

MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION REGULAR MEETING
COMMUNITY ROOM
31555 11 MILE ROAD, FARMINGTON HILLS MI
January 8, 2015

Vice Chair Rae-O'Donnell called the Planning Commission meeting to order at 7:30 p.m. on January 8, 2015.

Commissioners Present: Blizman, Fleischhacker, Mantey, McRae, Rae-O'Donnell, Stimson, Schwartz

Commissioners Absent: Orr, Topper

Others Present: Staff Planner Stec, City Attorney Schultz, Planning Consultants Arroyo and Stirling

APPROVAL OF AGENDA

MOTION by Fleischhacker, support by Stimson, to approve the agenda as amended.

Motion carried unanimously.

REGULAR MEETING

A. DISCUSSION OF PROPOSED REVISIONS TO ZONING ORDINANCE

Referring to the document *Draft Zoning Ordinance Amendment for Discussion with Planning Commission, January 8, 2015*, Planning Consultant Arroyo led the discussion of this agenda item. Proposed revisions and discussion comments were as follows:

Issue: Drive-thru stacking space standards. Research the required demand for stacking spaces.

Planning Consultant Arroyo explained that the current stacking requirements for drive-through restaurants were much less than in most other communities. This had caused concern on the Commission as drive-through restaurants that met current requirements were approved, and yet seemed to run the risk of vehicle stacking into the street.

This section also referred to stacking at car wash facilities.

Proposed changes were:

34-5.2.14 Any lane, aisle, drive or path in which vehicles are directed expressly for the purposes of receiving or dispensing persons, goods or services without the driver leaving their vehicle (referred to as a drive-through lane) shall comply with the following requirements:

- A. Drive-through lanes shall be separate from the circulation roads and lanes necessary for ingress to and egress from the property.
- B. Drive-through lanes shall not use any space that is necessary for adequate access to parking spaces.

- B. ~~Drive-through lanes and stacking spaces shall be setback from all property lines a distance equivalent to the minimum setback for parking lots in the respective zoning district.~~
- C. Drive-through lanes where vehicle stacking and waiting occur shall not be permitted in the front yard.
- D. Drive-through lanes and associated by-pass lanes shall be setback at least 10 feet from the side and rear lot lines.
- E. Drive-through lanes located adjacent to a street shall be buffered by a minimum 10 ft. wide landscaped planting adjacent to the right-of-way as specified in Section **_**.
- F. Drive-through lanes shall provide one (1) by-pass lane to allow unobstructed travel for vehicles to pass those waiting to be served.
- G. All designated pedestrian areas, which pass through a stacking space/by-pass lane area, shall be clearly marked through pavement striping, alternative paving material or a stamped pattern or texture in the pavement.
- H. Drive-through lanes shall have a minimum width of nine (9) feet.
- I. Drive-through lanes shall have a minimum length of twenty (20) feet per vehicle.
- J. Drive-through lanes shall have a minimum centerline turning radius of twenty-five (25) feet.
- K. Drive-through lanes shall be striped, marked or otherwise distinctly delineated.
- L. Drive-through lanes shall have a minimum stacking space in accordance with the following standards:

~~Restaurants (fast food with indoor seating and drive thru shall require a minimum stacking requirement (per lane) of six (6) vehicles.~~

Restaurants, with drive-through facilities shall require a minimum stacking requirement (per lane) of ten (10) vehicles and five (5) of which must be in advance of the ordering station.

~~Automobile Car wash (coin/handheld wand stall) shall require a minimum stacking requirement (per lane) of three (3) vehicles in advance of the washing bay and storage for one and one half (1 1/2) vehicles beyond the washing bay for drying~~ two (2) vehicles beyond the washing bay for drying area.

~~Automobile Car wash (fixed location, when accessory to a gas station) shall require a minimum stacking requirement (per lane) of five (5) vehicles in advance of the washing bay storage for one and one half (1 1/2) vehicles beyond the washing bay for drying and two (2) vehicles beyond the washing bay for drying area.~~

~~Automobile Car wash (tunnel) shall require a minimum stacking requirement (per lane) of five (5) times the capacity of the auto wash. Maximum capacity of the auto wash shall be determined by dividing the length in feet of each wash line by twenty (20) and three (3) vehicles beyond the tunnel for drying area.~~

The Planning Commission's consensus was that these changes were needed, with the following modifications:

- There was concern regarding the proposed language requiring a *minimum stacking requirement (per lane) of ten (10) vehicles and five (5) of which must be in advance of the ordering station.*

This language seemed to require 5 stacking spaces between the ordering station and the pick-up window, a situation that might not always be desirable and would also make most, if not all, current fast food drive through restaurants in the City nonconforming.

Therefore the further consensus of the Commission was that the wording should be changed to:

... a minimum stacking requirement (per lane) of ten (10) vehicles, at least five (5) of which must be in advance of the ordering station.

- Wherever applicable, *automobile* wash should be changed to *vehicle* wash.

Additional discussion was held as to whether, in any event, site plans where there was a reasonable expectation of street stacking could simply be prohibited.

Consideration: 34-3.1.29, LI-1, Light Industrial District consider adding Automobile washes to Light Industrial.

Planning Consultant Arroyo explained that automobile washes were a permitted use under B-3 General Business District Zoning but were not permitted by right or special use approval in the LI-1, Light Industrial District. Other similar uses were permitted in both B-3 and LI-1, including restaurants, gasoline service stations and automobile outdoor sales.

Proposed changes to the ordinance would make automobile car washes a special approval use:

C. Special Approval Uses – Automobile wash subject to 34-4.40

34-4.40.8. In the LI district, an automobile wash not connected to or accessory to a gasoline service station or automobile salesroom, showroom or office shall front upon and have access from a major thoroughfare.

Planning Consultant Arroyo asked the Commissioners to consider whether they wanted to limit such use to within 1,000 feet of an intersection of a secondary or major thoroughfare.

Further proposed language was:

34-3.1.29.B.vii. Accessory buildings and uses customarily incident to any of the above uses. *Move to the end of the principal permitted section (34-3.1.29.B).*

Planning Consultant Arroyo explained that this would allow accessory buildings and uses customarily incident to all principal permitted uses. Currently accessory buildings and uses were only to be considered for uses identified under 34-3.1.29.B.i-vi. This change would clarify that the City can permit an automobile wash that is accessory to a gasoline service station or automobile sales facility.

Points of discussion were:

- The rationale for not permitting automobile washes in the LI-1 District was that the occupants of certain buildings and facilities might feel that an automobile wash abutting their property was not appropriate or desirable.
- The LI-1 District was growing more flexible, with such things now being permitted as fitness and dance studios, etc.

- A specifically labeled truck wash might be a real benefit in the LI-1 District.
- The interior streets of the LI-1 Districts were not considered secondary or major thoroughfares, but rather were connector streets. Therefore there should not be a limitation that automobile washes be located within 1,000 feet of an intersection of secondary or major thoroughfare.
- Automobile detail shops should be separated from automobile washes and defined and called out separately in the ordinance as a permitted use in the LI-1 District.

Issue: Allow indoor auto sales in the LI-1, Light Industrial District

Note: This discussion also included changes in certain setbacks in the LI-1 District.

Planning Consultant Arroyo explained that the LI-1 Light Industrial District permitted outdoor sales space for sale or rental of new or used motor vehicles. Allowing an interior salesroom, showroom or office did not appear to create a significant increase in the intensity of the existing permitted use.

Proposed language was:

34-3.1.29 B.x.o. New or used automobile salesroom, showroom or office when the main use is carried on within a building with open air display of vehicles as accessory. (would be subject to 34-4.46.2 and 34-4.46.3)

The consensus of the Commission was to accept this proposed change and allow indoor auto sales in the LI-1 District.

Regarding setbacks, Planning Consultant Arroyo explained that in the LI-1 District office uses, banks, bowling alleys, personal service establishments, laundry, dry cleaning, restaurants, gasoline service stations, recreation space, outdoor sales of motor vehicles, showroom and workshop for trades were all subject to the B-3 General Business District front yard percentage of open space requirements, setbacks required from residential district and from side streets, and minimum yard setback requirements for front, side and rear yards, as set forth in Section 34-3.1.25.

For properties zoned LI-1, this provision reduced the standard required setback from 50 feet to 20 feet for the setback from residential and reduced the front yard setback from 50 feet to 25 feet/60 feet from the access road. Therefore a restaurant or other listed use could be much closer to the road than a normal LI-1 use. Planning Consultant Arroyo suggested eliminating this difference:

34-4.46.2 Uses shall be permitted subject to the B-3, General Business District front yard percentage of open space requirements, ~~setbacks required from residential district and from side streets, and minimum yard setback requirements for front, side and rear yards,~~ as set forth in Section 34-3.1.25.

Planning Consultant Arroyo further explained that this change would result in those uses in the LI-1 District that were more commercial having the same standard setbacks as other uses permitted by right and special approval, with an additional provision providing a percentage of open space in the front yard. This would result in greater setback uniformity within the district and provide for a greater buffer from a residential district.

By consensus, the Planning Commission agreed that the setback regulations should be uniform throughout the district, regardless of use.

Issue: Current ordinance lacks specific provisions for small to moderate sized health and fitness facilities and instructional dance studios. In some districts, special approval is required.

Planning Consultant Arroyo explained that the current ordinance did not address small to moderate sized fitness facilities that provided instructional or personal fitness. The Planning Commission had recently considered and approved dance studios and fitness facilities in the LI-1, Light Industrial District as a special approval use. The uses were considered as “the indoor tennis or racquet court facilities, indoor ice or roller skating arenas and other similar uses.” Planning Consultant Arroyo suggested allowing fitness centers as a principal permitted use (size dependent) in the LI-1 District.

Under the B-3, General Business District, fitness facilities had been considered principal permitted uses under “Bowling alley, indoor archery range, indoor tennis courts, indoor skating rink or similar form of indoor commercial recreation.” This language could be changed to clarify that small to moderate sized health and fitness facilities and instructional dance studios were a principal permitted use.

Planning Consultant Arroyo further explained that with the current industry trend toward specialized fitness, such as cross-fit, yoga, and the like, and the desire to locate fitness businesses closer to their customer base, the small to medium sized facilities were likely to be in demand.

Proposed standards were:

Principal permitted use: *B-2, Community Business 34-3.1.24.B.xxi. Indoor health and fitness studio and instructional dance studios subject to 34-4.58.1.*

Special approval use: *B-2, Community Business 34-3.1.24.C.i Bowling alley, indoor archery range, indoor tennis courts, indoor skating rink, indoor commercial recreation facilities over five-thousand (5,000) square feet and other similar uses subject to 34-4.19.*

Principal permitted use: *B-3, General Business 34-3.1.25.B.o. Indoor health and fitness studio and instructional dance studios subject to 34-4.58.1.*

Special approval use: *B-3, General Business 34-3.1.25.C.k. Bowling alley, indoor archery range, indoor tennis courts, indoor skating rink, indoor commercial recreation facilities over five-thousand (5,000) square feet or similar forms of indoor commercial recreation subject to 34-4.19.*

Principal permitted use: *LI-1, Light Industrial 34-3.1.29.B.x.p. Indoor health and fitness studio and instructional dance studios subject to 34-4.58.1.*

Special approval use: *LI-1, Light Industrial 34-3.1.29.C.vi. Indoor tennis or racquet court facilities, indoor ice or roller skating arenas, indoor commercial recreation facilities over five-thousand (5,000) square feet and other similar uses (subject to 34-4.52).*

For Principal Permitted Uses:

Section 34-4.58 Use Standards

- 1. In B-2 and B-3, indoor commercial recreation facilities and instructional dance studios are permitted uses provided that such facilities do not exceed three-thousand, two-hundred (3,200) square feet gross leasable area in size. All fitness activities shall be contained within a completely*

enclosed building.

2. In LI-1 districts, indoor commercial recreation facilities and instructional dance studios are permitted uses provided that such facilities do not exceed 5,000 square feet gross leasable area in size. All fitness activities shall be contained within a completely enclosed building.

Section 34-4-52 INDOOR TENNIS OR RACQUET COURT FACILITIES, INDOOR ICE OR ROLLER SKATING AREAS, INDOOR COMMERCIAL RECREATION FACILITIES, AND OTHER SIMILAR USES

Indoor tennis or racquet court facilities, indoor ice or roller skating areas, indoor commercial recreation facilities, and other similar uses which require large structures such as are normally found in industrial districts shall be permitted. Section 34-3.14.4 shall not be applied, provided the main building shall have a minimum setback of one hundred (100) feet from an RA district unless the district is separated from the use by a major or secondary thoroughfare.

Discussion followed:

- Did small to moderate sized health and fitness facilities in strip malls discourage foot traffic in those areas?
- The maximum square footage of the permitted use should be increased to 3,300 square feet, to allow for small variations in size, especially after combining two storefronts.
- Any outdoor uses, such as tennis courts, would need to come before the Planning Commission.
- Re-occupations would require administrative review of parking standards. Lighting would need to meet ordinance standards.

Issue: The Planning Commission requested consideration for pedestrian connections from public sidewalks to the principal building.

Planning Consultant Arroyo explained that the Zoning Ordinance did not provide for pedestrian access and connectivity from public rights-of-way for uses outside the FWR-2, Freeway Redevelopment Overlay District 2 and FWR-3, Freeway Redevelopment Overlay District 3.

The Planning Commission had requested that projects install greater pedestrian connectivity with the public rights-of-way. The recommended changes addressed that connectivity for projects in other zoning districts.

Referring to a graphic in tonight's handout entitled: *Examples: Pedestrian Walkways with Connection to Principal building form a Public Right-of-Way/Sidewalk*, Planning Consultant Arroyo reviewed the proposed changes as follows:

5.19 Pedestrian Access and Connectivity from Public Rights-of-Way

1. Pedestrian access-ways of sufficient width and design to allow convenient use shall be provided between public sidewalks and principal building entrances.
2. Walkways shall provide pedestrian access through parking lots from public sidewalks to building entries in a safe and efficient manner. Walkways shall be located and aligned to directly and continuously connect areas or points of pedestrian origin and destination, and shall not be located and aligned solely based on the outline of a parking lot configuration unless such a configuration allows for direct pedestrian access.
3. Where the primary pedestrian access to the site crosses drive aisles or internal roadways,

- the pedestrian crossing shall emphasize pedestrian access and safety.*
4. Walkways shall be a minimum of five (5) feet in width and installed in accordance with the city's engineering design standards.
 5. Pedestrian scale lighting fixtures no greater than 15 feet in height shall be provided along walkways to provide ample lighting during nighttime hours when street or parking lot lighting fixtures are deemed insufficient to adequately illuminate adjacent walkways.
 6. Pedestrian access points at property edges and to adjacent parcels shall be coordinated with existing development to provide pedestrian circulation between developments, where feasible.

Planning Consultant Arroyo noted that the Planning Commission had long desired this language be included in the Ordinance, especially to connect and encourage pedestrian traffic to stores and public areas. The Commission often tried to get pedestrian connectivity by persuasion; this codification moved pedestrian connectivity from persuasion to requirement.

Discussion included:

- The ordinance change would affect all zoning districts.
- The ordinance change would not affect re-occupations.
- Requiring sidewalks/pedestrian connectors to public rights-of-way other than parking lots could be a financial burden on business and building owners. Plowing/shoveling and salting the sidewalks in the winter was a significant added expense, and for what purpose? Many buildings did not require this type of connectivity.
- A statement should be included that the Planning Commission could waive this overall requirement, especially where there was no expectation of connectivity to stores, shopping centers, businesses, public areas, etc.
- Regarding #5 above, "adequately illuminate" seemed too vague. International Engineering Society (IES) standards could provide a good guideline for a fixed foot-candle requirement.

Planning Consultant Arroyo said that he would take the discussion into consideration, and bring further language back to the Commission.

Issue: The provisions for shared and reciprocal parking spaces require further clarification. It is recommended that the Planning Commission be the body that determines whether a reciprocal provision should be permitted.

Planning Consultant Arroyo explained that there was confusion in the ordinance regarding shared parking, and currently the Zoning Board of Appeals had a regulatory role. The changes clarified the role of the Planning Commission, and removed the ZBA from the approval process.

The proposed changes were:

34-5.2 Off-Street Parking Requirements

6. *In the instance of dual or multiple use sharing of off-street parking spaces, the Planning Commission may reduce the number of required parking spaces upon review of a shared parking study submitted by the applicant that appropriately documents that fewer spaces are necessary than required to serve the peak demand of all uses combined.*

~~7. *In the instance of dual function of off street parking spaces where operating hours of buildings do not overlap, the Board of Appeals may grant an exception.*~~

The total of such off-street parking facilities for joint or collective use may be reduced by the Planning Commission in accordance with the following rules and standards:

- i. The Planning Commission shall review and consider the findings of the Applicant's shared parking study, which shall be prepared by a qualified parking expert with experience conducting shared parking studies.
- ii. Uses for which the collective off-street parking facilities are to serve shall either operate during different hours of the day or night or shall have peak hour parking demands that do not coincide.
- iii. The Planning Commission may require the construction of pedestrian sidewalks or pathways to facilitate pedestrian traffic from one parcel to another that is subject to the shared parking agreement.
- iv. A legally sufficient written agreement assuring the joint usage of said common parking for the combination of uses or buildings shall be properly drawn and executed by the parties concerned, approved as to form and execution by the City Attorney, and filed with and made part of the application and recorded with the County Register of Deeds.

Discussion included:

- The shared parking agreement would now show up in a property's title work.
- Regarding iv., *assuring* should be *ensuring*.
- Any proposed shared parking agreement would be reviewed by the City and its consultants. Review standards would include the Urban Land Institute standards.
- Ordinance language should include "based upon accepted national standards/methodologies."
- Cost of a shared parking study was modest – probably around \$2500.
- Regarding iii., the word "may" offered the Planning Commission discretion in requiring sidewalks, pathways, etc.

Issue: Consider 8.5 feet high commercial vehicles

Planning Consultant Arroyo explained that the Zoning Board of Appeals, at their June 10, 2014 meeting, denied a request for variance to allow a commercial vehicle that exceeded the height requirements when parked as an accessory use to a one-family dwelling. The Chairperson requested the Zoning Department review this ordinance standard as the vehicles were becoming more popular.

Specifications for one cargo van manufacturer were included in the packet, and a photo of the vehicle that was denied parking rights in a residential neighborhood by the Zoning Board of Appeals had also been provided.

Planning Consultant Arroyo said the change, if approved, would be as follows:

34-4.14. Commercial Vehicles

Commercial vehicles may be parked as an accessory use to a one-family dwelling, subject to the following conditions:

3. *No part of the vehicle exceeds ~~eight (8)~~ eight and one-half (8 1/2) feet in overall height, measured from the ground.*

Discussion included:

- Handicapped vehicles were often of this type.

- If the vehicle were owned and licensed by a resident's off-site employer, signage/logos would be permitted.
- If the additional height were permitted, the standard would continue to be pushed to allow a higher height still.
- Issues involving these vehicles should be decided on a case-by-case basis by the Zoning Board of Appeals.

It was the consensus of the Commission not to increase the height limit for commercial vehicles.

Planning Consultant Arroyo said that he would return tonight's discussion items to the Commission with corrections/refinements at a later date, except for the height increase for commercial vehicles parked in residential neighborhoods. In the meantime, a future study session would also focus on other proposed changes to the Ordinance.

Vice Chair Rae-O'Donnell thanked Planning Consultant Arroyo for his work on these matters.

PUBLIC COMMENT: None.

COMMISSIONERS' COMMENTS:

Commissioner Blizman said that he found it critical to devote study session meetings to study session items, and not include other Planning Commission business on the same agenda.

Commissioner Mantey asked the City to rethink its policy about not clearing snow from the sidewalks, especially along bus routes.

Commissioner Schwartz asked that the Commission look at future land use for the south side of the Twelve Mile/Orchard Lake intersection, on both the east and west side, where currently there was a vacant restaurant and also older motels.

Staff Planner Stec suggested also looking at future land use for the third portion of the Corridor Improvement Study that included the old SIPS bar/restaurant.

Planning Consultant Arroyo also suggested looking at the gap area on Grand River west of Middlebelt that was not addressed in the overlay study.

Commissioner McRae said that he thought the Planning Commission should also look at 12 Mile Road from Farmington Road to the library.

Meeting schedule:

January 15, 2015	regular meeting
January 22, 2015	Capital Improvements Plan

ADJOURNMENT:

Hearing no further comment, Vice Chair Rae-O'Donnell adjourned the meeting at 9:18 p.m.

Respectfully submitted,

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APPROVED 2-12-2015

Steven Schwartz
Planning Commission Secretary

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