

FARMINGTON PLANNING COMMISSION PROCEEDINGS  
23600 Liberty Street  
Farmington, Michigan  
February 14, 2022

Chairperson Majoros called the meeting to order in Council Chambers, 23600 Liberty Street, Farmington, Michigan, at 7:00 p.m. on Monday, February 14, 2021.

**ROLL CALL**

Present: Crutcher, Kmetzo, Majoros, Mantey, Waun, Westendorf  
Absent: Perrot  
A quorum of the Commission was present.

**OTHER OFFICIALS PRESENT:** Director Christiansen; Recording Secretary Murphy; Beth Saarela, City Attorney; Brian Golden, Director of Media Services; Brian Belesky, Audiovisual Specialist.

**APPROVAL OF AGENDA**

MOTION by Crutcher, seconded by Waun, to approve the agenda.  
Motion carried, all ayes.

**APPROVAL OF ITEMS ON CONSENT AGENDA**

**A. January 10, 2022 Minutes**

MOTION by Crutcher, seconded by Waun, to approve the items on Consent Agenda.  
Motion carried, all ayes.

**PUBLIC HEARING FOR SPECIAL LAND USE – PROPOSED SAVVY SLIDERS, 22420 FARMINGTON ROAD**

Chairperson Majoros introduced this item and turned it over to staff.

Director Christiansen replied this item is a public hearing for Special Land Use for the proposed Savvy Sliders, 22420 Farmington Road. You may recall this item was on your January agenda, a public hearing was scheduled and held and you did act on this request and in fact you approved, this request there was some conditions in accordance with the reviews, etc. The reason it is before you again this evening is because there were some adjustments that were needed to the Notice that went out, some additional properties that were kind of on the fringe of being included or not. After referral with the City Attorney, we made a determination at the whole administrative level in light of that it's in the best interest of all involved to make sure that we included those properties to make sure all the I's were dotted and T's were crossed so we are legal in what we're doing . Modifications needed to be made to the Notice and adjustments were made, another Notice was published in the newspaper and submitted to all the property owners within

300 feet of the subject property both in Farmington and Farmington Hills and is back in before you this evening in light of that. The same request, same applicant, same application, same materials. It's what you had considered back in January, so that's before you this evening. Mr. Steven Bacall from Bacall Group, LLC, is present and also on behalf of Stonefield Engineering and Design representing Savvy Sliders, again, and Mr. Bacall is here to answer any questions that you might have.

Chairperson Majoros thanked Christiansen and said I think that we had a good overview of this item last time, I know a couple of Commissioners might not have been here. I guess before the Applicant comes up, I'll just quickly ask, do we need an extensive review or do we feel pretty comfortable with the action we took last time. Any comments or questions? Hearing none, I would invite the Applicant to come up.

Steven Bacall, Bacall Group, a retail development company in West Bloomfield came to the podium. He stated we met before, we've been here before and we're here again and just want to make sure you guys are comfortable with everything. If there's anything that we can do, any question we can answer, I'll be happy to answer them for you. We're looking for approval for the Nine Mile and Farmington corner site, we hope to beautify the building, bring it back to life and we think it would be a great addition.

Commissioner Majoros stated I'm going to open it up for the Commissioners for any questions for the Applicant or comments. Hearing none, I will open the floor for a motion from the Commissioners to open up the public hearing.

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

(Public Hearing opened at 7:05 p.m.)

### **PUBLIC HEARING**

No comments heard.

Motion by Waun, supported by Crutcher, to close the Public Hearing and to approve the Special Land Use for the proposed Savvy Sliders location at 22420 Farmington Road, Farmington, Michigan, with the condition that the comments offered in the letter by OHM Advisors, dated 12-10-2021 are addressed prior to the submission of the approved site plan for permit.

Motion carried, all ayes.

(Public Hearing closed at 7:06 p.m.)

**DETERMINATION OF SIMILAR USE – PROPOSED DASHMART, 22054 FARMINGTON ROAD**

Commissioner Majoros said Item 5 is also an item that we had a bit of discussion on at your previous meeting, this is for determination of similar use for the proposed DashMart business located at 22054 Farmington Road. Quickly, I believe, Kevin and staff, we entertained this proposal, there was some uncertainty perhaps about the language contained within either the C-2 or Industrial parts of our ordinance, and I believe where we last left it, we didn't approve nor deny, we were simply going to stall or move it down the road. I believe at the time we were entertaining perhaps some clarifying or addressing of language perhaps in ordinances that might have taken some time but I believe the Applicant has the right to come back and present his case for a specific determination of similar use; is that a correct summary of where we find ourselves?

Director Christiansen replied that is correct. As you indicated, this is the second review and consideration of the proposed DashMart business use. Again, the property is in the Farmington Crossroads Shopping Center, 22054 Farmington Road. So, it's been before you back in December, you acted on it in terms of tabling for future consideration. A copy of the minutes from that meeting are in your staff packets. The Applicant has submitted not only the application but some support materials, including a new executive summary and presentation and you might have seen that, that's attached to the packet, so that's new information. There is a representative here this evening, Jason Nesler, from Brixmore Properties is here again this evening. The request this evening is for action on the application submitted for DashMart by Door Dash.

Chairperson Majoros called the Applicant to the podium.

Paul Evans, Door Dash, came to the podium. He stated here in Michigan I'm the operations manager currently of five DashMarts here. We currently have locations in Sterling Heights, Ferndale, Ypsilanti, Grand Rapids and Kalamazoo. This is a high level summary of really what a DashMart is. Really what we do is we have grocery and convenience micro centers across the country. So we have products from frozen foods, candy, pharmacy, pet products, fresh meat, produce, really anything you might need in a pinch or that midweek grocery hunt you might go on. We have all those different types of products at the DashMart. Customers can order nonessential household items like I talked about 24/7 through the DashMart app on the Door Dash app. If you take your phone out, if you have Door Dash on your phone, which I hope you do, you go in to the Door Dash app and you can put in Ypsilanti or Ferndale location in there and you'll see DashMart pop up in there and you can see what it's like going to the DashMart app. For each of the Door Dash app, dashers deliver the products, but then also as a customer you have the option to pick up as well, too, so we do provide that for the community to

come in and pick up products as well. As to how does DashMart work, it's kind of like I mentioned, when you go on the app, you'll see DashMart actually pop up as one of these logos you put into that individual storefront, kind of like you're clicking into Meijer's or McDonald's. You can order through each of the various categories, like I mentioned on the bottom are just some examples of what a DashMart looks like. There is roughly twenty to twenty-five freezers, depends on the size of the DashMart, the store, for frozen and refrigerated products and then we use racking for all of our dry products as well. Another feature I do like to always add that I always push for, is your local favorites. we're really big on your local assortment of products, and that is us reaching out to local vendors in Farmington, Sterling Heights, Ferndale, local areas, I'm not sure if everyone is familiar with the Detroit Cookie Company, it's a really good cookie business in Ferndale, and we're bringing their product to DashMart. We're really trying to bring to the community the ability to deliver their products during those various business hours that they're not open and help them reach more customers as well, too. For DashMart's model on the bottom is the proposed layout for this exact location, and we purchase all of our items wholesale from distributors, from grocery to household essentials. The thing I always like to say about DashMart when I pitch it and talk about it because it's a new thing, not everyone is really familiar. Like my first fulfillment convenient center, is somewhere between a Seven Eleven and a CVS like thrown together, they're really similar in that regard, in regard to the layout and in regard to the products that they carry. And each one, like I mentioned, dairy products, fruit, veggies, over the counter and we sell them through the website and the app. The inventory will occupy the main side of the space, but there's also a break out for the office, for each site has a site manager, three shift leaders and roughly twelve to fifteen employees what we would call app associates, so our standard workers will be conducting, receiving, stocking and picking up of the product when an order comes in. Customer orders are delivered by dashers who arrive at the retail center via bike or scooter, I don't really see any bikes or scooters out there in Michigan definitely right now because of the weather but most are generally of course by car. And those are delivered to the customers. We aim to have a dasher at a DashMart center for no more than three minutes. We have a metric that we use which is dash await time, so that metric is actually very accurate and it could honestly be less. A dasher walks in, what they have to do, they have to verify the order on their phone through one of our associates, verify the name is the same exactly on their app, then we hand them the order and they walk out and that's it. So it's really fast, cars aren't parked long in our parking lot, very speedy deliveries and hand-offs. DashMart employs, like I mentioned, fifteen to twenty local employees. We don't employ dashers at that facility, they're the runner for us that picks up the products as well. Per shift there are six to seven employees, traditionally that's more geared towards the morning, definitely with the heavier receiving days when we're receiving, we usually have more employees on hand. Operating hours, we prefer to say we operate between 24/7 in a 21 hour mark depending on the DashMart. We believe that 24/7 is really the reason for us is the 300 orders a day is typically what we anticipate, but something for our business model is really leveraged, so outside the

window of hours that a customer like any of us here, if you want to order something at 10 p.m. or maybe midnight or even 2:00 a.m. and you really need something in a pinch, the DashMart is there to supply your order for you, so you'll always have that support from local DashMart. A lot of our orders traditionally happen between the hours of 4:00 p.m. and 8:00 p.m. and then throughout the rest of the day they're consistent but that's usually the bulk of the orders within that timeframe. But there's a really small percentage that happen between midnight and 6:00 a.m., there's really not too much action that goes on, just more of a consistent basis. What this does for us, it allows us to have more shifts, employ more workers, and job opportunities at each DashMart, too. Everyone really wants a good job and I believe working at DashMart would be really a good model for all of the workers that we do have. As I previously mentioned, I'm jumping ahead a little bit in some of the details, but most retail offices are closed let's say past 9:00 p.m. at night, so customers that need essentials at odd hours can utilize our services that are typically unavailable elsewhere. This actually is an example of our Sterling Heights location, that's the vestibule I mentioned before where a dasher would come in and pick up the order. So they would actually show their phone, open up the window, so each DashMart is actually really secure, too, we pride ourselves on the safety of our associates and the site, too. So, that's just an example of what it looks like, it's closed to the public on the inside. I just kind of want to clarify that because sometimes you think you can walk into the DashMart but you just walk into the vestibule and pick up your order. This is a couple of examples of DashMarts that we do have, Toronto, Las Vegas, Akron, Ohio and downtown Seattle. Some are in strip malls or broken out into old Family Videos across different parts of the country, really trying to find the markets that can supply the most users, it's what we look for. But we get lucky, we got one like Akron, it almost looks like a barn and it's painted red for us already, so that's nice when it works out. So, what DashMart is, DashMart is a virtual store operated on the Door Dash platform with pre-packaged goods, so we don't prepare everything on site, everything is prepackaged from produce, to fresh meat products and everything else that we carry available for delivery and limited pick up and customers do not shop for themselves, like I mentioned earlier it's closed off to the public. Each order needs to be placed on the Door Dash platform, so either your computer or your phone.

What DashMart is not, it's not a restaurant, no food prep or production, not a ghost kitchen, because we only supply pre-packaged goods. It's not a store where customers walk and shop the shelves, the model, it's similar to catalog customers where they have the ability to pick up orders or have them delivered. Like I mentioned, if you guys wanted to come to the DashMart and check it out, you could walk in and pick up your order as well, too. So, thank you, that's what DashMart is. Feel free to stop in to one of our other locations across the state. I'll open up if you have any questions for me, too.

Chairperson Majoros thanked Bacall for the overview. He then opened the floor up for questions from the Commissioners.

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Commissioner Crutcher asked other than you have to be a Door Dash delivery person to go in, it's not going to look any different than the Seven Eleven across the street.

There's a couple things that are there different from Seven Eleven, just from our assortment alone is a little bit different and we're twice the size of a Seven Eleven. Being closed off we kind of have similar product offerings but considering we have fresh meats and produce on hand, you really need bananas at midnight, you're really trying to make something like baked goods, we can deliver those bananas and stuff like that. So, most of it is going to be product offering and some of those local favorites I mentioned, too/

Commissioner Crutcher said so someone is going to pull up in their vehicle at the business, get out of the vehicle, go inside, get a product, get back in the vehicle and leave and Bacall replied yes, the DashMart app is different than the Door Dash app itself, they get notified to pick up from the DashMart, you walk in, you show your phone, that it's an order for Kenneth, and from there you receive the bag that is already prepared for you and you walk out the door.

Crutcher said other than the fact that it a DashMart place, it's not going to look any more like it's doing any other type of business than the Seven Eleven across the street and Bacall replied yes.

Commissioner Westendorf stated I was under the assumption that if I'm walking down the sidewalk and wanted to order something I could walk in the front vestibule and walk in and order and pick up, and I'm not seeing that on this, it looks like all of the traffic is going to the back of the building and the front door for all intents and purposes is just an egress door, is that correct?

Bacall replied yes, I believe we did that to mitigate the street traffic, I believe from the get-go; is that's the door you're referring to?

Westendorf replied yes, it looks like there's a door next to the office that I believe is a door on the front of the plaza, so it looks like all traffic is directed around to the back of the building, right, nobody comes to the front door?

Bacall replied I believe that purpose, and you can correct me if I'm wrong, I believe the purpose behind that was to mitigate traffic through the front, just like to the street and everything else, to get people more in the back, safety of people around the street, and then also have like a one-way entry you kind of walk into instead of having two.

Commissioner Westendorf said pull up the metrics and give us a better sense of roughly how many dashers are coming in and delivering in an hour; you said 4:00 to 8:00 is your

busy order time, so I imagine whatever is your busy delivery time, pick-up time, how many dashers can we expect in an hour?

Bacall replied that's tough to answer because sometimes you can see the same dasher five times in the same hour, but at a launch site if we look at three or four months in, is usually doing anywhere between fifty to one hundred so it takes a while to what we would call sort of mature. So, fifty to one hundred orders a day, if you break it down by the hour, that may be four or five stops maybe like within that. And then it will start and build up over time. And maybe our Sterling Heights or Ferndale facilities you'd be looking more around the ballpark of 15, twenty, something like that. Like I mentioned, it's relatively quick, sort of like an in and out type of scenario.

Commissioner Waun stated the number that is actually noted in here is 300 orders a day and Bacall replied yes, what I mentioned to him just now when we first launch a site, we don't expect day one 300 orders. Typically a mature site would be anticipated 300, so let's say this location, which is we have a launch in October, for that first month of November, we'd probably average that forty to sixty orders a day and then slowly build up to that that 300 mark, so we wanted to be transparent about the anticipated volume for this whole site would be for this location.

Commissioner Waun asked is there a posted speed limit back there? My concern is 300 dashers racing through there to pick-up their orders and racing out, there is an adjacent multi-family property there.

Director Christiansen stated there is no posted speed limit on the shopping center site, it's private property, they do restrict their own circulation. We do have a representative, Mr. Jason Nesler, from the property management company, who might be able to speak to that. But they do have limitations and restrictions because that whole rear area is for service. It was designed with the shopping center, approved as and constructed as service area. So you'll note you have the rear of those buildings, loading area, storage back there and rear access for employees and for deliveries. So., I don't believe it's a posted speed limit but I'm led to believe that the property management company in their lease agreements and their dialogue with their tenants, have an understanding as to what that is. Let me do this for you. What you have here is the aerial photo, and you'll see north, which is the top of the photo, to the left-hand side, my left, which would be the right of the screen, is Farmington Road and you'll see the shopping center, the access points to that rear on the northeast corner and on the southwest corner. What is adjacent is the office use to the south that fronts Farmington Road and then the apartment complex that wraps around and is part of the extension to the east of that property. Along the west hand side behind the shopping center in these units, that is industrial property.

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Commissioner Waun stated I'm not sure that answers my question. For the apartment building is that their only access is through that back alleyway?

Christiansen replied no, there is no access for the apartments off the alleyway, the apartment accesses off of Farmington Road and then come in as an extension here. So, you're seeing the north part of the apartment complex that's accessed off of Farmington Road.

Commissioner Waun said I thought I saw a connection into the apartments when I drove back there today, thank you.

Chairperson Majoros said while the map is up, just to make sure we're all clear, can we orient where the pick-up vestibule as noted, is that, just so we're clear because there is a lot of parking; is that on the door that's the same door that Anytime Fitness and the Great Clips or is the access point for either consumer coming to pick up their goods or a dasher more facing the apartments, can you help orient that?

Christiansen replied I certainly can do that but I can **turn it over** to Mr. Nesler.

Jason Nesler, Brixmore Properties, came to the podium. He stated this is the area that we have proposed for Door Dash. So, you have an L-shape here that wraps around Great Clips in the front of here and then the office that currently resides there, wraps around Great Clips. So, this area here, the proposed entrance to Door Dashers would be right here and their delivery intake would be over on this side right here. Everything would be maintained in this area right here in the wider part and then you've got parking that comes down through and around here and then indeed a curb that comes all the way to the front, this isn't even connected right here to the offices.

Majoros said that would be the same access point for the retail consumer coming to pick up their goods, that's the only "nonemployee entrance", let's call it.

Nesler replied yes. So, if a retail customer was coming in to pick up from Door Dash, yes, they'd come in and go to that door.

Majoros said so unlike a Seven Eleven you actually have to go in the back door and Nesler replied, yes, you would in this scenario and we did that because of the parking.

Majoros stated I appreciate that, there's a lots of good utilization of space back there, so thank you for that clarification, that helps a lot.

Commissioner Kmetzo stated just a point of clarification, customers can walk in, not just somebody that's associated with Door Dash. Let's say I go to the app, the DashMart, and



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pick out some items, so I can come in person and pick up the items and Evans replied yes, you can walk into the vestibule area but not actually walk around. Commissioner Kmetzo said I understand that, I don't need to use a Door Dasher, I can go pick it up myself and Evans replied correct.

Majoros asked are you able, do you have to use the app or if you walk in physically into the store, do you take orders there or do you have to place an order through the app? As a retail customer if I'm just walking by, do you have to use the app, is there a station that somebody has to finger their order in, how does that work?

Evans replied the current state it would be online or the app but we are working on for on site POS, so right now it's the app or online Majoros asked for the current state is a traditional retail experience is you can walk in without an app, select your item, pay and leave; and this is you have to use the app and you have to have pre-loaded your order and Evans replied yes.

Majoros said my last question is of the --- let's call it a dash delivered fulfillment or a retail customer, do you have any forecast or data about how many people will use this is a traditional retail customer versus a dasher deliver or do you have any metrics how that played out in other facilities and Evans asked for clarification. Majoros then stated if you do one hundred orders a day, what number will be submitted by an individual customer yet delivered through a Door Dash delivery person and what percent of those orders would be the actual customer coming in to physically pickup their order?

Evans replied traditionally I don't know the exact number for it but we can go with above an 85 percent threshold that would traditionally be a dasher coming to the location is the customer.

Majoros stated so then just as your business model evolves, like you say your forty, fifty, sixty early on, store maturation rate gets you to 300, that's kind of assuming you've got your business model that says we have to do 300 or else it's not worth investing here. Future state, do you see your business model changing as perhaps retail shopping habits change as perhaps people get more use to apps and other things; do you see that ratio changing or for the time being 85/whatever percent will be delivered.

Evans replied great question. Definitely with a startup within a startup, that's kind of the golden question, I would say at least for the next one to two years we'll stick with our current model, but then we're not again going to more of that traditional, like you mentioned, where people can walk in eventually, but I can see at least in the next one to two years staying with the current model. Really our goal for 2022 is to keep creating a

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diverse assortment for consumers like yourself to order from DashMart and then continue to make sure when you do order something on any delivery platform that you're getting what you ordered and that we have the item. If you order a Gatorade and you get a request for a replacement for something else, so we want quality and then making sure that it's fast.

Majoros said so you noted the primary timeframe that the majority of fulfillments happen clearly is 4:00 to 8:00, makes sense, you're coming home and you do what you have to do, and you realize you need x, y or z. But if we were to look at this past the hour of 9:00 or 10:00 p.m., is there really a lot of happening in those hours or I would assume your bell curve of business and logical hours, but is there a lot going on at 10:00, 11:00 12:00 at night, 1:00 or 2:00 in the morning for traffic, noise?

Evans replied I would say there's really not much noise at all. It also would depend on the day. Like Valentine's Day today, I'll tell you what, all of our locations, we sell flowers, we have a flower boutique store, we have gifts and flowers and things like that for customers and it was a crazy day today for flowers, as you guys can imagine, so depending, maybe it's the holiday or something like that, it could sway orders at 10:00, 11:00, 12:00, so it's kind of variable but it could possibly increase.

Majoros said but in general you must have data from Sterling Heights, Ferndale, etc., store, you must have some sense of just in general, forget the spikes, ignore the peaks and valleys, the normal flow says X amount of business is conducted past 10:00 p.m. approximately?

Evans said it does pick up compared to like the morning at that time, I would say if we use your example, anything past 4:00 o'clock is **substantially busier** than 10:00 o'clock in the morning

Majoros said 'm looking for night time hours and Evans replied anything north of 4:00 o'clock compared to the morning time.

Westendorf asked what kind of range does this store serve, to drive the number of customers, how big of an area are you looking to serve with this, is there going to be another one opening up down the street in Livonia.

Evans replied each individual DashMart has a radius of six to ten miles. Traditionally we would try to look for anywhere north of 20,000 active users that are in that area so we have an identified map that would show how many users in each of those areas and instead of Livonia we're actually putting one in Canton, so it's right over there, an old bike shop, Canton Center Road over there. But then we also have a Dearborn location,

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Southgate Downtown Detroit right off Lafayette, Flint, Michigan that is potentially going to happen soon, we're in lease negotiations with that and Lansing as well. So Michigan has the most active users in the country for Door Dash specifically because our roadways are kind of crazy to get place to place here. Also, it's really cold here, people don't want to leave their houses. We're slated to have fifteen DashMarts here in Michigan.

Commissioner Mantey stated I have one question related to the apartments. With the access point being that back area, there are a lot of restaurants right there, I know employees have to use that back area; since the dashers are like contract employees, is there a way to ensure that they will be cautious for the safety of those employees that happen to be back there?

Evans replied, so a feature that we have considering they're contracted, let's say someone is recklessly driving, they're going really fast on the that back alleyway or parking lot or they're making a lot of noise, we can actually ban dashers from coming to DashMart, so if there are a lot of complaints about someone, we can ensure that we have reputable dashers coming to the DashMart to pick up orders, I'm not sure if that answers your question.

Commissioner Crutcher said you can get up to 300 customers coming through per day, that's like twelve an hour, what's the current traffic situation now, what is the Alexander's or Ollie's, what kind of traffic is coming to the mall already.

Nesler replied we've got semi-trucks coming to those two locations.

Commissioner Crutcher you're going to be having this many people coming and going and then how many other customer cars are going to the True Value and Ollie's customers, what's your customer count coming through the mall each day?

Nesler replied on the front side I don't have a current traffic count on the front side.

Commissioner Crutcher asked what's the parking lot currently and Christiansen replied it's a very big parking area, it does not typically get to capacity at any time for the most part. Most of the traffic that visits the site is in front of the buildings and then in close proximity to them to the area most not parked is up in the north and east of the shopping center site, I think Mr. Nesler's records certainly confirm that.

Nesler replied this is actually a very typical shot. The restaurant row is what we call it, the restaurant row is always full and usually the first line and then it's scattered down here

and in through Dollar Tree and Ollie's. and then back here, this parking, every once in a while you get a couple of the restaurants where the customers are familiar enough they

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park back here for quick access, so most of this is employees of the restaurant. So this through here stays pretty open, they're all pretty respectful when they get delivery trucks, they hug the side of the building and they leave room for access. Same back here, Alexander Hardware takes their stuff off of a lift so they don't have truckload access, so we maintain pretty good access back here, the trucks know not to double park.

Crutcher said so the twelve cars an hour going back in there is not a big deal and Nesler replied I don't believe so, not at all.

Majoros said I have a question for staff. Has there been any discussion about Commissioner Crutcher's point about traffic flow, directional signage, I'm assuming over time if you're a power dasher, right, efficiency is your motto, you know where to park and you know where to go, etc.

Evans said we also have signs that we'll put up for the parking, I just want to throw that out there, too. So we'll have designated parking signs that say Door Dash so people know this is like a dasher zone, I just want to clarify that for you,

Christiansen replied to answer your question from the staff perspective, Mr. Chair, I haven't had any dialogue with Mr. Nesler nor with representatives of Door Dash regarding any modifications to the parking lot nor to the ingress and egress points or in circulation markers or signage. I can tell you that I'm not aware that we've had any issues the way it's currently configured and laid out. You might note, looking at the aerial on the screen, you have as I indicated a northeast and southwest access points to the rear loading area, you have a big parking area in that loading area which is where this is proposed, it's unusual for most rear loading areas, they don't have that so that's what's unique here. and then there's two main ingress and egress points, one on Farmington Road that's a double wide and one on Nine Mile Road. So it's got a fairly open circulation and to date we haven't had any issues and there hasn't been any dialogue for change.

Majoros said if there's concerns or questions about traffic flow, it's like when we approved the Suburban Auto back behind the old K-Mart, we put directional signage in that said trucks, right, and thankfully we did that because now that the Vindu and that building is there, you don't want eighteen wheelers pulling in and dropping cars off. They go behind the Tile Shop, I'm just looking for some way that says if the sole entry and egress point is on the back of the building, there's a heck of a lot of unused parking, if this were to go through is there some way to facilitate the flow because look, human nature, most people will pull into the primary parking that everyone else is using. and yes, to Mr. Crutcher's point, at the same entrance and egress points is on the whole back of the whole building,

there's a heck of a lot of unused parking if this were to go through is there some way to facilitate the flow. Most people will pull in to the primary parking and there's ample,

parking and twelve 15 or whatever, you're not going to strangle that parking, it's just a means to have the specific business use perhaps help with that. Because I would imagine there are sixty, seventy Door Dash deliveries today on a glide path to 300, how many of those are done by an Uber driver versus somebody picking up a few things here or there, they'll eventually figure it out but it may take a bit and that may be a helpful thing to say really that's what this business is and let's utilize the space available to it.

Evans said I'm going to throw out there, too, a tool that we have within what we call the merchant portal, which is the storefront where we can add notes and business hours and we can put dasher pick up notes, so we can actually add notes in there to direct them a little bit. I know our team at other locations we have created different signage as well, too, that directs them toward the back and then add notes when they go to pick up that says that they can go to the back instead of to your point to know to go to the back, they would already see the note within the app to go to the back of the facility to pick up the order.

Crutcher asked what about the delivery, the restaurants. do they utilize Door Dash as well?

Nesler replied a few of them do. I've actually spent too much time in these restaurants, yes, they do utilize different food delivery apps but there would be no tie to the DashMart business, it would be totally separate.

Crutcher asked Is it possible to get something from the DashMart and the restaurant, could they possibly have that capability to stop at two places there?

Evans said we have a feature called double dash. if you're on the app and the dasher is there and it's at another stop at the location, you have the option as a customer if you order everything from DashMart you get prompted if you want to order from all the close restaurants, Dollar General, Meijer, probably different retailers we're partnered with.

Crutcher asked would it be problematic for dashers to park in back and go around front to pick something up or would they just drive around? If they would just drive around, why wouldn't they just park in the parking lot and run to the back to DashMart.

Evans replied I guess I don't even know all the ones that are in the front, how much, how often that would happen. I know double dash is relatively couple months new, so it's definitely something that could occur for sure.

Commissioner Crutcher said I just had an opportunity to sit in a restaurant waiting for food and listen to the Door Dash driver complain about doing multiple stops and having to wait for something to get to the next place. So, it seems like if that's what they're going to be

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doing if they can access it from the front they're going to stop at the Rainbow, pick something up in there, go in there and pick something out and head out, as opposed go to the Rainbow, drive around to the back.

Evans said the one thing, too, it also depends on if the current restaurants are on the Door Dash platform.

Commissioner Crutcher said I don't know if Rainbow is but the others may be and if they're not now, maybe they will be but if they're out making multiple stops.

Evans replied some dashers love it and some dashers, they talk a lot, too, when they come in there to DashMart, but it kind of really depends but it's definitely a great feature but sometimes there's drawbacks on the wait time and stuff and that kind of goes back to earlier with us we want to make sure that dashers can grab their order and get out.

Majoros said since this would be an owner owned store, right, they're going to own and operate this facility versus a dasher going to somewhere else. Do you pay your driver the same fee because I'm looking at your app and I can order Door Dash right now for Fresh Thyme, Meijer, Target, three stores are all within two to three miles from where we sit right now and it would cost me 3.99; so, what's the advantage of going to your store versus go to Door Dash and I can go to Meijer and have access to twenty times your inventory, five times, ten times, pick a number, or Fresh Thyme or Target; what's the advantages of going to your store because a customer, I really don't care where it comes from, I want a banana. I don't need a Meijer banana or a Fresh Thyme banana, I want a banana or a DashMart; I'm just wondering what's the competitive advantage or what's the customer value of this facility versus I just pulled it up and I've got three stores that through your app offer the same service.

Majoros thanked Evans and opened the floor for questions or comments from the Commissioners.

Majoros said so this is precedent setting in a way and Saarela replied in the affirmative. Majoros went on to say my second comment, I just wanted to make sure we know what we're considering, was the determination of the City Ordinance language, because we did kind of feel that we were straddling a couple different potential ways. I mean I think we all got the packet, we all read the packet, you could look at this and say, well, this would say it would lean this way, well, that would say it would lean that way, that was the whole point, there wasn't definitive language.

Saarela stated you want to make a finding based on what you feel what factors make it **fit** into C-2 or Industrial. if you look at Section 35-30, Determination of Similar Use,

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subsection 2(b), the determination as to whether a proposed use is similar in nature and class to another permitted or special land use within a district shall be considered as an interpretation of the use regulations, and not as a use variance. Any use determined by the Planning Commission to be similar shall thereafter be deemed to be included in the enumeration of uses, but that's not something you can do by making a special use determination tonight. We all need to have Special Land Use conditions, moving it through the Zoning Ordinance process is probably the more acceptable way to do it. Tonight you're either putting it into C-2 as a permitted use, you're putting it in Industrial as a permitted use or you're doing nothing and it fails and we're just where we were.

Majoros said unfortunately for the applicant, goods news we're **clear**, and bad news, he doesn't get a tenant.

Saarela stated mostly for C-2 fails, they go back to square one until you do a Zoning Ordinance amendment.

Commissioner Kmetzo asked and Door Dash can go to Meijer and have access to ,Fresh Thyme or Target; what's the one advantage of going to your store because a customer really doesn't care where it comes from, I want a banana, I'm just wondering

what's the one competitive advantage or what's the customer value of this facility that you just opened up and have through your app that offers the same service.

Evans said if you type in like Ferndale, Michigan address in there you'll be able to see DashMart. I'll tell you a couple off the top of my head examples. One would be DashMart it's always relatively quicker to get your order from DashMart. That's always the one thing is we live in a generation, we want it quick, instant. The other would be like I mentioned earlier the assortment, you mentioned having the large array of things from places like Meijer and Fresh Time, but a lot of times when you order from them they'll come back and say what do you want as your substitution . But then with us we have a metric that we call item not found which we always try to have that at 0 percent. So when you order something, that banana, that we have that banana, compared to Meijer and then you try to order it and then they try to refund you or substitute it, you order twenty things and you get two. So we're really trying to make sure the quality is there for the customer, and another thing is the operating hours, a lot of it for us we are open later than Meijer, Fresh Thyme, Target, they usually close at midnight or 10:00 p.m., I think Target is 10:00 p.m., the other two are midnight. So, if someone does order something later in that night, you know we're here for them, we have that. And something that's recently new if you're in a DashMart area, they have on the go Covid 19 tests as well, so that's kind of a really cool that we've partnered with. If you try to find that at a CVS or a Walgreen's, good luck, but

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that' something that we have if someone is in dire need of one of those tests or other pharmaceutical products, we have them.

Majoros said thank you. Then any other questions or comments from the Commissioners? Good Dialogue. I guess I would just either open the floor for questions.

Christiansen replied the only other thing under separate cover letter sent to staff from the city attorney and also to they're ever were some draft motions that were part of the whole material from the attorney and you could have that?

Majoros stated if I say circling back to your opening comments or comment, a decision today is a single decision, it's not a precedent setter either, approval or denial for subsequent potential applicants.

Christiansen said the City Attorney is here to confirm or affirm. This is application for site plan and determination of similar use so it relates to the use as opposed and to the [property](#).

Saarela said if you do make the determination of this type of use goes in either industrial or into the commercial district, any other similar type of use will have to go into that same district so it's not limited to this one applicant.

Majoros said but if a second business were to come in it would have to be assessed based on precedence here, based on potential approval it would have to be approved or denied solely based on the language contained in the ordinance, in this instance C-2 because that's what we're considering. If you approve this is as a C-2 use, if other applicants came in and made application to Kevin, he would make that determination based on this approval or denial for C2 is a well-defined district.

Saarela said then this would become a C-2 use.

Majoros stated so this is precedent setting in a way.

Saarela replied it is.

Majoros said the second comment I just want to make sure we know what we're considering. The determination of the City Ordinance language, we did kind of feel that we were straddling a couple different potential ways. We all got the packet, you could look at this and say well this would be that way, that was the whole point.

Saarela stated you want to make a finding based on what factors make it into C-2 or Industrial, if you've look at Section 35-30, subsection 2(b) determination as to whether



a proposed use is similar or Special Land Use ,any use determined by the Planning Commission to be similar thereafter is deemed to be included.

Majoros stated what makes it potentially tricky is is we're not only considering this for the first time we're considering some unique circumstances because subsequent C-2 potential uses are not going to have rear parking, are not going to have clear access and entry and egress points, that's this special circumstance and to be honest I was a no last time but a no under the guidance of let's draft the ordinance language. Tonight's presentation was very enlightening and I'm a little more comfortable but what I'm uncomfortable about is we're going to potentially approve something that subsequent C-2 uses will have a difficult or impossible time because of the whole special layout this facility offers and the special entrance and parking. If you were in the middle of some other C-2 that didn't have this.

Christiansen replied yes, that's why I think, if I'm correct, what the city attorney' comments included was making some findings of fact that sets this apart. If the concerns about being precedent setting and a determination made this evening with this application if it were to go in the affirmative then providing opportunity for a similar type of delivery use another dash type use coming in to C-2 when you make certain finding and set certain requirements to act in a certain way, those finding then become part of the whole record for that use being determined and we would look to those in similar situations such as the ingress and egress, parking and other items, not that they're standards but you're making these finding in order to act in a certain way. And again the attorney can clarify it, if need be, the whole circumstances on the whole site that relates to ingress and egress, the loading, unloading, parking, how the layout is to be, those elements are all part of what is important when you make your decision or allowing you to act.

Majoros said let's say they're very likely in my opinion better enablers of an approval, I just don't want to be held to standards that becomes subsequent applicants who don't, have these enablers of entry, egress, traffic flow behind the building, access to a heck of a lot of parking, etc., etc., that we're bound by. In other words if we approve this, it's approved and it will then determine the fate of future potential applicants but it was also approved conditionally.

Saarela stated I don't I think it's conditionally. If DashMart goes in C-2, if a DashMart comes, in another one, and there's a C-2 opening regardless of it, it's now a permitted use, this isn't a Special Land Use, with conditions. the factual finding is why you feel it's more of a C-2 use than Industrial, you're laying out why you think it's similar to C-2 use, that doesn't, create any conditions.

Crutcher stated currently Door Dash is, you're able to get Door Dash from Fresh Thyme, from the Dollar General, Meijer. In our downtown right now the Door Dash is going to

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Fresh Thyme, Door Dash is going to restaurants that are there, I don't know if Door Dash delivers from Dollar General. The only thing we're discussing here if you have a store, specifically a Door Dash store, that Door Dash is probably going to that store.

Majoros stated we're not debating their model what we are debating is fundamental getting ready to evolve we're making a decision that's going to have implications far reaching and that's true delivery and all those things have changed radically but we are now unfortunately when making a determination on what is a pretty unique circumstance, I'm a little uncomfortable making a binding upon potential approval that all subsequent what can be debated as a retail business or warehouse will be permitted in a C-2 area, that's what we're debating and unfortunately the door we're walking through is a very unique circumstance.

Commissioner Crutcher said right now they're going to open a store a lot like a Seven Eleven or CVS, a lot like a target, the difference is this is a Door Dash store. So if we have, the way we're going to look at their type of business do we need to look at just Door Dash, just CVS. So now Door Dash is going to go to CVS, do we have to relook at their zoning if we have Door Dash.

Christiansen stated, if I might, Mr. Chairman, and I appreciate what Mr. Crutcher is saying, that's why I wanted clarification from the city attorney. My concern there would be with the existing conditions in the city where we have C-2 outdoor shopping centers but the whole rear service area is accessible by a one way alley that doesn't have any parking and wide enough to get one vehicle down, we have that circumstance, that's why I asked that question. And Mr. Chair you've been alluding to that about being precedent setting. What's changing is the nature of operation those points you're making I believe are operation elements so for example if a retail store, a grocery store if or if a food and beverage facility has a delivery and has dashers all right, that's probably one element, one operational element but they also have maybe pickup, curbside or dining room, typically the dash portion isn't the primary, at least to date it doesn't seem that way. What this circumstance and application is specifically the primary purpose is for Door Dash delivery and so it becomes a store facility that the primary purpose is for orders to be placed and picked up or primarily indicated earlier 85 percent being picked up and delivered by delivery personnel. I appreciate Mr. Chairman your comment about the next C-2 case and I think that's been clarified by the city attorney we would have to look at whatever the action is on that application and moving forwards with anything else similar if I'm correct.

Majoros said so one last question for the attorney, if a motion is made to approve and a motion is denied does it automatically say that moving forward that subsequent applications are precluded from C-2.

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Saarela replied no, if someone moves to approve and it fails, that's a nondecision, that's not a decision. In order to decide if this is an industrial use, you would have to make a motion to approve, this is something more similar to industrial use, you have to make a motion if you make a motion in the affirmative go again we'll leave it's on the table as to whether the Planning Commission and City Council and look at amending the Zoning Ordinance so that would be the next step, next step would be to talk to Planning Commission to make recommendation to City Council as to where this should be, should it be an Special Land Use, standards if it is a Special Land Use if ingress and egress, are necessary for let's say putting this in to a C-2 Special Land Use it should have ingress and egress to the rear, that's something you could put in the Zoning Ordinance as an Special Land Use but that's not something you can do for making an S speaks use Special Land Use conditions moving it through the Zoning Ordinance process is probably the more acceptable way to do it tonight you're either putting it into C-2 as a permitted use or industrial or you're nothing and failed and we're just where we are.

Majoros stated unfortunately for the applicant, if a motion is made to approve it as Industrial, good news we're **clear**; bad news, he doesn't get a tenant and he's got to go find an industrial use somewhere.

Saarela said so, if a motion for C-2 fails, go back to square one until you do a Zoning Ordinance amendment.

Christiansen replied and if I might, Mr. Chair, I think just to affirm what the City Attorney is saying, too, if there's an interest with the Planning Commission and not by any approval for C-2, establishing then that now similar uses are allowed in C-2 regardless of the conditions of that C-2 property then we **have** to move forward in that direction, going through a Zoning Ordinance amendment, a text amendment if the city chooses to do that through all the steps and approval process if it were to come to fruition that it would be a use in a C-2 for Special Land Use with conditions, then you could consider every Applicant. so, you have to get to that point. You know that the timeframe on text amendments usually are four to six month process depending from inception how it moves through the steps. Commissioner Crutcher stated right now I don't see any difference as to how this is going to operate different than any other grocery store that is operating currently in the C-2, right. And I don't see how at all it can be industrial, the character of the people coming and going are just like any other customers in the C-2 District, driving personal cars, walking in and out, they're not coming in delivery vehicles, they're not coming in in large trucks, these are just people coming in to get – and they're coming in to get typically their orders are small quantities, they're not coming in and getting pallets of stuff or six bags, you're getting a few items. Just like I would go in the store and get a few items in any other convenience store. So, I don't see this being any different than a grocery store or anything that's in the C-2.

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Majoros stated I understand your point, we've been more than fair in that regard, what we talked about the last time we did this was is it similar as far as the outcome, yes; is the process different, you'll never convince me that it's not different. This is a warehousing type facility that has a unique deliver mechanism to it and I think the interpretation of warehousing, we don't know what that may lead to in a C-2, we just don't know.

Commissioner Westendorf said the motion tonight is **whether or not the** determination has been made of similar, so aside from that, just a question . An alternate **route** to help these guys approve this **project** in this location but we're hesitant to approve this use, just blanket approval. So, could they get some sort of use variance for this use in this **site**?

Christiansen replied that's a good question but you might recall our dialogue back in **December** was that the alternatives here with **respect** to this application and determination of use was an action by the Planning Commission on **the** application of either approval or denial or if that wasn't the case then the next direction would be for a Zoning Ordinance text amendment to establish some other alternative to a zoning Board of Appeals use variance, that's a whole different approach and there's a whole bunch of different tests that have to be made and satisfied in order for use variance to be granted, you have to exhaust that no other use is viable in this location and zoning district and there's no other place for this use to go and that's a whole process to itself with that. That's probably why that hasn't been discussed more in this particular case with the applicant or with the property owner and this was the direction taken which was determination of use being similar. And again, the other alternative is provisions that would allow us with whatever the process is, if it's Special Land Use standards, so you can check those boxes that it's proposed to meet and then go on. And any use subsequent to that but similar would then follow that same process if there was a zoning ordinance provision for it. Use variance is available but it would be a different approach

and probably somewhat challenging to move forward through and I would defer to the City Attorney for any comment on that.

Saarela stated a use variance is supposed to be very hard to get and especially in a circumstance like this. You're only getting a use variance but there is no other possible use that can be made of that property. So if there's nothing else that the present owner can put in there with that use, that would be the appropriate time to get a use variance. But as we know you can put any other **store** or restaurant in there and the likelihood of a use variance being granted because the property can't be used for anything else is highly unlikely.

Kmetzo asked to clarify the last meeting that was held to discuss this particular item, there was a motion that was made to table the request to allow time to amend the ordinance; so, what happened with that?

Christiansen replied if you look at those minutes there was a motion that was made requested by Mr. Nesler to table for future consideration. And after dialogue with the Applicant on several occasions, they wanted to move forward with an action on their item. They did not have an action at that meeting in December, there was a motion to approve that didn't move forward. There wasn't a motion to deny and then there was a subsequent motion to table and that was again for future consideration. After considering their alternatives, which in part was an amendment approach, they said no, we don't want to wait that long, we want to move forward with action on our application.

Kmetzo thanked Christiansen for the clarification.

Crutcher asked is there something we can somehow control so that this doesn't become more industrial looking or operating. Right now and I understand your concern about the scale of it, if this space were four or five times the square footage doing the same operation, it may look a little more industrial. Is there something about the scale of it that we can do?

Saarela replied we can't put any conditions on the determination of similar use, it doesn't apply.

Christiansen stated the only limitation, if I might, is what the current ordinance requirements are in the C-2 and the current operational requirements for the shopping center that area administered by the property owner, Brixmore Properties, and then anything with respect to usability on site, you know, parking areas are already established, you have loading areas already established, you have ingress/egress for the building re-established so none of that is looking to change, and again, the other elements

that I mentioned would be façade modifications, signage, and those kind of thing, they're all certainly controlled by ordinance requirements, building code requirements and administered accordingly. So, all of those elements are in place, it comes back to the use and the operation of the use.

Chairperson Majoros opened the floor for a motion from the Commissioners.

MOTION by Crutcher, supported by Waun, to move to approve the Determination of Similar Use for the Proposed DashMart, 22054 Farmington Road, at the request of Door Dash Essentials, LLC, with respect to property located at 22054 Farmington Road, I move to approve the Applicant's request to find that the proposed use as an online retail and delivery center is most similar to a permitted use in the C-2 Community Commercial District. Although an online retail and delivery center is not specifically permitted in any zoning district currently established under the City of Farmington Zoning Ordinance, the

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proposed use most closely resembles a general commercial/retail business or shopping center with 50,000 square feet of floor area or less, or a wholesale establishment because the delivery of fast serve grocery and fast food items and snacks is a retail service that provides convenience shopping of persons residing in nearby residential areas. The use is similar to a grocery store or restaurant use to the extent nearby residents are able to shop its food selections for delivery to the surrounding area for immediate consumption. The snack food selection is similar to the type of product found in a grocery store, convenience store, bakery or restaurant. These types of uses typically also now have online order and delivery options. The use is consistent for placement near adjacent multiple-family residential such as apartments and surrounding residential neighborhoods because the users will be seeking to use the service for immediate delivery of food items for consumption. Long distance commutes for this type of item are not warranted as they are typically required for immediate consumption and a delay in commute would impact the usefulness of the service. Additionally, because the majority of the use will not include patrons shopping at the delivery center in person, traffic will be limited to delivery trucks and contract delivery driver pickup and the parking around the back delivery area is adequate for these purposes. Furthermore, the use appears similar to the surrounding retail and restaurant establishments as there will be no outdoor storage of products and the products for sale are similar to a restaurant or grocery store establishment. The use will not result in odor, glare or other exterior impacts that would disturb adjacent or surrounding retail users or residential uses.

A roll call vote was taken on the foregoing motion with the following result:

AYES: Crutcher, Kmetzo, Mantey

NAYS: Majoros, Waun, Westendorf

The motion failed for lack of support.

Chairperson Majoros said unfortunately, we're three/three. I'll turn this back over to Kevin in a situation like this.

Christiansen stated with the Commissioners in attendance today and with a seven-member commission you need four for a majority to approve the motion and you don't have that in this case. So, since you don't have that, the motion fails for lack of majority.

Christiansen stated the only other comment that I would make and I would defer to the City Attorney on this, but what you had done last time was not dissimilar in your action, although you didn't table, you acted in this case on a motion to approve and it didn't get approved. You didn't have a motion to deny, so it's still an open application legal if I'm correct.

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Saarela said you could make a motion to deny but it would potentially end up the same way.

Christiansen said the only other thing I would say is you've had this conversation, too, in your Zoning Audit Review about the change of use types across the board everywhere and including the City. And if I'm correct, Mr. Chairman, there might be some interest on the Commission's part in moving forward with a Zoning Ordinance amendment which again it will take us a little bit of time but not an inordinate amount of time.

Majoros said I absolutely agree. I think that was one of the items we talked about in December, I don't think that's changed. I don't want to put the Applicant or the property owner in a position where this is a closed item so I think the action that was taken, correct me if I'm wrong, still leaves this potentially open. But I think a very prudent and appropriate next step is clarification of language which is what we talked about in December which will stop the debate and we'll have clarity about how to pursue items like this.

Saarela stated you could recommend a Zoning Ordinance amendment for consideration by a recommendation from the Planning Commission to City Council.

Christiansen stated again, the timeline of this is probably in the neighborhood of three to four months because typically it's two planning commission meetings and two council meetings, it's the Planning Commission's consideration to schedule a public hearing, hold the public hearing, acting on the amendment, forwarding it to Council, Council will consider it a First Reading, they'll consider a Second Reading, if all that moves forward it will be permanent, that's your timeline.

Saarela stated we'll put together a draft and you can have that in front of you.

Evans stated I know that internally on our team we were looking for either an approval or denial tonight, just because it's a time constraint for us, waiting on three to four months is unrealistic for my team.

Christiansen said if I'm correct the action tonight was a motion to approve that didn't get approved, they didn't make a motion to deny, so there's still an openness to the application but from dialogue the direction is to move forward with the text amendment but you have exhausted that motion to approve on a couple occasions, but you didn't have a motion to deny.

Saarela stated someone could make a motion to deny and see how it comes out. the problem is it's three to three.

Majoros stated and furthermore, the motion to deny would go on record that that was the whole point, the subsequent uses could never be in C-2. This felt like the path that at least gave the Applicant and the property owner the clarity that they need and kept the City and us in a position to undertake a path that might not meet the timeline that you're desiring, but it puts us in a position to not have hour and a half debates for subsequent uses due to the lack of clarity between the C-2 and Industrial language. So I think Kevin is clear that he wants to pursue a text amendment strategy. I think to do a denial motion may offer you the clarity, but again, it looks like we have a split decision and I think subsequently it would put us in a position that is not ideal for us to move forward when it comes to our regulations and it will effect businesses today and in the long term. So I would recommend that we not do a motion to deny.

### **REVIEW AND DISCUSSION – ZONING ORDINANCE AUDIT**

Chairperson Majoros introduced this item and turned it over to staff.

Director Christiansen stated this item is a review and discussion. You are aware of the audit of the City of Farmington's Zoning Ordinance. There was a link to Chapter 35, Zoning of the City of Farmington Code of Ordinances, with this agenda item and that is listed here and so we'll move forward. The City Attorney working with City administration and with the Planning Commission has been reviewing the Zoning Ordinance subsequent to the adoption of the Master Plan back in the end of 2019, beginning of 2020. And as we move through the zoning audit, we are now at Articles 8 through 11. There is a memorandum in your staff packet that was prepared by the City Attorney. We will be reviewing Article 8 through 11 this evening, which is the Industrial District, Parking, PUD, Planned Unit Development, and the Grand River Corridor Overlay District. As indicated here with respect to zoning districts as we have been discussing, review should be focused on the need to add new or additional uses or modify any regulations that would allow the city to address the planning considerations identified in the Master Plan for each district. With respect to the PUD Ordinance, review should focus on whether the process is successful and the need for any changes to procedure. So, with that, did everybody get a copy of the ordinance sections for tonight. So, again, this evening, Commission, we're looking at Article 8, Industrial District, is the first of four articles in the Zoning Ordinance this evening to look at. The Industrial District is a very comprehensive district, it was last amended in 2010 and again, that was a time as we have discussed, there was really, as we're doing now a zoning type audit that was done and a lot of amendments were made at that time. Since that time the Industrial District has served the City well. there hasn't been any issues that we're aware of. the only point might relate back to earlier this evening that our commercial uses in the City are focused at being permitted and encouraged to be permitted through our planning process and in the Master Plan in our commercial zoning districts. You'll note if you'll look at the industrial uses, that they are typically uses that are not retail type uses, they're not commercial uses. If there's any



sort of commercial in the Industrial District, it's typically a Special Land Use situation or something that is accessory to. So, for example, if you flip from the beginning of the Industrial District, and whether uses are specified in this table 35-112, Industrial, ,the light, the general, the heavy, the self-storage, to the next page, page 2, you see retail, commercial outdoor display, garden centers, home improvement, those types of uses you'll see that it's Special Land Use or you don't see the general retail there, it's a specific type of retail use so it's very limited. So, the Industrial District is intended to be industrial or service type uses or operational type uses that are most appropriate in industrial districts. Automobile uses, institutional uses, recreational. You'll note residential is not permitted except for caretaker quarters and that's accessory. This special provision for uses that are listed here, and this is a pretty standard industrial district, again, it's served the City well. Our Industrial zoning is primarily located on Nine Mile Road, east and west of Farmington Road, and on Eight Mile Road in the city. And I can tell you for the most part most of the properties are occupied and operational. I'm happy to take any questions regarding Industrial.

Article 9 is R1P, Single Family Parking District. You might look if you look at the City's zoning map, all our major arterial roadways, Grand River, Farmington Road, Orchard Lake Road, the commercial properties around that on those roadways typically are not very deep properties and they directly abut. to the rear of many of them along these arterial roadways, single family residential, or some form of residential. So, over time the City developed a strategy to allow for expansion and redevelopment of those commercial properties and they established the R1P District which allows for some single family pieces or has allowed some single family properties to be rezoned R1P, the ones that are directly adjacent, to allow for expanded area for parking for those commercial properties along the arterials. And it's served the city well, there are standards for that, a site plan typically, the screening and all sorts of other considerations. and so as you move to the next page of uses, the specific purpose is for parking, it's not for buildings and construction, it's for parking use. And again, uses that support the adjacent commercial use and it really is a district that I think is really effective, the way it exists in the Ordinance.

The next article, one of the most significant articles in the Zoning Ordinance, and that is the tool of Planned Unit Development. And if you recall, going back to the City Attorney's memoranda, with respect to the PUD Ordinance, which again is Article 10, you should focus on whether the process has been successful and the need for any changes to the procedure might be necessary. So, with that the City has used the Planned Unit Development tool for review and approval of development in the community on several different occasions and you might note it's a multi-step process indeed that results in both a PUD plan, site plan is required, and also a PUD Agreement, a development agreement being required between a developer/investor interest and the applicant and the city. And there have been many projects in the city that have moved forward through the PUD process quite successfully. And we continue to use the tool, we continue to use it

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particularly for our major redevelopment projects and we hope to do so as we continue to move forward with major redevelopment projects in the community because it's worked well. We don't use it when it's not necessary. If it's just a very small scale site plan, a typical site plan, we don't need to go through and have all the steps involved and the level of detail in the development agreement, it's a tool we may not choose to use but when we've used it, it's been very effective.

Chairperson Majoros opened the floor for questions and comments from the Commission.

Christiansen stated we actually used the PUD with two residential developments, River Walk of Farmington and with Liberty Hill. And we'll look to use it with the proposed redevelopment of the Maxfield Training Center. Again, it allows for a lot of engagement and it also allows for a lot of flexibility from the standards in the underlying zoning district.

Waun stated going back on all of your discussions on the Maxfield Training Center where we seem to be at a stopping point at number of parking spaces versus number of units; it seems like this is something that we should probably reconsider going forward in our ordinances.

Christiansen replied PUD allows you flexibility, that's right, that's a great comment and that's why we would look to use it. We can talk about the Maxfield Training status when we get to agenda item on current development, I'm happy to do it. that's why it exists, too, it allows you flexibility from the underlying standards, the traditional standards.

Waun stated it seems like it's relatively restricted, especially if you're considering an apartment building in downtown here where most people will probably just park and walk or could possibly move to town because they didn't have two cars; is there any thought on reconsidering the number of parking spaces?

Christiansen replied under the PUD you can come up with any number, it's a tool of negotiation. So, whatever the elements are of the project, you're using the PUD in accordance with a site plan that is supported and also a development agreement which specifies the number of parking spaces, whether it's 100 or whether it's two.

Waun stated I just recall and maybe my recollection is incorrect but it seems like we did go back and have the applicants go back and delete units so they can meet the setback.

Christiansen replied that's certainly something that's specific to a project and wherever it goes through the process, the various bodies that it's before, will support. But it is a tool that allows flexibility, it isn't specific to standards that way. But if you want to go ahead and have specifics, this tool allows that flexibility.

Moving forward then, the last section we're looking at tonight, is Article 11. And Article 11 is very unique itself. Article 11 is a new article in the Zoning Ordinance. It was adopted back in 2015 and is an overlay district. The overlay district is a set of rules and a bucket, if you will, of additional uses that overlays the underlying zone. So, for example, and this is the Grand River Corridor Overlay District on Grand River in the Grand River Corridor which as defined on properties along Grand River from the east end of the downtown, the DDA District, the Downtown Development Authority District, approximately one mile east to the east end of the city, so at Hawthorne Street. and if you want to know the uses down there, it's where the A & W is, so that one mile stretch is the Grand River Corridor Overlay District and it goes up Orchard Lake a little bit. In any event the underlying zoning along the corridor is a mix but predominantly C-2 Commercial, C-3 Commercial and P1 and some residential as well. The overlay district lays on top of that, so whatever the zoning is in those individual districts underneath, that's still valid, and then the overlay district again is additional opportunities on top, some additional rules, some additional standards and additional bucket of uses along with the entire corridor. It has a couple of distinct elements to it encouraging mixed use, it encourages mixed commercial pockets residential, it has standards that encourages sharing accessibility and other infrastructure related items, it encourages midrise development and its repurpose, redevelopment, so it's a unique tool by itself. I can tell you that the Grand River Corridor Improvement Authority worked with the City's consultants back in 2015 after the Grand River Corridor Improvement Authority was established in 2011/12. The Vision Plan was approved, the Master Plan for the corridor in 2013, the development and TIF plan and the TIF District in 2014 and the overlay district was approved in 2015 and this works really well. And I know if the Grand River Corridor Improvement Authority had any issue or needed some changes to this overlay district, they would approach the Planning Commission and they would let you know that there were some things that need changing and they would ask you to consider looking at zoning ordinance text amendment to this overlay district to meet their issues or address what their concerns were and they don't have any at this point. If there is any need for that, they certainly again would approach you.

Chairperson Majoros opened the floor for comments from the Commission.

Christiansen then stated I just want to let you know we're approaching the March meeting and the next number of articles will be specific to special Land Use and site plan. and then the April meeting will be the administrative items in a zoning ordinance, and I think that should finish up our zoning audit, the next two meetings if that's okay with the Commission unless there's something else you want us to take a look at and we'll continue to move on until we get done.

**DISCUSSION OF 2023-2028 CAPITAL IMPROVEMENT PROGRAM AND REQUEST TO SCHEDULE PUBLIC HEARING**

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Chairperson Majoros stated the action on this item would be to schedule the required Public Hearing.

MOTION by Waun, supported by Crutcher, to schedule the Public Hearing for the 2023-2028 Capital Improvement Program for the April 11, 2022 Planning Commission meeting. Motion carried, all ayes.

### **UPDATE – CURRENT DEVELOPMENT PROJECTS**

Chairperson Majoros introduced this item and turned it over to staff.

Director Christiansen stated we did have a quick discussion where we talked about the Planned Unit Development, the Maxfield Training Center, Council's selection of Robertson Brothers Home and their 59 unit condominium project continues to move forward through its due diligence. There was an extension of four months granted by Council at the end of 2021, beginning of 2022, we're in the midst of that right now working with them, it's still a project that the City is coordinating with the developer regarding redevelopment and when they get through their due diligence then we can move forward through the next step which is the development plan review and approval process, then we'd be looking to engage the Planning Commission with the PUD for the Maxfield Training Center and I will certainly keep you well aware when that's going to happen and we'll move through the steps hopefully then as we work with Robertson Brothers Homes. So, that's what the Maxfield Training Center's status is right now, still in process with the due diligence.

As far as other projects in the City, I'm happy to take any questions that you might have. again, there's a lot of activity going on at different locations and it's a little tough when it's super cold outside to get some of the outside stuff done. and you can see projects like the Amoco Gas Station that had some adjustment on some of its infrastructure and they have to do that during the winter. A project like Crazy Krab, the outside area, the pergola, you see that up in their hardscape and it's really great and now it's all covered by snow. and so we have to be a little patient for the finish of that. You can see Liberty Hill and houses are going up there which is great and other projects moving along as well. I'm happy to answer any questions the Commission might have.

Chairperson Majoros opened the floor for questions from the Commissioners.

Crutcher asked about the Panera property. Christiansen replied the construction plans for Farmington Grill, and that's not finalized yet, they have some signs up, they put up front, they took them down but they're in there doing some interior work. their construction plans were reviewed and approved and they have those permits issued to them. They're remodeling the inside, they're doing a little bit of exterior work but nothing that requires

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site plan review and certainly they have to obtain their Health Department approvals as well, so they're progressing.

Majoros asked about GLP Financial, a lot of progress there, how are we progressing on that?

Christiansen replied every single day they're moving forward, like I said it's less apparent in the wintertime but certainly it was very good they were able to enclose the building, get new windows and doors in place and they're doing interior work this time of year, so that's very important and they continue to progress in accordance with their permits because they have either rooftop equipment that they have to hoist up or they're bringing materials in that require that to happen, that's ongoing and we continue to move forward. I can tell you there is one potential redevelopment project as a redevelopment ready certified community, I think everybody here knows we talked about the City received it's Michigan Economic Development Corporation RRC, Redevelopment Ready Certification, last spring in March of last year which made us eligible for support services from the MEDC so their RS, Redevelopment Services Team, engaged the City and we worked with them to identify priority sites in accordance with the City's planning tools, our long range plans, our Master Plan, our Downtown Master Plan, etc., and there's a property on Farmington Road which the MEDC has been engaged to look into and provide services for the Castel Dental Property and the owners of that property are looking to move on from that property after probably 45 plus years on that site and in that building and operating here in Farmington and as such the MEDC and their service team, architects, designers, have been engaged working together to evaluate the existing condition and to put together a project plan, some concepts, etc., to share that then with the community and really put together a redevelopment package for the owners and for the City to move it forward into the market for investment, for acquisition and for redevelopment. And there is a meeting scheduled this Thursday at 5:00 to 7:00 p.m. and it is to review the work done to date by the MEDC and their contractors, their architects for the Castle Dental property. so, that's specifically in accordance with the City's Master Plan that you shepherd and the Downtown Master Plan, the DDA's plan that you also oversee as the comprehensive planning program of the community, it's a tool of the DDA, but the overall comprehensive planning program for Farmington and so I encourage anybody interested to come here for the meeting, it's open. The primary interest is probably by the stakeholders but we're going to make mention of that, too, and encourage everyone to attend that meeting this Thursday from 5:00 to 7:00 here at City Hall in the Council Chambers.

### **PUBLIC COMMENT**

None heard.

### **PLANNING COMMISSION COMMENT**

Crutcher stated I've been involved with the Parking Advisory Committee and tying into the discussion from earlier, one thing has come up a couple of times now is talk about the delivery service parking requirements. Right now there's no designated parking for people like Door Dash and other delivery services, so as we're going to be considering revising or making some changes or things in our zoning, we might also want to see how it's going to effect parking requirements because I know there are none for any type of services and this is something and there is another new coffee shop opening up, and they were interested in having some designated parking spaces and we don't have that right now, so maybe that is something that we should discuss in terms of how we designate parking or require parking or make parking available as part of the requirements of the developer.

**ADJOURNMENT**

MOTION by Crutcher, supported by Waun, to adjourn the meeting.  
Motion carried, all ayes.

The meeting was adjourned at 8:58 p.m.

Respectfully submitted,

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Secretary