; no electricity connections will be needed.
- All safety measures required from the City Inspector and Fire Marshall will be meet.
- If fencing is require by the city, we will install temporary fencing to meet the standards of the city code.
- Our hours of operation will not exceed or store hours of 8am-8pm Monday- Saturday & 8am-6pm on Sunday.
- Extra Lighting will not be necessary since the Centers will not be open at hours before dusk or after dawn.

Also, True Value is permitted within their lease to store outdoor pallets along the front side of the building, south of our entry doors between True Value and Dollar Tree. This area will contain 4-6 pallets of seasonal goods (topsoil, potting soil, rock salt, etc.) all year long. Pallets will be wrapped along the bottom with black pallet guards for cosmetic purposes. Pallets will be against building wall giving more than adequate walking space on sidewalk for pedestrian traffic flow. The area is 4ft x 30ft long with a sliding entry door in-between.

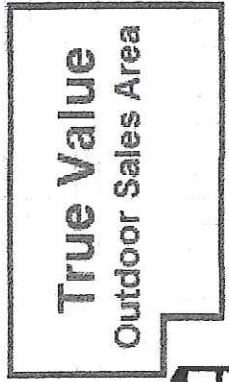
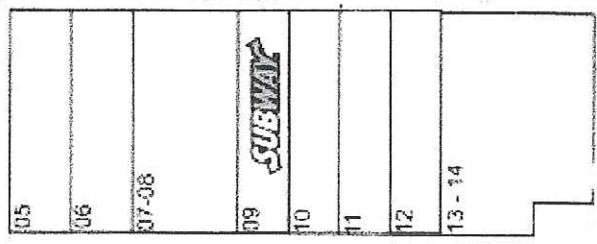
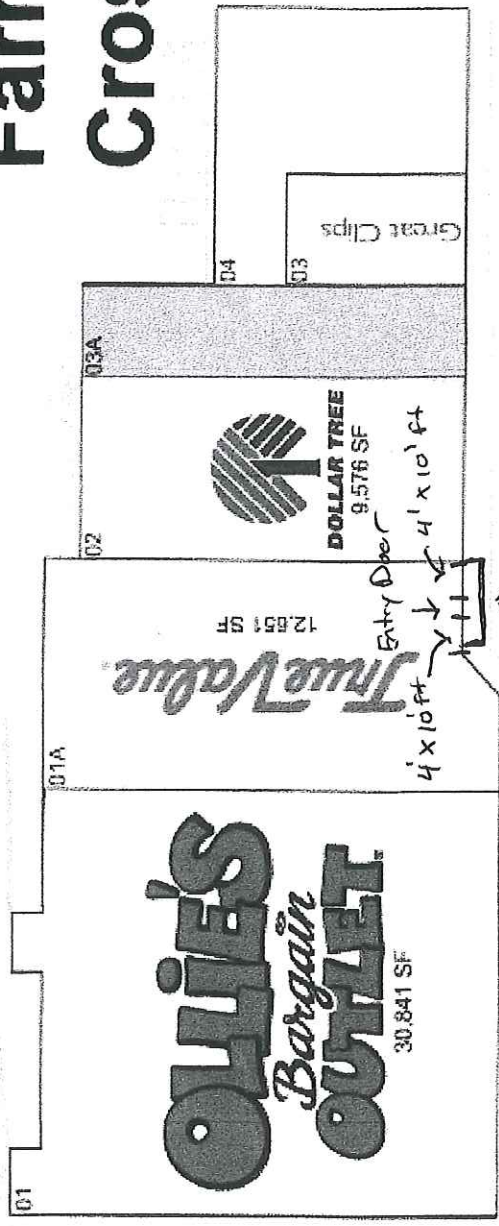
Thank you for your time and consideration,

Timothy Alexander

Farmington Crossroads

4.1.a

Nine Mile Road



Farmington Road

City of Farmington
CivicSight Map



MAP LEGEND:

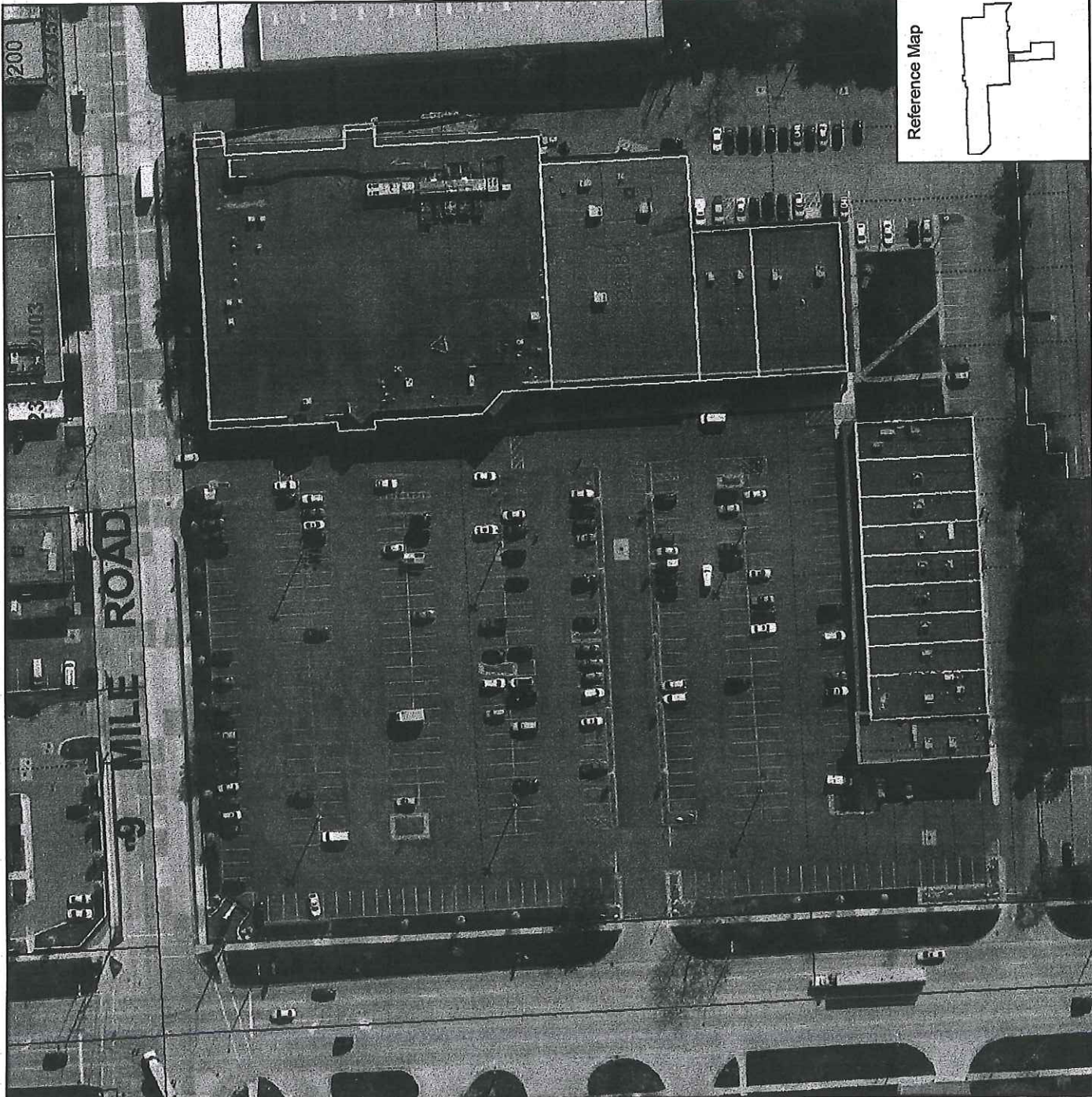
- CITY BOUNDARY
- RIVERS-STREAMS
- MULTITENANTBUILDING (Type)
- BUILT
- PROPOSED
- COMM_INDUST BLDGS
- RAPHAEL STREET (POLY2)
- RAPHAEL STREET (POLY1)
- PARCELS
- ROADS OUTSIDE FARMINGTON
- RIGHTOFWAY
- MULTITENANTPARKING
- ROW/EXTEND
- LOT HISTORY
- OPEN WATER (FEATURETYPE)
- DetentionPond
- Stream/River
- Lake/Pond
- Channel
- Swamp/Marsh
- 2010 AERIAL PHOTOS (Image)



Map Scale: 1 inch = 101 feet
Map Date: 3/09/2015
Data Date: January 9, 2015

Sources: City of Farmington, Oakland County GIS
Utility, River's Edge GIS, LLC.

Disclaimer:
Note: The information provided by this program has been compiled from recorded deeds, plats, townships, surveys, and other public records. The City of Farmington does not warrant the accuracy or completeness of the information provided. Use of this data is provided as a service and is not intended to be used for legal purposes. The information sources mentioned above should be consulted for verification of the information. Once again, USE AT YOUR OWN RISK !!!



Reference Map

C/O Timothy Paul Alexander
1294 Stonetree Drive
Troy, Michigan 48083
Phone: (248) 302-7080

With a copy to:
Sandra K. Alexander, Esq.
Alexander Law Associates, PLLC
7125 Orchard Lake Road, Ste. 111
West Bloomfield, MI 48322
Phone: (248) 865-2500

Trade Name (See Section 5.01): True Value Hardware

Permitted Use:

Permitted Use (See Section 5.01):

Tenant shall use and operate the Demised Premises solely for the purpose of: the retail sale of traditional hardware and related items that is typical of a True Value Hardware store. In addition, Tenant shall be permitted to have a propane exchange area/cage in front of Premises if approved by the City of Farmington. Tenant shall also be permitted to use the sidewalk and front of the Premises for the sale and display of seasonal items and sales in the parking lot along Farmington Road as depicted in the attached Exhibit K. Seasonal items includes, but is not limited, to the sale of flowers, pumpkins, plants and outdoor gardening items, and the like. Tenant shall not use the Demised Premises, or permit the use thereof, for any other use or purpose. Tenant specifically agrees to not violate the existing exclusives and restrictions set forth at Exhibit H to this Lease.

Landlord represents and warrants that the Tenant's Permitted Use does not violate any exclusivity clause in any other lease with a tenant in the Shopping Center.

SIC Code: 08B

CITY OF FARMINGTON

CITY COUNCIL GUIDELINES

OUTSIDE DISPLAY AND SALES

Zoning regulations of the City Code require that the City Council review requests for outside sales in CED and C2 zoned districts. The following is a list of criteria that the City Council may consider in evaluating requests for the commercial display of materials located on sidewalks or parking lots in commercial districts of the City. The Council may add or delete criteria as individual situations may warrant.

1. **SALES/DISPLAY AREA** should be within confines of the proponent's building or lease space. This may include sidewalk and parking lot areas in front of the proponent's building.
2. **SIDEWALK DISPLAY AREAS**
 - a. Walkways adjacent to displays shall have at minimum **3' clearance in front or between displays**. If two-way sidewalk movement is required, 5' to 6' clearance is then suggested. Support posts and other fixed objects should not infringe on these clear walkway areas.
 - b. Displays shall not obstruct doors or other required means of ingress or egress to a building at any time.
 - c. Hanging displays above sidewalks are suggested to have a **minimum clearance of 6' 8" from the walkway to the bottom of the hanging display**. They shall not interfere with walkway areas.
 - d. Sidewalk displays shall be maintained on approved platforms, racks, baskets or tables.
 - e. Sidewalk displayed materials shall not be maintained on wooden pallets.
 - f. Sidewalk displayed materials shall not be maintained in metal carts.
 - g. Materials displayed above surface areas (racks or shelving) shall be made of durable materials, aesthetically compatible with front building architecture, and shall be reviewed for safety and stability by the Building Official.
 - h. Electrical cords, hoses or other materials crossing walkways shall be properly secured, or if temporary, shall be continually supervised until removed.

CITY COUNCIL GUIDELINES FOR OUTSIDE DISPLAY AND SALES
PAGE -2-

3. PARKING LOT DISPLAY AREAS

- a. An application shall be filed with the City Manager's office for parking lot display/sales and approved by City Council.
 - b. The property owner shall be a co-applicant with lessee if the situation exists. The property owner must grant approval for an application to be considered.
 - c. All parking lot display areas of 5 days or more shall be enclosed by a wrought iron type fencing that shall be mounted in concrete blocks approved by the Building Department. All fences shall be a minimum of 4'.
 - d. The pedestrian walkways should be striped for high visibility in those areas where pedestrians cross driveway areas to access display enclosures.
 - e. Proper signs for vehicular direction, i.e. stop, slow, pedestrian crossing, etc., shall be required in driveways adjacent to displays.
 - f. The use of tents as part of parking lot displays shall also require inspection and approval by the Fire Marshal of the Public Safety Department.
 - g. Minimum number of available parking spaces (including handicapped) required by ordinance shall be maintained unless modified by the Board of Zoning Appeals.
4. **LITTER CONTAINERS** shall be required in the immediate area of the display, and the applicants shall be responsible for continual maintenance of the area for litter and other debris.
5. **VIOLATIONS** - The City Council may attach the automatic revocation of any outside sales approval in the event two or more violations are received in any 12 month period. Notification of this revocation will be handled through the Building Department.
6. **COMMUNITY SAFETY** - All requests for display areas will be reviewed by the Council with emphasis on community safety.

October, 1995

CITY OF FARMINGTON OUTSIDE SALES APPLICATION

This application shall be completed in full for outside sales requests located on private or public areas when approvals are required by the City Council or Planning Commission.

An application for outside sales shall include all requests for outside sales for the following 12 month period.

The application shall provide a drawing, including dimensions, of the total area of outside sales in relationship to adjacent building and parking lots, including references to all applicable criteria as established in the "Guidelines for Outside Display and Sales".

The application requires that both the property owner and lessee request approval. The City Council has established that the property owner shall be required to be the co-applicant (in those situations where property owner and business operator are not the same) with the tenant/lessee. The property owner review and approval of the application shall be done in consideration of any outside sales requests pending or approved on the same property and in consideration of all applicable City ordinances and zoning requirements.

BUSINESS NAME: Alexander True Value Hardware

PROPERTY ADDRESS: 22104 Farmington Rd.

PROPERTY OWNER:

Name: Brixmor Property Group

Address: 22054 Farmington Rd.

Business Phone: 248-476-6672 Home Phone: _____

As property owner, I have reviewed this application by the tenant/lessee as it affects the property management and City ordinances and request formal consideration of this request by the City of Farmington. I hereby certify that the contents of this application are true and accurate.

Signature: _____

↑
Signed off In Lease Agreement.

CITY OF FARMINGTON - OUTSIDE SALES APPLICATION
PAGE -2-

TENANT/LESSEE:


Name: Alexander True Value Hardware

Business Address: 22104 Farmington Rd.

Residence Address: _____

Business Phone: 248-474-2400 Residence Phone: _____

As tenant/lessee, this outside sales application/request has been presented to the property owner for review. As tenant/lessee this request has been prepared in accordance with applicable City ordinances and special direction (if any) of the City Building Department/Ordinance Officer. I hereby certify that the contents of this application are true and accurate.

Signature: 

OUTSIDE SALES LOCATION PLAN:

Provide **12 SETS** of plan drawings describing the following for each request for any 12 month period:

- * Display time period (day/date to day/date)
- * Location
- * Materials to be displayed
- * Sidewalks
- * Display racks
- * Display platforms
- * Sales areas (cash register)
- * Safety measures (stop signs, crosswalks, etc.)
- * Fencing (height & description)
- * Storage areas if any (extra materials)
- * Lighting
- * Hours of operation
- * Dimensions of all affected areas
- * Any additional information required in the "Guidelines for Outside Display and Sales."

**OUTSIDE SALES APPLICATION
PAGE -3-**

BUILDING DEPARTMENT REVIEW/RECOMMENDATION

APPROVED _____ NOT APPROVED _____

COMMENTS: _____

CITY COUNCIL APPROVAL (If applicable) YES _____ NO _____

PLANNING COMMISSION APPROVAL (If applicable) YES _____ NO _____

DATE OF CONSIDERATION: _____



City of Farmington
CivicSight Map

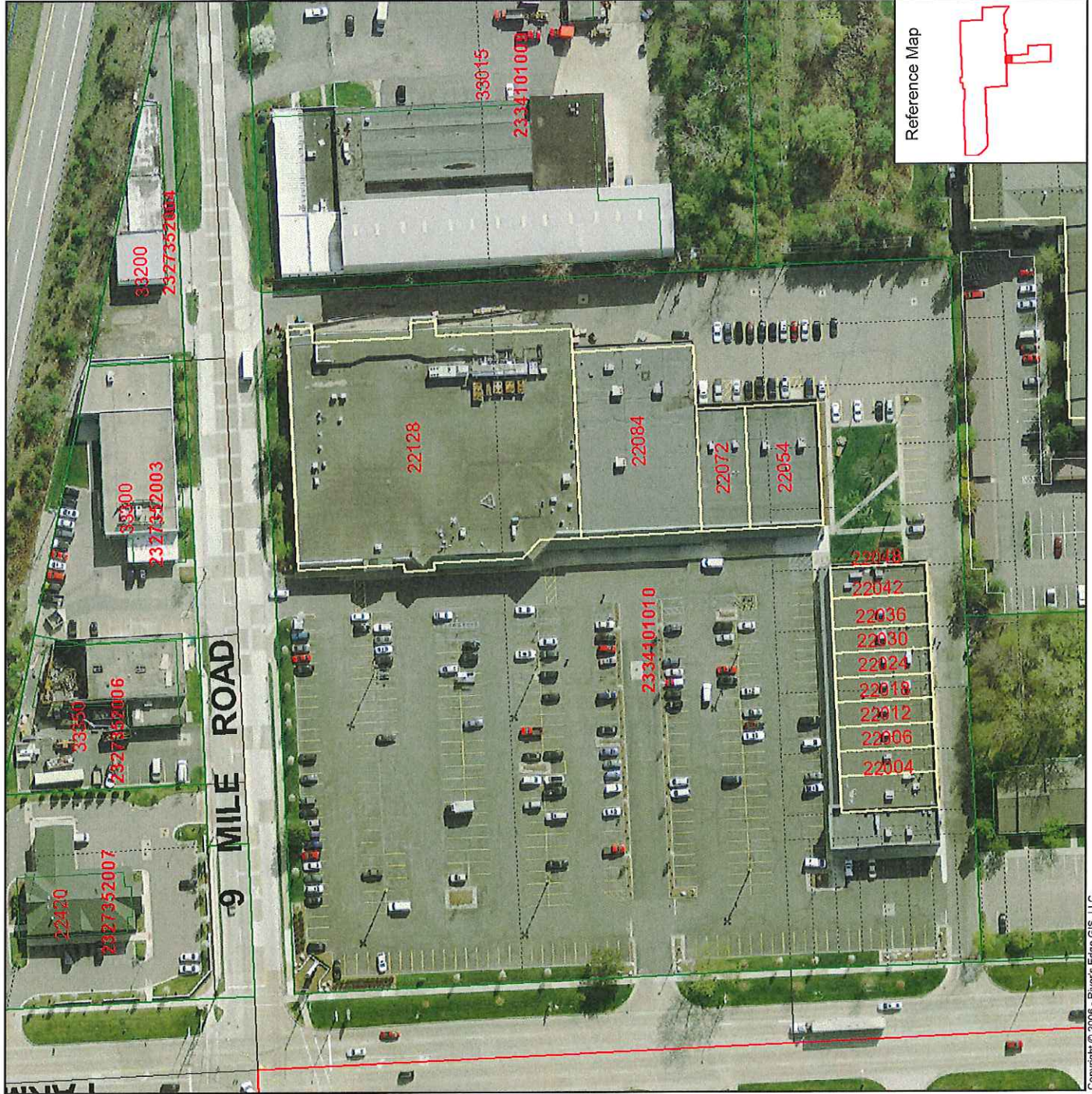
- MAP LEGEND:**
- CITY BOUNDARY
 - / RIVERS-STREAMS
 - MULTITENANTBUILDING (Type)
 - BUILT
 - PROPOSED
 - COMM_INDUST BLDGS
 - RAPHAEL STREET(POLY)2
 - RAPHAEL STREET(POLY)1
 - PARCELS
 - ROADS OUTSIDE FARMINGTON
 - RIGHTOFWAY
 - MULTITENANTPAYING
 - ROW/ EXTEND
 - LOT HISTORY
 - OPEN WATER (FEATURETYPE)
 - DetentionPond
 - StreamRiver
 - LakePond
 - Channel
 - SwampMarsh
 - 2010.AERIAL_PHOTOS (Image)



Map Scale: 1 inch = 122 feet
 Map Date: 4/10/2015
 Data Date: April 10, 2015

Sources: City of Farmington, Oakland County GIS
 Utility, River's Edge GIS, LLC.

Disclaimer:
 Note: The information provided by this program has been compiled from various sources, including aerial photos, maps, and other public records and data. It is not a substitute for a professional survey or other professional data source. Users of this data are hereby notified that the information sources mentioned above should be consulted for verification of the information. Once again, USE AT YOUR OWN RISK !!!



STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF FARMINGTON
ORDINANCE NO. C-775-2014

AN ORDINANCE TO AMEND CHAPTER 35, "ZONING," OF THE CITY OF FARMINGTON CITY CODE, ARTICLE 7, "COMMERCIAL DISTRICTS," SECTION 35-102 "TABLE OF USES, SPECIAL PROVISIONS," IN ORDER TO REVISE THE PROVISIONS RELATING TO OUTDOOR DISPLAYS.

THE CITY OF FARMINGTON ORDAINS:

Section 1 of Ordinance

Chapter 35, Zoning, of the Farmington City Code, Article 7, Commercial Districts, Section 35-102, Table of Uses, Special Provisions, is hereby amended as follows:

[TABLE UNCHANGED]

- (a) All retail businesses shall be conducted within a completely enclosed building; provided, however, that a site plan may be approved by the planning commission for accessory outdoor display, sales, or storage, including garden centers and nurseries, subject to ARTICLE 13, SITE PLAN APPROVAL and the following requirements:
1. Outdoor display, sales, or storage may be considered for the following businesses:
 - a. Businesses located within a Shopping Center as defined in this ordinance.
 - b. Businesses located within a building that exceeds 10,000 square feet in size.
 - c. Businesses located within the Central Business District (CBD).
 - d. Service stations located within a "C" Commercial District.
 2. Items sold shall:
 - a. Relate and be accessory to the permanent business conducted within the building in which the business is located, such as the sale of flowers at a home improvement store, or sale of ice melt at automobile service

- stations, and shall be owned and operated by the same merchant operating within the building.
- b. Not include items that are customarily sold inside the building. For example, furniture stores may not place furniture outside for sale.
 - c. Be located on a durable and dustless surface and shall be graded and drained to dispose of all surface water.
 - d. Be arranged and constructed so as not to pose a hazard to pedestrians and to minimize risk of fire hazard.
3. Outdoor storage, sales, or display is allowed outside of the required yards and is confined to areas shown on an approved site plan. The planning commission may require that areas where outdoor display, sales, or storage are permitted be clearly marked with pavement markings or other means for purposes of enforcement and ensure maintenance of fire lanes.
 4. Outdoor vending machines and drop boxes or donation bins shall be prohibited. This provision shall not apply to ice machines and newspaper stands.
 5. Display or storage areas shall be limited to 10% of the gross floor area of the principal building, or that portion of the building occupied by the business.
 6. Display or storage areas shall also maintain adequate clear area for safe pedestrian circulation along the sidewalk in front of the building, which shall be no less than 3 feet wide in C-2 and C-3; provided, however, that the width of the clear area shall in all events meet all applicable state and federal regulations and building codes, including all barrier-free and ADA requirements.
 7. Displays or sales shall be prohibited on municipally-owned sidewalks, public land, or public right-of-way except as may be allowed by the City Council for special events.
 8. Outdoor storage of propane tanks is permitted for service station, hardware store, and convenience store uses, except in the CBD District, provided that:
 - a. The tanks shall not be larger than the standard 20-pound tank size.
 - b. The tanks are stored in a locked storage container.
 - c. The container does not exceed 50 cubic feet and 6 feet in height.
 - d. The container complies with all applicable fire and safety codes.
 - e. At least 3 feet of clearance for pedestrian traffic is provided.

- f. Advertising shall be limited to 1 square foot.
9. All loading and truck maneuvering shall be accommodated on-site or on a dedicated easement.
10. Fencing and lighting for security and aesthetic purposes may be required as determined by the planning commission. Fences shall comply with All lighting shall be shielded from adjacent residential areas in accordance with *Section 35-48, Exterior Lighting*.
11. Uncovered items may be displayed or stored outside between April 15th and October 31st. The Building Official may extend this time as weather permits. All structures associated with temporary outdoor display shall be temporary and removed at the end of the season for storage indoors.
12. Outdoor display, sales, and storage may be permitted as part of an approved site plan, under the following terms:
 - a. The permit shall be valid for one calendar year.
 - b. Following the initial Planning Commission site plan approval, the permit may be renewed annually by the building official, subject to the plan originally approved by the Planning Commission. If the building official finds any violations of this ordinance or the conditions of the planning commission's original approval, no renewal shall be issued, and any new outdoor display shall require a new permit from the Planning Commission.
 - c. Approved outdoor display, sales and storage areas may continue until such time as the property ownership changes or a revised site plan is approved. Approval shall not be transferrable to new owners or users. Changes of ownership or use shall be required to return to the Planning Commission for a renewal of their privileges, to ensure they are aware of the limitations that exist.
13. The Planning Commission may allow outdoor display, sales, and storage for businesses that do not meet the criteria listed in sub-section 1, provided all other provisions of this Section (a) are met and the applicant establishes that compliance with the strict requirements of sub-section 1 would unreasonably prevent the use of the property for a permitted purpose; that the proposed display, sales, and/or storage would not adversely affect adjacent or nearby properties and would not adversely affect the public health, welfare, and safety.

Section 2 of Ordinance **Severability**

Should any section, subsection, paragraph, sentence, clause, or word of this ordinance be held invalid for any reason, such decisions shall not affect the validity of the remaining portions of the ordinance.

Section 3 of Ordinance **Savings**

This amendatory ordinance shall not affect violations of the zoning ordinance or any other ordinance existing prior to the effective date of this ordinance and such violation shall be governed and shall continue to be separately punishable to the full extent of the law under the provisions of such ordinance at the time the violation was committed.

Section 4 of Ordinance **Effective Date: Publication.** Public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within twenty (20) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Farmington stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:30 A.M. to 4:30 P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

Ayes: Cowley, Galvin, McShane, Schneemann, Scott.
 Nays: None.
 Abstentions: None.
 Absent: None.
 ORDINANCE DECLARED ADOPTED.

William E. Galvin, Mayor

Susan K. Halberstadt, City Clerk

STATE OF MICHIGAN)
) ss.
 COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Farmington, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the Ordinance adopted by the City Council of the City of Farmington at a meeting held on the 17th day of March, 2014, the original of which is on file in my office.

 SUSAN K. HALBERSTADT, City Clerk
 City of Farmington

Adopted: March 17, 2014
 Published: March 23, 2014
 Effective: March 30, 2014

**Farmington City Council
Staff Report**
Council Meeting Date:
April 13, 2015

**Reference
Number
(ID # 1833)**
Submitted by: Kevin Christiansen, Economic Community Development Director

Description: Digital Terrain, 37085 Grand River Avenue

Requested Action:
Background:

This item is a Site Plan Amendment for a Final PUD Site Plan approved by the Planning Commission on 2/9/15 for a PUD Planned Unit Development Plan for the construction of a new 3-story retail/office building at the Grand River-Halsted Plaza (former Kmart Shopping Center site). At the September 8, 2014 Planning Commission Meeting, the Commission held a pre-application conference (discussion and review) with the applicant on a proposed PUD planned unit development concept plan for the redevelopment of Grand River-Halsted Plaza. At the September 22, 2014 Planning Commission meeting, the Commission held the required PUD Public Hearing and recommended approval of the preliminary/conceptual PUD Plan to the City Council. At their October 20, 2014 meeting, the City Council approved the preliminary/conceptual PUD plan and PUD agreement for Grand River-Halsted Plaza. At the February 9, 2015 Planning Commission Meeting, the Commission approved the Final PUD Site Plan for Digital Terrain (see attached copy of meeting minutes).

The applicant, Digital Terrain - Potluri Group, LLC, is proposing to modify some of the approved exterior building façade materials (approved orange colored terra cotta brick to orange/black granite - see attached building elevation). The applicant will be at the April 13, 2015 meeting to present their proposed Site Plan Amendment to the Commission.

Attachments

Agenda Review
Review:
Kevin Christiansen Pending
City Manager Pending
Planning Commission Pending 04/13/2015 7:00 PM

letter of transmittal

To: KEVIN CHRISTIANSEN
CITY OF FARMINGTON

Date: 4/1/15
 Project No: _____
 Regarding: GD RIVER - FREEDOM RD
OFFICE / RETAIL BLDG.

We are sending you:

Copies	Date	Description
15		REVISED COLOR PERSPECTIVES
1		CD OF " "
1		GRANITE SAMPLE (PREVIOUSLY DELIVERED)

These are transmitted as checked below:

- For Approval
 For your use
 As requested
 For review and comment

Comments:

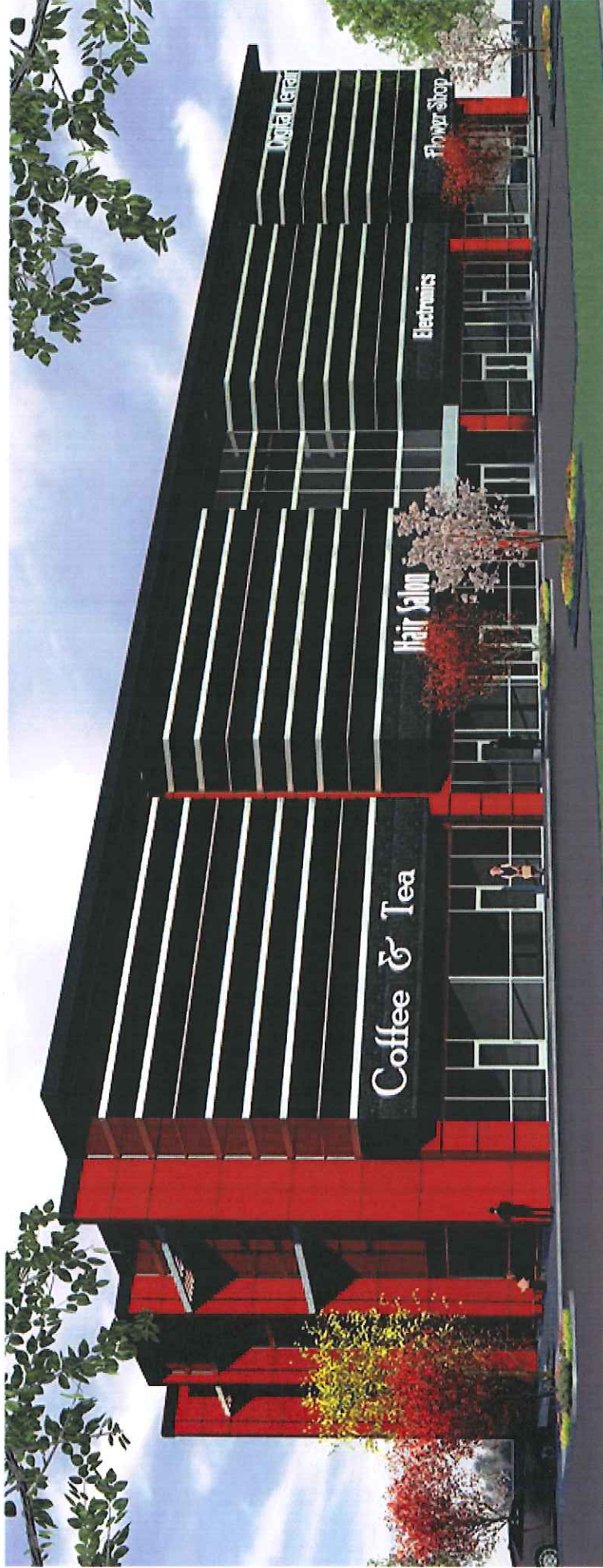
PERSPECTIVE SHOWS GRANITE TO REPLACE TERRA COTTA MATERIAL.

Signed: Lenny Zimmerman
 Copy to: _____





Site Perspective

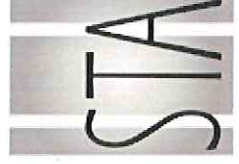


Perspective looking southwest

project name:
Retail/Office
Building

project location:
Farmington, MI

sheet title:
Perspectives



SIEGAL TUOMALA
ASSOCIATES
ARCHITECTS &
PLANNERS INC.

25600 northwestern Hwy
suite 160
southfield, MI 48034
P • 248 • 362 • 0099
F • 248 • 352 • 0385

City of Farmington Planning Commission
 Minutes of February 9, 2015
 Page 4



FINAL SITE PLAN REVIEW – PUD PLANNED UNIT DEVELOPMENT: POTLURI GROUP, LLC

Chairperson Bowman introduced this agenda item and turned it over to staff.

Christiansen stated this is the final site plan review for the construction of a three-story mixed use office building at the Grand River/Halstead Plaza. He went over the history of the agenda item starting with the land division into four different sites, with the Potluri Group obtaining this site, and its progress through the preapplication conference, Public Hearing, City Council approval and now back before the Planning Commission for final site plan review.

Brad Strader from LSL Planning went over his report of February 3, 2015. He detailed the changes he would suggest, addressing an additional waste receptacle that may be needed if a restaurant comes onto the site, making the crosswalks wider to assure they are free and clear, discussion of the sidewalk on Freedom Road, welcoming signage, and a possible access easement with gas station for the future.

Gronbach questioned the cross access with the former Shell station and the grade difference and how it could be achieved. He then addressed whether there was a need for a sidewalk on Freedom Road.

Christiansen stated that sidewalks were part of the overall connectivity plan but that a performance bond could be put in place if needed in the future and further discussion was held.

Chiara inquired about the former Shell Gas Station site. Koncsol responded that he has been in contact with the new owner who wants to repurpose the site, possibly as a gas station, and stated that there are deficiencies on the site that have to be addressed.

Christiansen indicated the final site plan review letter from OHM dated February 4, 2015 provides detailed engineering review and comments.

Bowman invited the Applicants to come forward.

Lonnie Zimmerman, from Siegel Toumaala, 29200 Northwestern, architect for the project, came forward with Danesh Potluri of the Potluri Group, owner of the parcel.

Zimmerman presented the materials that are being proposed for the building including the same dark grey glass that appears on the Lotus Building across Grand River, natural stone with terra cotta panels and granite panels, stainless steel, with a black cap across the top to serve as a screen for the mechanicals.

He indicated Mr. Potluri's company, Digital Terrain, will take the top floor of the building, there will be leased office space on the second floor, and retail on the ground level. He

City of Farmington Planning Commission
Minutes of February 9, 2015
Page 5

went over the details of the building itself which includes an interior corridor to help facilitate loading and unloading conspicuously. Further discussion was held.

The floor was opened for questions from the Commissioners.

Chiara inquired as to connectivity to the gas station site and the possibility of an easement was discussed.

Gronbach asked if the administration had reviewed the building from a height perspective in terms of being within reach of fire safety equipment and Christiansen responded that the building was reviewed with the Fire Marshall as well as Building Officials to make sure there were no issues.

Danesh Potluri gave the Commissioners a brief history of his arrival in Michigan and his company.

MOTION by Chiara, supported by Crutcher, to approve the final site plan review for the three story retail office building in the Grand River/Halstead Plaza, to include the conditions outlined in the review letter of February 3, 2015 from LSL Planning as well as those stated in the review letter from OHM dated February 4, 2015.
Motion carried, all ayes.

Christiansen thanked everyone for working together on the project and the Potluri Group for their interest in the City of Farmington.

Bowman thanked the Applicants as well.

FINAL SITE PLAN REVIEW – PUD PLANNED UNIT DEVELOPMENT: RIVERWALK OF FARMINGTON

Chairperson Bowman introduced this agenda item and went over the history of the project culminating in the final site plan review.

Christiansen detailed the Riverwalk of Farmington project that will be put in at the former Flanders site. He stated that the City Council had approved it at their November 17, 2014 meeting and it was now before the Planning Commission for their review. He indicated the materials provided to the Commission including a review letter from LSL Planning, dated February 3, 2015, and a review letter from OHM dated February 4, 2015, outlining their recommendations.

Caitlyn Malloy-Marcon, from LSL Planning, went over the review letter for the Commission. She stated there will be 33 planned units as well as a park put on the site. She indicated the Applicants have complied with the request for sidewalks to be put in and the requested number of trees. She stated the City will own the park and be responsible for the maintenance of it.

**Farmington City Council
Staff Report**
Council Meeting Date:
April 13, 2015

**Reference
Number
(ID # 1834)**
Submitted by: Kevin Christiansen, Economic Community Development Director

Description: Sushi Mi, 32758 Grand River Avenue

Requested Action:
Background:

The owner of Sushi Mi, Eun Jin Lee, has submitted a Site Plan Application for proposed outdoor seating for her existing restaurant located in the CBD Central Business District. Outdoor Seating in the CBD requires review and approval by the Downtown Development Authority (DDA) and the Planning Commission. No changes regarding building dimensions or other site improvements are proposed.

The applicant/petitioner has submitted a layout of the proposed outdoor seating area and pictures of the outdoor seating. She intends to review these with the Planning Commission at the April 13th, 2015 meeting.

Attachments

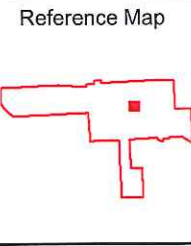
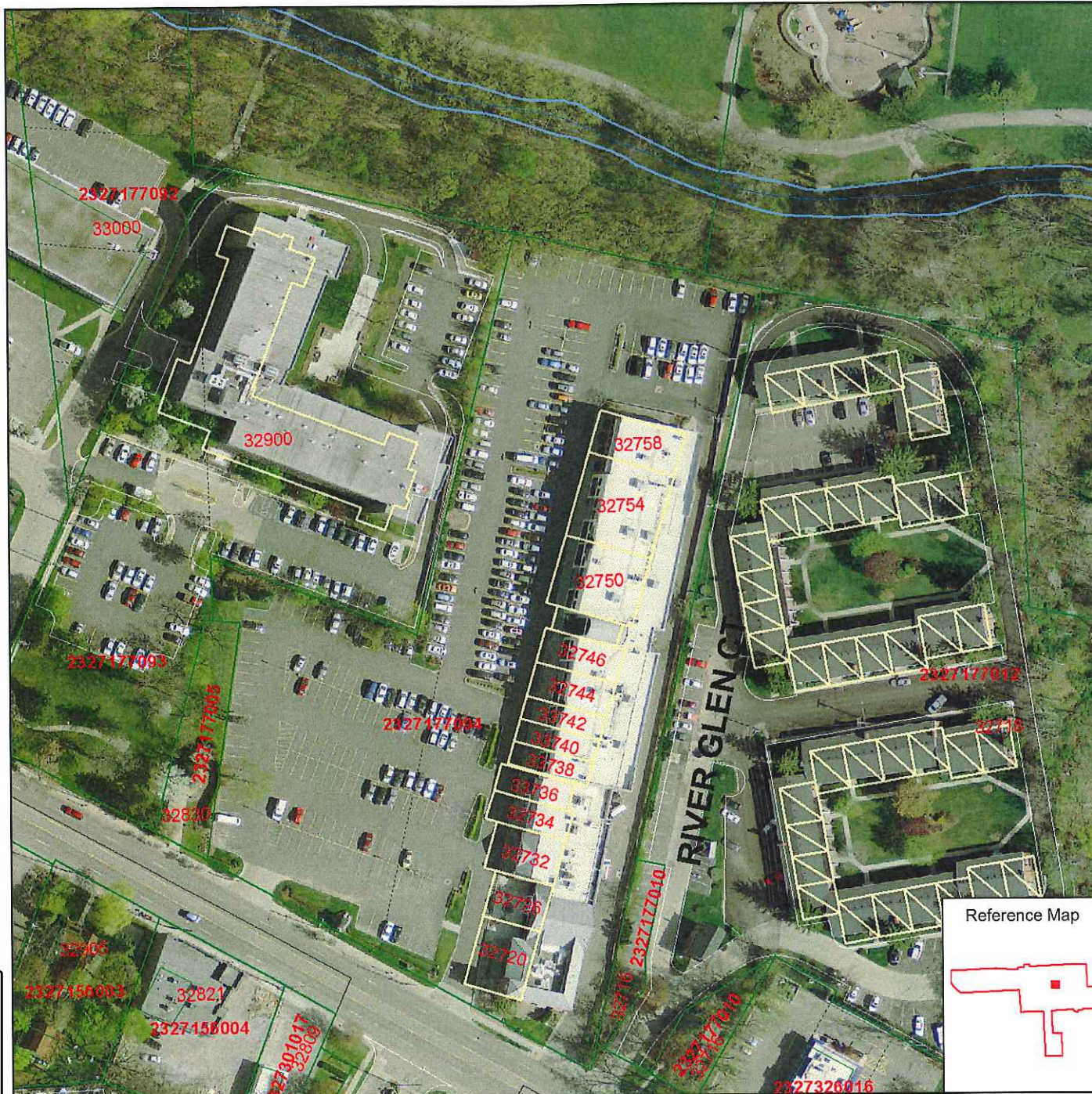
Agenda Review
Review:
Kevin Christiansen Pending
City Manager Pending
Planning Commission Pending 04/13/2015 7:00 PM



City of Farmington CivicSight Map

MAP LEGEND:

- CITY BOUNDARY
- / RIVERS-STREAMS
- MULTITENANTBUILDING (Type)
- BUILT
- PROPOSED
- COMM_INDUSTRY BLDGS
- RAPHAEL STREET (POLY)2
- RAPHAEL STREET (POLY)
- PARCELS
- ROADS OUTSIDE FARMINGTON
- RIGHTOFWAY
- MULTITENANTPAVING
- ROW EXTEND
- / LOT HISTORY
- OPEN WATER (FEATURETYP)
- DetentionPond
- StreamRiver
- LakePond
- Channel
- SwampMarsh
- 2010 AERIAL PHOTOS (Image)



Map Scale: 1 inch = 127 feet
 Map Date: 4/10/2015
 Data Date: April 10, 2015



Sources: City of Farmington, Oakland County GIS
 Utility, River's Edge GIS, LLC.

Disclaimer:
 Note: The information provided by this program has been compiled from recorded deeds, plats, taxmaps, surveys, and other public records and data. It is not a legally recorded map or survey and is not intended to be used as one. Users of this data are hereby notified that the information sources mentioned above should be consulted for verification of the information. Once again, USE AT YOUR OWN RISK !!!



CITY OF FARMINGTON

For office use only

Date Filed: _____

Fee Paid: _____

Site Plan Application

1. Project Name Sushi MI

2. Location of Property

Address 32758 Grand River Ave.

Cross Streets Grand River Ave

Tax ID Number 20-3567013

3. Identification

Applicant Eun Jin Lee

Address 32758 Grand River Ave.

City/State/Zip Farmington MI 48336

Phone (248) 478-2889 Fax (248) 478-4350

Interest in the Property (e.g. fee simple, land option, etc.)

9 Property Owner 9 Other (Specify) _____

Property Owner Eun Jin Lee

Address _____

City/State/Zip Same

Phone (616) 667-9009 Fax Same

Preparer of Site Plan Eun Jin Lee

Address _____

City/State/Zip Same

Phone _____ Fax _____

4. Property Information

Total Acres _____

Lot Width _____ Lot Depth _____

Zoning District _____

Zoning District of Adjacent Properties to the

North _____ South _____ East _____ West _____

5. Use

Current Use of Property Restaurant.

Proposed Use

- G Residential Number of Units _____
- G Office Gross Floor Area _____
- G Commercial Gross Floor Area _____
- G Industrial Gross Floor Area _____
- G Institutional Gross Floor Area _____
- G Other _____ Gross Floor Area _____

Proposed Number of Employees _____

A copy of the complete legal description of the property and proof of property ownership should accompany this application.

I, Eun Jin Lee (applicant), do hereby swear that the above statements are true.

[Signature] 4/8/15
Signature of Applicant Date

[Signature] 4/8/15
Signature of Property Owner Date

I, Eun Jin Lee (property owner), hereby give permission for City of Farmington officials, staff, and consultants to go on the property for which the above referenced site plan is proposed for purposes of verifying information provided on the submitted application.

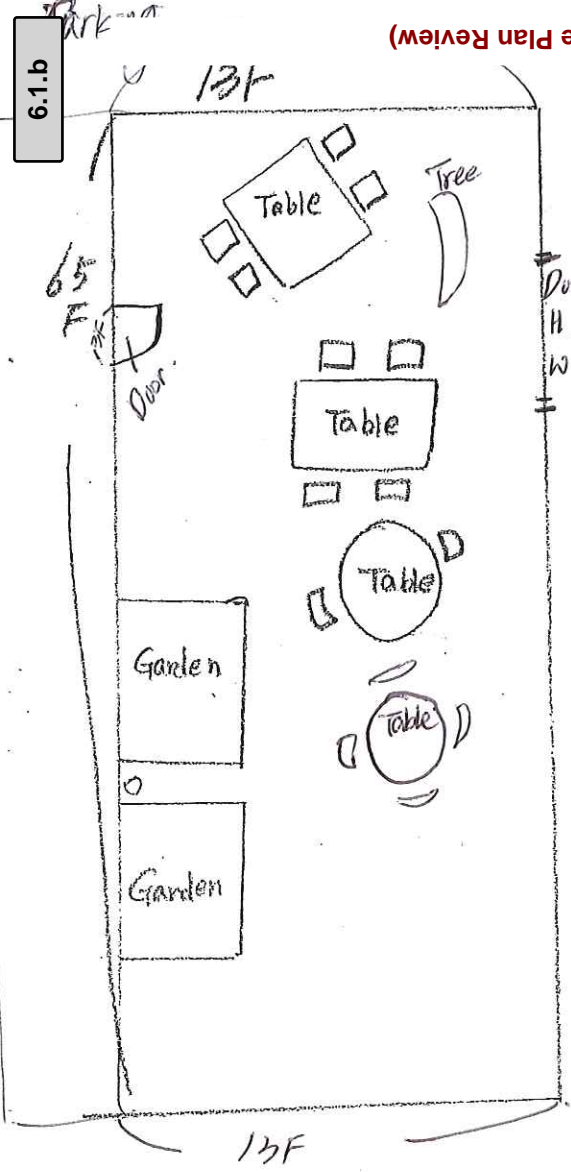
City Action

Approved/Denied: _____

Date: _____

By: _____

Conditions of Approval: _____



SUSHI MI (Korea House)

patio plan.

Our patio is not open
 right now But we will
 open it later.

SUSHI MI (Korea House)
 32758 Grand River Ave
 Farmington MI 48336
 Tel 248 478. 2889

Eun Jin Lee
 cell) 616-667-7009



**Farmington City Council
Staff Report**
Council Meeting Date:
April 13, 2015

**Reference
Number
(ID # 1839)**
Submitted by: Kevin Christiansen, Economic Community Development Director

Description: Outdoor Seating Modification and Clarification

Requested Action:
Background:

This discussion item is a review of existing zoning standards as they pertain to outdoor seating for commercial businesses throughout the City. The City Administration and City Consultants have recently met to discuss this item and are moving it forward to the Planning Commission for their discussion and review.

The following additional information is attached:

- A memorandum from LSL Planning dated 2/13/15.

Caitlin Malloy-Marcon with LSL will be at the April 13, 2015 meeting to review this item with the Planning Commission.

Attachment

Agenda Review
Review:
Kevin Christiansen Pending
City Manager Pending
Planning Commission Pending 04/13/2015 7:00 PM



February 13, 2015

MEMORANDUM

To: Kevin Christensen, Community and Economic Development Director
City of Farmington
23600 Liberty
Farmington, Michigan 48335

From: LSL Planning
Re: Outdoor Seating Modification and Clarification

At a recent meeting with the Community and Economic Development Director the topic of outdoor seating was discussed addressing the following:

1. State mandated enclosures- The current ordinance requires a full enclosure around outdoor seating areas that serve alcohol. The City expressed interest in researching what the Michigan Department of Licensing and Regulatory Affairs mandates in terms of enclosure to see if more relaxed enclosures are an option.
2. ADA requirements- The City has concerns about the sloping on some City sidewalks where new establishments may wish to have outdoor seating and wishes to explore options making accessible outdoor seating more widely available
3. Right-of-way restrictions- In order to help accomplish making outdoor seating available to a broader spectrum of business locations, MDOT right-of-way restrictions needed to be investigated.

The direction at that meeting was for LSL Planning to review the current zoning ordinance requirements and suggesting amendments that would:

Based on the findings from our research the following changes are suggested:

(b) Accessory outdoor seating areas may be permitted by annual license when accessory to a permitted or special land use in the district subject to the following:

1. Whether the seating area is proposed as part of a site plan application or an existing business, it shall require site plan review and approval by the planning commission in accordance with Article 13 Site Plan Review. Insurance in a form and amount deemed acceptable by the City Attorney's office shall be provided with the application. Once initial approval has been granted by the planning commission, an annual license shall be issued by the building official. The license may be renewed annually by the building official, provided that it complies with the original planning commission approval and the requirements of this section. The building official may, at any time, refer an outdoor seating permit to the planning commission for renewal if the Building Official feels additional review is necessary.
2. Outdoor seating shall be permitted between April 15th and October 31st, with all furniture and fixtures removed after October 31st. All tables, chairs, railings and related fixtures shall be removed when not in use. If weather permits, the Building Official may extend this time for outdoor seating on privately owned property only.

3. Outdoor seating shall not be the primary seating of the restaurant, except for carry-out restaurants when approved by the planning commission. City of Farmington Zoning Ordinance 7-7 7Commercial Districts
4. Outdoor seating areas shall be located in a manner to maintain a minimum pathway width of 5 feet (clear of structures such as light poles, trees and hydrants) along the sidewalk so as not to interfere with pedestrian traffic. Outdoor dining areas may be organized curbside or building front as long as it achieves relative walking path alignment with neighboring properties.
5. Chairs and tables shall be of quality durable material such as metal or wood.
6. Outdoor seating areas shall be maintained in a clean and sanitary condition. Waste receptacles shall be provided in instances where wait staff does not clear all tables.
7. ~~Outdoor seating areas shall be enclosed in instances where there is alcohol service. Enclosures shall consist of metal railing, wood railing, brick walls or other suitable material approved by the planning commission and the building official.~~ Outdoor service areas shall be well-defined and clearly marked and the on-premises licensee shall not sell, or allow the consumption of, alcoholic liquor outdoors, except in the defined area. Outdoor seating areas shall be delineated by outlining the periphery in some manner as to distinguish the public walkway from dining area. This may be accomplished by the use of planters, railings, or walls reviewed and approved by the Planning Commission.
8. For outdoor seating areas located within the public-right-of-way, approval by the corresponding jurisdiction (i.e. Farmington DPW, MDOT, or Road Commission for Oakland County) is required. Proof of Insurance naming the City as an additional insured, in a form and amount deemed acceptable by the City Attorney's office, shall be required. A license agreement in a form deemed acceptable to the City Attorney's office shall also be required.
9. Should there not be adequate environment or space to allow for outdoor dining on the sidewalk adjacent to the site, an elevated, ADA compliant, platform may be erected on the street adjacent to the restaurant to create an outdoor dining area if the City Engineer determines there is sufficient space available for this purpose given parking and traffic conditions.
10. Additional outdoor lighting and/ or amplification is prohibited without approval of the City.
11. Applicants may be asked to demonstrate that additional parking demand can be met before approval.
12. The City retains the right to revoke outdoor seating permits if all sections of this ordinance have not been met.

**Farmington City Council
Staff Report**
Council Meeting Date:
April 13, 2015

**Reference
Number
(ID # 1840)**
Submitted by: Kevin Christiansen, Economic Community Development Director

Description: Zoning Ordinance Text Amendment: Single Family Residential Zoning Standards

Requested Action:

Schedule Public Hearing - Zoning Ordinance Text Amendment: Single Family Residential Zoning Standards

Background:

This item is a request to Schedule a Public Hearing for a proposed Zoning Ordinance Text Amendment regarding Single Family Residential Zoning Standards. At the March 9, 2015 Planning Commission meeting, the Commission discussed and reviewed the City's existing single family residential zoning standards as they pertain to building setbacks, building height and lot coverage (see attached copy of unapproved meeting minutes and memorandum from LSL Planning dated 3/6/15). A draft Zoning Ordinance Text Amendment regarding Single Family Residential Zoning Standards is currently being prepared.

Attachments

Agenda Review
Review:

Kevin Christiansen	Pending	
City Manager	Pending	
Planning Commission	Pending	04/13/2015 7:00 PM



March 6, 2015

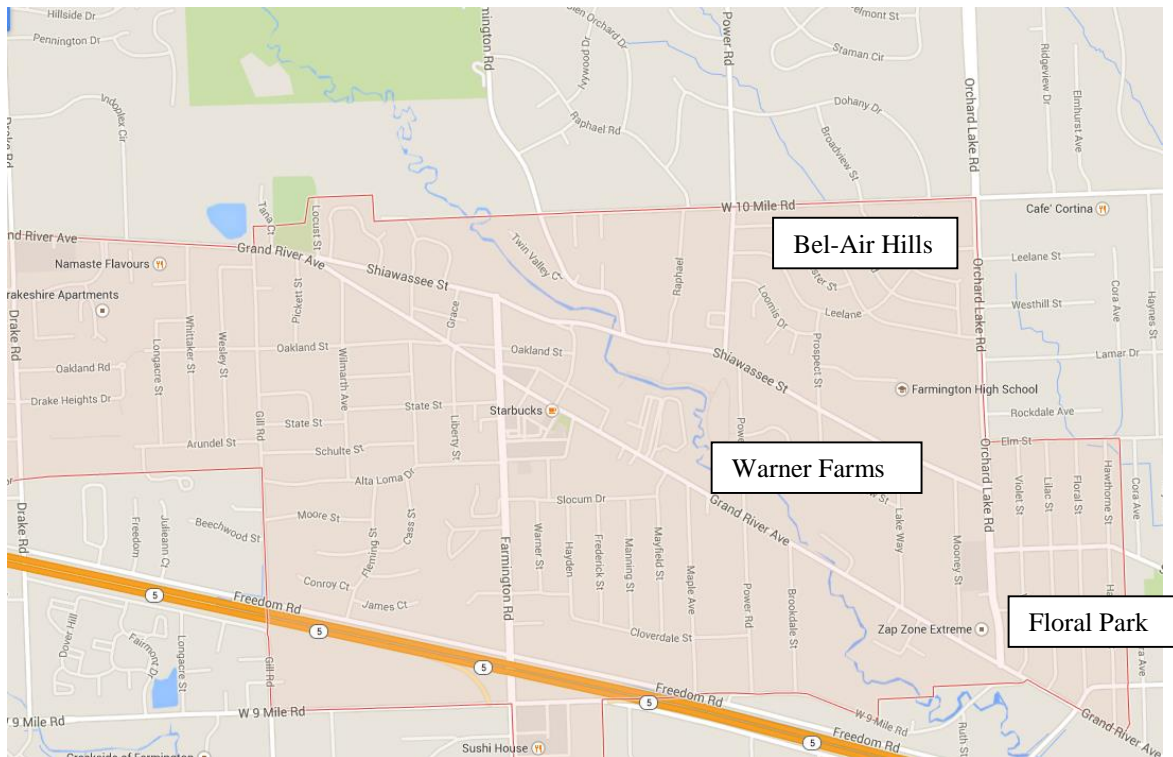
MEMORANDUM

To: Kevin Christensen, Community and Economic Development Director
City of Farmington
23600 Liberty
Farmington, Michigan 48335

From: LSL Planning
Re: Front Yard Setbacks

At a joint meeting of the City Council and Planning Commission we discussed how single family zoning regulations could be revised to allow larger homes on single family lots. The direction at that meeting was for LSL Planning to draft zoning ordinance amendments that could:

1. Reduce the front setback (this would change the maximum lot coverage)
2. Reduce the rear yard setback
3. Allow greater height
4. Include a process for Site plan Review by the Planning Commission for single family homes
5. Identify the districts/ neighborhoods where this would be appropriate (some felt all neighborhoods). The neighborhoods of concern are labeled on the map below:



REVIEW OF EXISTING REQUIREMENTS

Setbacks:

Residential Buildings					
	R1	R1A	R1B	R1C	R1D (a)
Minimum Lot Area (square feet)	8,500	10,050	12,500	15,000	18,000
Minimum Lot Width (feet)	70	85	100	100	100
Minimum Front Yard Setback (feet) (b)	25	25	25	40	40
Minimum Side Yard Setback - least one (feet)	6	6	6	10	10
Minimum Side Yard Setback - total (feet) (c)	16	16	16	20	20
Minimum Rear Yard Setback (feet)	30	50	50	50	35
Maximum Height of Building					
- In feet	30	30	30	30	30
- In stories	2	2	2	2	2
Maximum Lot Coverage (buildings)	30%	25%	25%	25%	35%

Front Yard Setback Averaging. Where there is an established front yard setback different from that of [section 35-73](#), lot and yard requirements, the following shall apply: The front yard setback of any new or expanded single-family dwelling unit shall be no less than ninety (90) percent and no more than one hundred thirty-five (135) percent of the average established front setback of other single-family dwelling units within three hundred (300) feet, on the same side of the street, of the subject lot. In no case shall the front yard setback be less than fifteen (15) feet. The building official may exclude dwelling units used in determining the average front yard that deviate from the average by more than twenty-five (25) feet.

Planning Commission Approvals:

Required for Residential Construction- Expansion of an existing single or two-family dwelling that will result in a floor area that is more than 200% of the average of surrounding homes within 300 feet.

Standards for Review:

Applications shall be review based on the following standards:

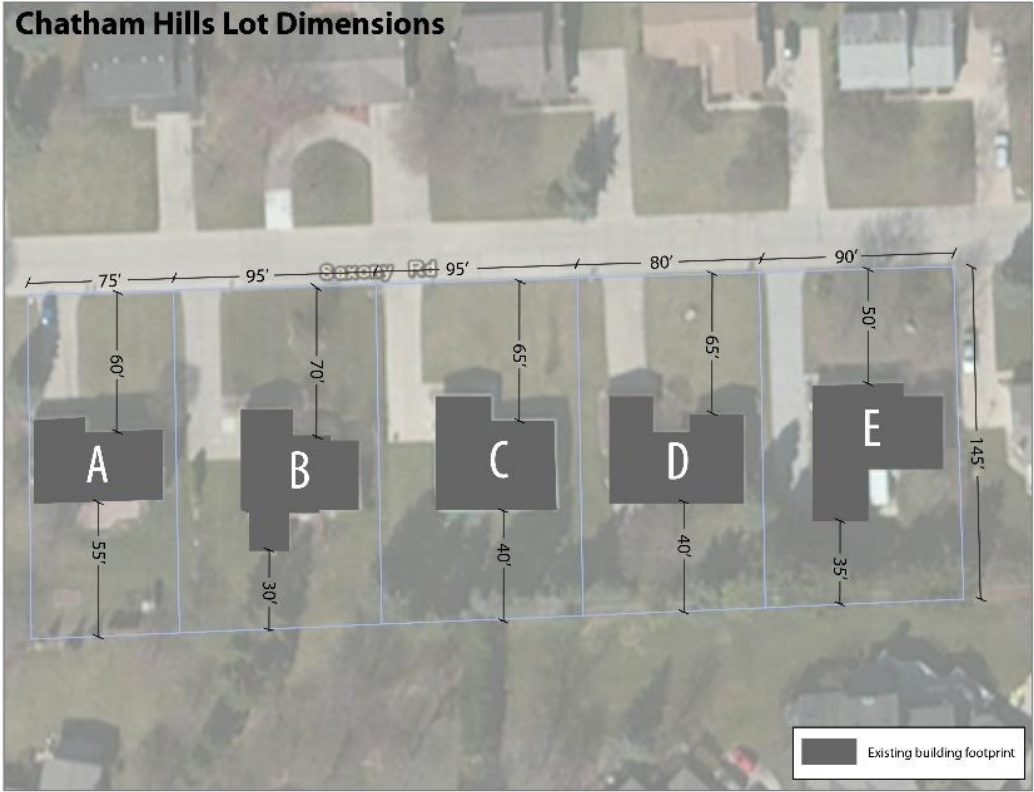
- a. The building massing, height, and orientation shall not unreasonably impact adjacent property privacy, views, access to light, or the continuity of open yard spaces within the neighborhood.
- b. The proposed building’s appearance shall be compatible with the general character of the neighborhood in terms of architectural styles, details, building materials, roof pitch, building massing, height, and garage orientation.
- c. The proposed building shall be in accordance with the area and bulk regulations of the district in which it is situation. If an addition is proposed to a nonconforming dwelling, the proposed expansion shall not increase the degree of nonconformity with regard to setback, lot coverage, or building height requirements. If variances are necessary, they shall be approved by the zoning board of appeals and shall be limited to the minimum necessary to provide reasonable development of the property similar to other residential owners in the area.

ANALYSIS

Following the current setback requirements, there are barriers to the City’s objective to allow for home expansion in the front yard, rear yard, or allowing for taller homes. As a case study, below is a neighborhood example where house E would not be allowed to expand due to the Front Yard Setback Averaging regulation. In this case 90

Attachment: LSL - Farmington SF Residential Lot Setbacks Memo 3-6-15 (1840 : Zoning Ordinance Text Amendment)

percent of the average setback for the group of houses is 62 feet, being the minimum setback allowed for new or expanded homes, which is already larger than the current setback for house E, meaning there are no front yard expansion options for this home. House E has a shallow rear yard and a much more substantial front yard. A front yard addition would benefit this house should they seek expansion, but this is currently prohibited.



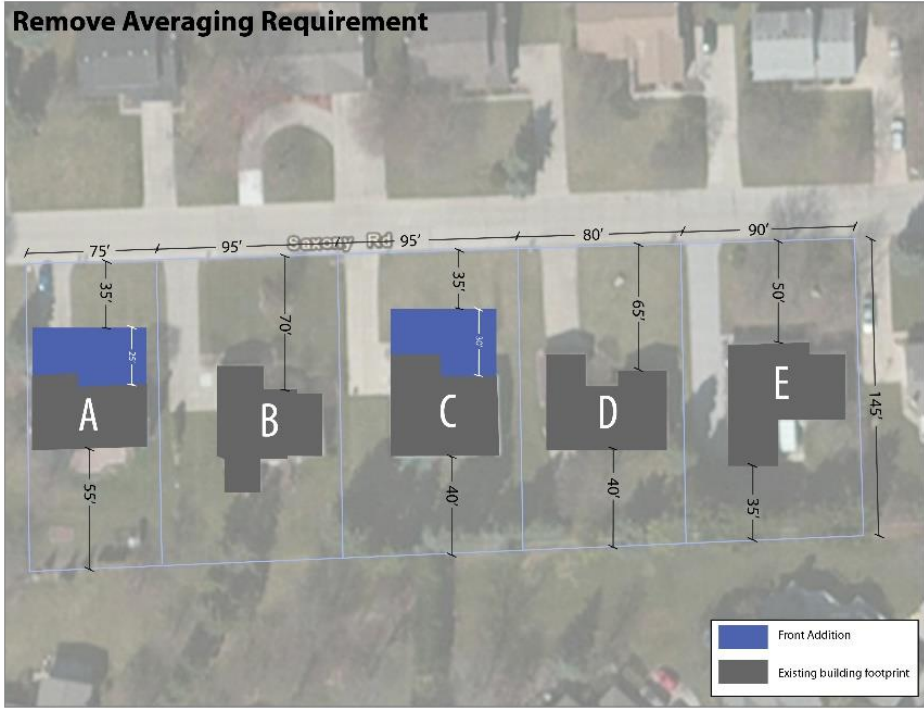
Other houses (B, C, and D) can, under the current ordinance, expand their homes into the front yard, even though most have larger rear yards and more options for expansion.

OPTIONS

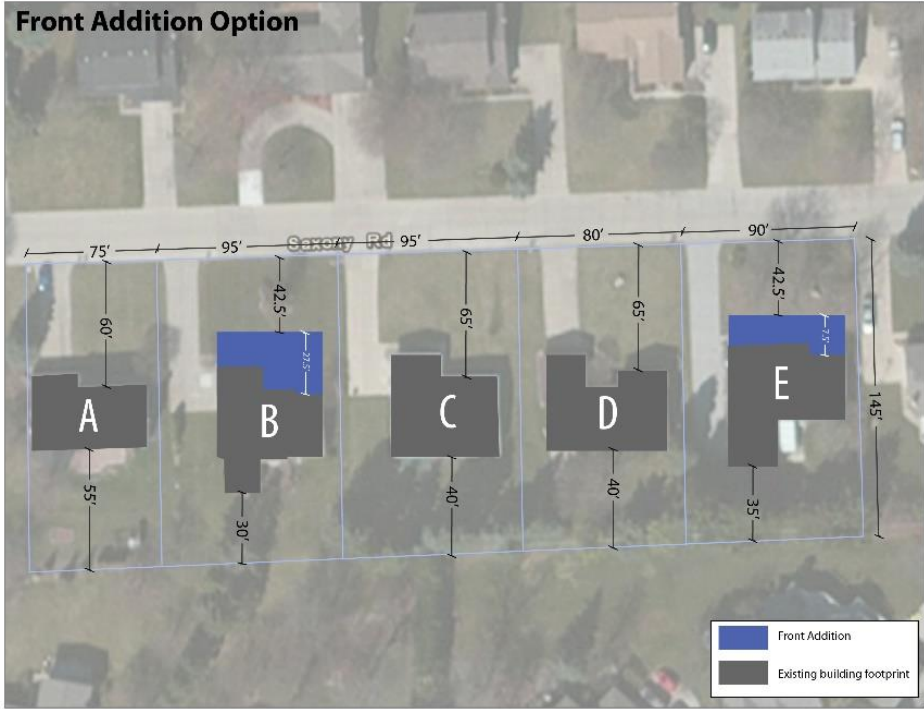
In order to allow for residents to use their front yards, rear yards, or vertical space as expansion area and capitalize on their overall property square footage, the following are possible modifications to the current ordinance:

- 1.) Removing the averaging requirement and just apply the setback minimums. This would allow for substantial front yard additions in some neighborhoods, but does run the risk of allowing for extreme outliers should one home on a block decide to expand to the maximum allowable while others remain as is.

Attachment: LSL - Farmington SF Residential Lot Setbacks Memo 3-6-15 (1840 : Zoning Ordinance Text Amendment)



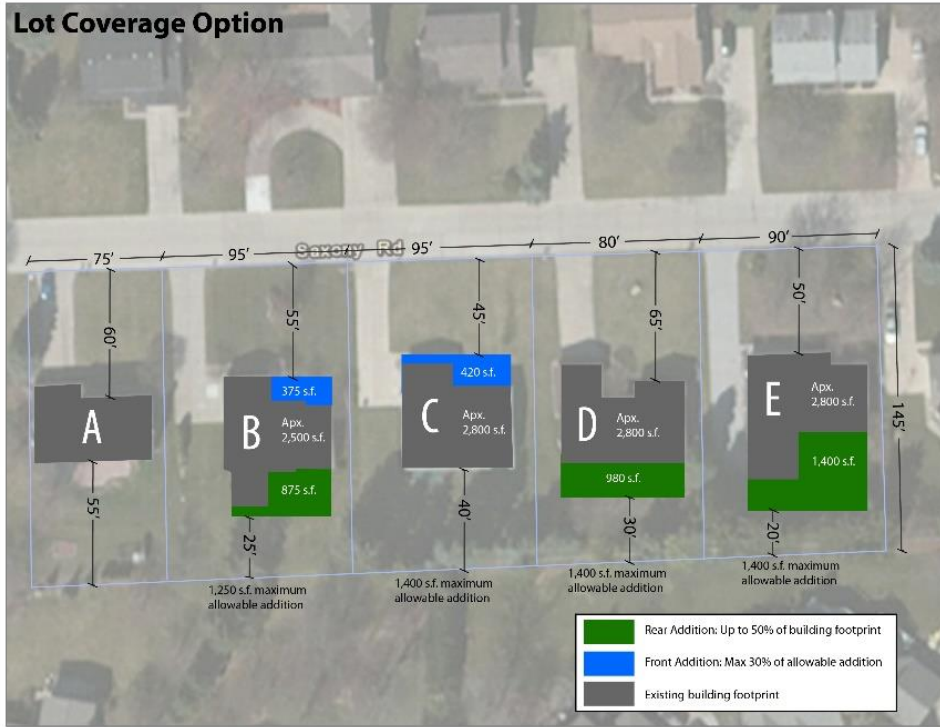
- 2.) Modify the averaging language to allow for any home to expand into the front yard 85% of the shallowest set back within 300 feet of the lot line, while maintaining the minimum setback requirement. This allows for most homes to have the option of a front yard addition while limiting the outliers.



- 3.) Utilizing a total increase lot coverage maximum such as: A total increase of 50% additional lot coverage calculated from the existing footprint can be added with a maximum of 30% of the total expansion being added to the front yard. For example if the existing house footprint is 2000 sq. ft. The house may increase to a total of 3000 sq. ft. (Giving the homeowner 1000 additional sq. ft.). Of the additional 1000 sq. ft., a

Attachment: LSL - Farmington SF Residential Lot Setbacks Memo 3-6-15 (1840 : Zoning Ordinance Text Amendment)

maximum of 300 sq. ft. may be added to the front of the house and the remaining 700 sq. ft. to the rear yard. The front yard does not have to be used.



- 4.) Modify the height restrictions in order to allow for vertical expansion.
- 5.) Modify the design standard language in Article 2, section 35-24. There will need to be more flexible verbiage chosen to allow for expansion. Current language could challenge the desired type of expansion.
- 6.) Add requirement for Site Plan review by Planning Commission for all existing home additions or include parameters by which Planning Commission Review is necessary.
- 7.) Consider allowing for types of expansion by district where deemed compatibly appropriate versus allowing for expansion citywide.

CONCLUSION

Allowing more flexible expansion conditions is one way to promote home expansion to encourage current residents to remain within the City. With the addition and/or modification of ordinance requirements this should be an easy update with positive feedback from residents. We are weary of options that would create issues with outliers, creating homes that are drastically different from those surrounding it. A combination of the above options in a number of the Farmington neighborhoods would allow for expansion while maintaining the neighborhood personality.

Attachment: LSL - Farmington SF Residential Lot Setbacks Memo 3-6-15 (1840 : Zoning Ordinance Text Amendment)

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The Applicant again stated he had citizens from the City of Farmington complaining it is too dark and they don't feel safe walking in the Plaza and wants the Commission to take that into consideration

Bowman stated the Center's plans have been approved and things should start moving along as soon as the weather breaks and that the lighting issue will be addressed.

Christiansen stated he appreciates the Applicant's concerns and will work with him to find alternatives.

Bowman thanked the Applicant and welcomed him to Farmington.



DISCUSSION – REVIEW OF SINGLE FAMILY RESIDENTIAL ZONING STANDARDS

Chairperson Bowman introduced this agenda item and turned it over to staff.

Christiansen stated this item was initially discussed at the August 18th joint meeting of the City Council and Planning Commission held on August 18, 2014.

Caitlyn Malloy-Marcon from LSL Planning was present to go over their memorandum dated 3/6/15 and conduct a Power Point Presentation to discuss their findings with regard to reducing rear and front setbacks and allow for greater building height and include a process for site plan review by the Planning Commission.

Christiansen stated that the intent now in light of the additional discussion and alternatives that LSL identifies and proposes in their memorandum, that a draft zoning ordinance text amendment will be drafted and brought back before the Planning Commission.

PUBLIC COMMENT

None heard.

PLANNING COMMISSION COMMENTS

Chairperson Bowman announced that Annette Knowles, Assistant to the City Manager and Farmington DDA Executive Director, has indicated that the DDA has issued an RFP for development of the vacant parcel of land Orchard Phase II on Farmington Road and Slocum and have received one proposal in response and is looking to a member of the Planning Commission to participate in an ad hoc committee to study same.

Crutcher volunteered to serve on the committee.