



**PLANNING COMMISSION MEETING**  
**Monday, May 11, 2020 – 7:00 p.m.**  
**Zoom Meeting**  
**Meeting ID: 864 5746 0016**  
**Password: 069337**

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## **AGENDA**

- 1. Roll Call**
  
- 2. Approval of Agenda**
  
- 3. Approval of Items on the Consent Agenda**
  - A. March 9, 2020 Minutes**
  
- 4. Site Plan Review for Outdoor Seating - 37085 Grand River Avenue, Freedom Plaza, Vindu Indian Cuisine Bar & Banquet**
  
- 5. Public Comment**
  
- 6. Planning Commission Comment**
  
- 7. Adjournment**

*More login details can be found here: <https://www.farmgov.com/Latest-News/Notice-of-Electronic-Meeting-May-11,-2020.aspx>*

## Notice of Meeting – Electronic Meeting

The City of Farmington Planning Commission will be meeting on Monday, May 11, 2020 at 7:00 pm.

### THESE MEETINGS WILL BE AS DESCRIBED BELOW.

The City will be utilizing the video/audio conferencing platform Zoom. Members of the public body will be able to hear and speak to each other for the entire meeting. Except for any closed session portions of the meeting, members of the public will be able to hear (and possibly see) members of the public body during the entire meeting, but will only be able to speak during a public comment period.

In order to connect to the meeting through Zoom, a member of the public needs to do the following:

- Install Zoom App on mobile device or phone. [Download Zoom Client and install on a PC or MAC](#)
- Click the [link provided to join the meeting](#)
- Invitation to the meeting:

**City of Farmington is inviting you to a scheduled Zoom meeting.**

Topic: **Planning Commission Meeting**

Time: May 11, 2020 07:00 PM Eastern Time (US and Canada)

### Join Zoom Meeting

<https://us02web.zoom.us/j/86457460016?pwd=RGc3eHlXQnRKcUVkRGs1MnNYUXlUdz09>

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Members of the public participating in either public comment via Zoom will wait in a virtual queue until called during the public comment period. Because of limitations on un-muting and re-muting members of the public, there will be only one public comment period for each meeting.

When public comment is permitted, members of the public will be called one at a time, as would happen during an in-person meeting. A meeting coordinator will determine the order of public speakers. If you want to speak, you must use the "Raise Hand" feature in order for our moderator to know they need to be unmuted. Alternatively, you may use the \*9 feature if participating by phone. When you are unmuted you will have three (3) minutes to share your comments to the public body. At the conclusion of your comments or your three (3) minutes, you will be re-muted and then removed from the queue.

Participants may also choose to submit comments that can be read into the record. Comments can be submitted via an electronic form to:

City Clerk Mary Mullison  
City Manager David Murphy

[mmullison@farmgov.com](mailto:mmullison@farmgov.com)  
[dmurphy@farmgov.com](mailto:dmurphy@farmgov.com)

Comments shall be submitted before 7:00 p.m. on the day of the meeting.

The City of Farmington government e-mail addresses of the members of the City Council utilizing this means of meeting are available on the City's website at:

<https://farmgov.com/City-Services/Government/Boards-and-Commissions/Planning-Commission.aspx>

The City will be following its normal procedures for accommodation of persons with disabilities. Those individuals needing accommodations for effective participation in this meeting should contact the Farmington City Clerk's Office at 248-474-5500 x2218 or the City Manager at x2222.

Mary Mullison  
City Clerk, City of Farmington  
[mmullison@farmgov.com](mailto:mmullison@farmgov.com)

FARMINGTON PLANNING COMMISSION PROCEEDINGS  
City Council Conference Room, 23600 Liberty Street  
Farmington, Michigan  
March 9, 2020

Chairperson Crutcher called the Meeting to order at 7:00 p.m. at City Hall Conference Room, 23600 Liberty Street, Farmington, Michigan, on Monday, March 9, 2020.

**ROLL CALL**

Present: Crutcher, Kmetzo, Majoros, Perrot, Waun, Westendorf (Arrived 7:14 p.m.)  
Absent: None  
A quorum of the Commission was present.

**OTHER OFFICIALS PRESENT:** Director Christiansen, Recording Secretary Murphy

**APPROVAL OF AGENDA**

MOTION by Waun, supported by Perrot, to approve the Agenda.  
Motion carried, all ayes.

**APPROVAL OF ITEMS ON CONSENT AGENDA**

**A. February 10, 2020 Minutes**

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

**PUBLIC HEARING – 2021-2026 CAPITAL IMPROVEMENT PROGRAM**

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

Director Christiansen stated this item as indicated in the staff report is a Public Hearing on the 2021-2026 City of Farmington Capital Improvement Program. The Capital Improvement Program Steering Committee and City staff have been working diligently on updating the program to incorporate into the City Master Plan and are requesting the Planning Commission to hold the Public Hearing tonight at the March 9, 2020 Planning Commission meeting. As you recall, at your February 10, 2020 meeting, the Commission scheduled the Public Hearing for the Capital Improvement Program for this evening. The Planning Commission is required by State statute to consider a Capital Improvement Program for the community, in this case the City of Farmington, on an annual basis for a period of six years and to incorporate that Capital Improvement Program into the City's Master Plan. There is a requirement for the Planning Commission to hold a Public Hearing and so it was scheduled, as indicated, the Public Hearing Notice was published, and the draft 2021-2026 Capital Improvement Program is attached with your staff packet for your review and consideration.

So the purpose this evening, Mr. Chair, is to hold the required Public Hearing, and to take any comment, and again, this has Noticed and it's been published in the paper, it's been posted on the City website and it's also been posted here at City Hall for the required period of time. You've actually probably had, if I recall correctly, two, maybe three discussions about this Capital Improvement Program. You considered the appointment of a Planning Commission member to serve on the Capital Improvement Program Steering Committee, and I believe that was an initial discussion back in December. You then went ahead and we had dialogue about the draft Capital Improvement Program in January, then you considered it as drafted by the Committee and then forwarded to you in scheduling for the Public Hearing in February. It was actually almost complete at that time, you might recall that you scheduled the Public Hearing and then the final draft was February 21<sup>st</sup>, made available to everybody and that's been what's been posted on the website. So if you go to the City website, it is the first item on the website under items of interest and also under the, I believe it is latest news section. When you scheduled the Public Hearing, that was posted there as well, as well as here at City Hall and the newspaper. So, if we look, I'll scroll down, this is the Notice, and this is typically consistent with the Notices that are required by State statute and what the City has posted before, informing everyone that the Planning Commission is holding the required Public Hearing. The purpose of the Capital Improvement Program then with respect to the work that was done by the Steering Committee, compliance with State statutory requirements, and the City's Charter, and again, the program and CIP to be incorporated into the City's Master Plan. So, this Notice was out, it has been in the newspaper and has been confirmed. So, with that, Mr. Chair, I can turn it back over to you. I think what is the course of action this evening is for the Commission to ask any questions that you might have, and if you don't have any initially, would be to open the required Public Hearing, take an comment, close the Public Hearing after you receive comment and then come back to the Commission for your consideration and for any other questions that you may with a final action then this evening that would be a consideration of the draft and action on the draft and forwarding it to the City Council for their review and consideration.

This really is your document in accordance with State statute. So what you're doing is acting on this document, if you so choose, in approving the draft and then forwarding it onto Council again for their consideration as a public document because as we've discussed, the City of Farmington has incorporated the Capital Improvement Program as part of their overall budget program. Even though this is the Planning Commission's responsibility for the Capital Improvement Program portion of the overall City budget. So, with that, I'll turn it back over to you, sir.

Chairperson Crutcher opened the floor for questions or comments from the Commissioners.

Commissioner Perrot stated that the only comment that he has is just to make sure that once this gets passed along to Council, is that they don't lose sight of exactly what this is. It's a need list from the people that we count on to tell us what we need, you know, and I may sound like a broken record, but they're our subject matter experts for each one of their departments. So, you know, public outcry, and personal interests and emotions aside, we need to stay focused on what we need and I just want to make sure that we don't lose sight of that.

Commissioner Majoros stated that his comment is not as a Commissioner, but as a "Joe Q Public", that there's a lot on here that they've seen before, for instance the streetscape, the Farmington Road Streetscape, you look at that and you say 4 million bucks and maybe there's a grant that eats a million of that, right; so whether it ever happens, who knows, right, that's a huge investment potentially. But part of it is the streetscape on Grand River was an enabler to a lot of other businesses, restaurants, the kind of things that could benefit from the notion of having a streetscape. This is again my personal opinion, so I find it really hard to say or when this potentially could happen, that we do all this streetscape work when we've got a tire store, there are businesses that aren't really to me enablers or those that would benefit greatly. A CVS, right, the CVS is going to be there regardless. The Grand River Streetscape, I think we would all argue along with a lot of other good things that you have done, the DDA has done, has enabled that to grow and prosper. The Farmington Road mechanics and the structures we have there, just don't seem like we're going to fundamentally reshape, like the CVS is going to become whatever, it's going to be a CVS. And so we're going to beautify all of this potential space and it looks nice but what's the purpose of such a thing, and again, that's my personal opinion.

The balance of it, having gone through this, read it, and been a part of it, I think a lot of the comments that we have made still held true. What Commissioner Perrot has said, we've made that point; I know Commissioner Kmetzo has talked about can we get a list of what was done, and what's new, I think that Chris Weber and the team have done a great job responding to that. I think they've been very clear on what the priorities are. I think the feedback that we have always given was, kind of to your point, Geoff, is one of the things that makes the City tick, the fundamental services that people come to expect, the fundamental issues that need to be addressed such as drain repair and fundamentally necessary equipment and it might not be the sexiest things but they're the stuff to keep things running. So that's just a personal comment of mine and then also having been a representative of what I've seen come through, and I think that what we've got is pretty darn good.

Chairperson Crutcher called for a motion to open the Public Hearing.



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

(Public Hearing opened at 7:11 p.m.)

### **PUBLIC HEARING**

Hearing no comments, Chairperson Crutcher called for a motion to close the Public Hearing.

MOTION by Majoros, supported by Waun, to close the Public Hearing.  
Motion carried, all ayes.

(Public Hearing closed at 7:12 p.m.)

Chairperson Crutcher asked Christiansen what the Planning Commission's action would be on this item.

Director Christiansen stated that there are 117 projects in this Capital Improvement Program, and a total of 28.2 million dollars which is consistent with the number of projects, a little more, a little less than the Commission has been considering for the past number of years in accordance with the Capital Improvement Program process the City has implemented on an annual basis now for a number of years, both in accordance with State statute and City Charter. The dollar amount is more in 2020 than it was in 2019, and so on and so on. Again, this is a six-year program. As Commissioner Perrot indicated, this is a list of desired projects, desired at certain levels. Priorities, some maybe not as much a priority as others, some desired, some needed but maybe can be deferred, some very large and significant in scale, and then also in cost, others maybe not as much, but they are pretty much all focused on Capital Improvement needs of the community. If you take a look here real quick, this is the current draft, so this is what Mr. Majoros had made a comment about and that's the Farmington Road Streetscape shown here. In any event, and I don't know if Mr. Majoros wanted me to make a quick comment on that or not.

(Commissioner Westendorf arrived at the meeting at 7:14 p.m.)

Majoros replied when thing this happen, there's a purpose for everything that's in here. And the purpose to fix the Mayfield Drain is to stop street flooding and etc., etc., and to keep property values high. He stated his assumption is that there is a two-fold purpose of a streetscape; one is beautification, road dieting, but he hopes and assumes that the second part of that is to spur economic development desirable for business, etc. He said

his opinion in looking at the footprint of the businesses that are currently there, you know, there's certain things you just say we just don't have the physical footprint there or perhaps deeply entrenched businesses or types of businesses that streetscapes or no streetscape would the businesses we have there remain. Now, you could say that perhaps if the streetscape got done, and I'm just going to use the tire store as an example, I'm not advocating for or against, but maybe they say hey, it's not really much for us to move half a mile down the road and now all of a sudden you can have a Vinsetta Garage cool bar there, okay. So part of this is just well, you know, sometimes you have to spend a little bit to make a little bit.

Christiansen stated that's a very important point about focus on existing conditions, then vision and what things are and what they could be and how to achieve that. And certainly both on appearance, so there's esthetics and there is appearance of existing built construction and built environment and then certainly economic development opportunity. He went on to say he can just tell you quickly and we won't get into specifics on this particular project, but you might recall those who were here back in time, in 2009, when the Grand River Streetscape came about, some of these same kind of considerations were discussed. But he will tell you that the result of the Grand River Streetscape's implementation, took the use space at that time where were predominantly long term retail uses and set the stage to the repurpose of that corridor with road diet, streetscape elements, pedestrian elements and the like, allowing for also other things like outdoor seating and it changed that use space, I will say that it created as a result stimulated and resulted in restaurant row on the north side so to speak and so on and so forth. He also said there was a Goodyear Tire Store, not taking away because the Auto Garage is there and they've done a really nice job, but what he will say about Farmington Road, it's like two legs. If you turn around and they're both getting a little tired and worn out, bones are creaking and the joints aren't working, so you fix this one, you gave it a knee replacement and it's working great. You haven't done the same on this one and now you have an opportunity, if it's the right thing, set the stage you might call it and maybe it then incentivizes and stimulates transition of uses and so on and so forth. What's one of the neat things is these things kind of all intertwine, you have to have the vision first and then you lay out the course and everything else, you put it in your long range plans, we have, it's in the Downtown Plans and we have a new owner of the Savings Bank Building and who knows, you fold over and fold over and you take that corridor and if you were to reset the stage, that the temporary outdoor seating that Dennis Page is having his 5-foot sidewalk, with a road dieted area, would probably be a lot nicer than it might be now. So all of those things come about, will it happen? I think that's why you do your planning, that's why you put something like that on here and you see if it's possible and if you really can make sense of it. CVS one day, you know, that owner has talked about a lot of different changes, but maybe the motivation hasn't been there as much. Sometimes something like infrastructure improvements, a streetscape and other sorts of things like



that, stimulate that. So that's how it all goes and it's interesting and we look at opportunity and I think that's where there is certainly one within the core of this community, within the epicenter at Farmington and Grand River, on the leg that hasn't had the attention. In any event, with all that being said, what's really great is what I think also you made comment about, Mr. Majoros, and I certainly want to make sure that Commissioner Kmetzo, because this was absolutely a focus of hers, and a request and very important, if you take a look here, one of the things that's really important is not only knowing where you're going, what your plan is, but knowing where you've been so you can know where you are so you know where you're going, let's see what happened in the past couple years. We've been through this, we've been through the basis, why the CIP, and this can all be reread if anyone has interest, it's not a budget, it identifies projects, is in accordance with State statute, it's also something that's required in the Charter, and so there's a basis for it. Why create the CIP, the Michigan Planning Enabling Act, it's the responsibility of the Planning Commission, the benefits of the CIP, we laid that out that it provides direction, identifies deficiency, provides a means to correct those, for our long term and short-term expenditures, etc. The Executive Summary is one of the most important tools in this document because it lays out in pie chart format where the priorities are. Again, we've always talked about the primary focus of this document really is on infrastructure, that's where most of the needs are currently here in Farmington and we can see that. We see that with roads, we see that with water and sewer and drains, sidewalks and streetscape are in there, parking lots, but then we have vehicles and equipment, recreation and culture relates to our parks and other sorts of elements, municipal assets that are like the Mansion and then parks and things like that need to continually be maintained and enhanced and etc., land development and acquisition, so all in all we look here at the quick view. There are 117 projects, 28.3 million dollars, and then the projects by year laid out. The rest of this document in detail goes into identifying those projects and having some focus on the priority and funding sources. But what I think is really important and was mentioning this, is one of the requests was for a summation of expenditures through the Capital Improvement Program in the last Capital Improvement cycle. And that's what you see here in this chart, the projects themselves, the projects that have been completed, and will be completed through June 2020, and you know our budget year is July 1 to June 30, so we are in the 19/20 budget year, we are in the 20/25 Capital Improvement Program, so these are projects that will be completed by the end of June. And these are projects then that are being added into in this next year in this document. So again, that was a great question, I made sure that that was carried forward to the Committee, and they did a nice job, Mr. Weber, the Finance Director, in doing so. In any event, Mr. Chair, that's all the comments I had to share back to you. The request here this evening is for the Commission's action on the 2021/2026 City of Farmington Draft Capital Improvement Program and forwarding that back to City Council for their review and consideration.

Chairperson Crutcher called for a motion from the Commissioners.

MOTION by Majoros, supported by Kmetzo, to approve the Draft 2021-2026 City of Farmington Capital Improvement Program as noticed and presented, and to forward it to City Council for their review and consideration.  
Motion carried, all ayes.

Director Christiansen stated he had a side item he wanted to address on the CIP. He said last year's packet had a picture of the Pavilion with three young children running along the compass roads and that this year with the focus in this document potentially with the Farmington Streetscape, the purpose here is taking what's old, breathing new life, making it new again, Capital Improvements. He said there was a consideration of two different pictures and there was solicitation to the Steering Committee which was posed to the Department Heads. So what he has this evening for the Commission's consideration is the two proposed pictures picked for the cover of the 2021/2026 CIP. The two photos were passed out to the Commissioners and the original picture was marked as "A" and the second submission as "B".

A roll call vote was then taken on the foregoing consideration with the following results:

CRUTCHER:	A.
KMETZO:	A.
MAJOROS:	B.
PERROT:	A.
WAUN:	A.
WESTENDORF:	A.

The picture marked "A" held the majority vote of 5-1.

Director Christiansen stated the CIP is a great tool and it is significant in its importance to the community and he knows it seems like sort of a wish list at times to some people, but it's really not pie in the sky, there's a basis for it. And decision making is done using this tool because this tool actually follows the Master Plan and also aligns with the budgetary focus that is done by Council, so these tools are used and are that significant and that's why it's required by statute. And it is the Planning Commission's charge stewarding the City's planning program and then also, too, making sure that not just the vision, the plan, is current and what the community's direction is looking to be, but then the tools for implementation, zoning and capital improvement. So you know what the next charge is, to go back and look at the City's Zoning Ordinances to make sure that the implementation tool, the City's rules, are able to implement the Master Plan that was just updated. And if there are some areas that need adjustment to achieve the goals and the plans that you

have and implementing the Capital Improvement Program, you may look to through a Zoning audit, to make those changes. We'll look at the Zoning Districts, all the uses, how they're permitted, Special Land Use, etc., spatial requirements, setbacks, building heights, looking at what needs to be tweaked. He cited the tweaking of the single-family setback requirements to allow for a little greater expansion and a little more encroachment into yard areas so people could stay in their houses and do a little bit more, a little more flexibility, those kinds of things.

Chairperson Crutcher asked if there was much activity on that front and Christiansen replied a little bit, not as much as he'd like to see, but what he can say about the City's single-family home base, the stock is pretty solid, and there's a lot of reinvestment that now has taken place in the last number of years since the economic downturn with more than a fresh coat of paint and a re-roof, a lot of interior modifications, whether it's kitchen and bath, whether it's living space, whether it's basement remodel, and there are some bump-outs here and there, people are doing that. We have a couple teardowns in some places and rebuilds. We've got a brand-new house on Shiawasse, let alone 33 down at Flanders, let alone 14 coming at Liberty Hill and that pre-con is coming up, the final meeting before the pre-con is this Wednesday. Christiansen went on to say that if you look at some of the older subs, Floral Park is getting some investment, and that's really a sub that needed a shot in the arm, Floral Park is down at Orchard Lake on the east side and Grand River Avenue, a 1922 sub that used alleys, rear alleys, garages were accessed that way, those were abandoned years ago but they're smaller homes, but you're seeing some reinvestment. Bel-Aire Sub, you're seeing reinvestment in the Bel-Aire Sub which is over across from Sorrows that's on the other side of Powers. So, some of those regulations have helped those areas with a little bit of softening and that's a good thing. We'll see as time goes on, it's really important, pretty much 70% of our overall budget is residential, single and multiple family. He stated the next step for the Planning Commission's activities besides all the plans that will be coming up, would be a Zoning audit exercise and maybe that's something we do amongst ourselves, we won't go out for that too much because we're the users, we get it, we have our hands on it all the time, we have an intimate use and knowledge and work together over a couple months to take a look to see what's working and what's not, we'll just go through it and see what you think. If we need to make some changes, let's recommend them and we'll get them done, we'll use our attorneys to do that. And as we along, we've got some significant projects, we probably have about six of them in this next year: Tropical Smoothie, the plans are in, the engineering cost estimates are coming in and they're going to get ready to do that. The façade improvements have progressed to a certain point but they have to be finished and get done and everything else.

Chairperson Crutcher said that he being on the Parking Advisory Committee, that this might also be a time to start to maybe visit some of the parking lots and Christiansen

replied that the Zoning audit will address the parking, Christiansen went on to state there were standards in place for parking, international, transportation, engineer parking standards, ITE parking standards that were pretty significant for big parking fields for shopping centers, strip malls, shopping centers, etc. Parking is different today and driving habits are different today and use of vehicles is different today. You don't need that asphalt sea of parking, but we still need to make sure that we have parking that meets the needs but we can modify that somewhat and maybe reduce the amount required and use some of those parking lot areas for satellite buildings within in a big parking lot or other boxes, other types of development, so very important. I was just mentioning that we'll look at the parking standards for sure.

The six developments that are going to be important this year are: Tropical Smoothie, we'll see what happens with the drive-thru next door that you approved for Panera; they haven't come in with their plans yet, that's kind of why I want to push them a little bit but just waiting on; the gas station, they've been down doing their environmental investigations and everything and we're really hopeful that that's going to also come in with plans very, very shortly. And back in town, we're going to have that demo on the interior of the Village Mall and Savings Bank this year and open it back up and that's significant. As I said, Wednesday is a big internal meeting prior to meeting with the homeowners on the sanitary sewer and the pre-con for Liberty Hill coming up. And down the way, Samurai, Denny Chang and the company have made a change in the name of the Samurai Sushi to the Crusty Crab Seafood Restaurant, same owner, same group, same building, same restaurant downstairs but next door which is going to be the steak house, they're kind of in a holding pattern with building the building so in the interim, they're going to implement Phase I of the PUD for that site, that's go ahead because the barn has been dismantled, boxed, reload and moved at least, the house is down, the site is clean so now it would be build the building or they're going to do a parking lot, stormwater management put in, so they'll put in drainage and a parking lot, a fence in the back, landscaping, that connectivity with the crossing, working with MDOT across Grand River and have it be a parking area right now serving the restaurant and the residential up until the time they're ready to build the building. They're also I think going to do the outdoor seating that was approved, so kind of staged, that's where they're at right now. But that's in play. And then The Winery, we've had a lot of inquiries, a lot of people coming in and meeting and they're all excited and then they kind of back off. That's a big task in that building, it's a lot of money in that building. So that being said, these are all catalytic, particularly the Village Mall and the Winery. And the last one, of course, is the Maxfield Training Center, that's as big as anything that we've had on our plates. So these are significant right now and those are all potential project opportunities here that are going to involve the Planning Commission, you're going to get engaged with. The Village Mall interior, just the demo, not at that stage, but build-out, other things, if it's façade and what not, that will for sure come to you, let alone everything else.

He thanked the Commission for the efforts they put forth in the Capital Improvement Program and Mr. Majoros, for his representation of the Planning Commission on the Steering Committee and accepting that appointment and providing his insight and input. It's really great the work that the Commission is doing, has done and continues to do, we are very much appreciative of it and we like working with you, it's enjoyable, and productive. We're doing some really important things, we're changing this community's built environment in accordance with the plans that have been put together that you've reviewed, approved, and adopted through the process and then the other tools that you have put in place. Your questions about the streetscape were spot on. Question that stuff, how does this happen, what's it going to do, who's it going to benefit, are we putting too much of our eggs in one basket, it's a lot of money. Our budget in this City is 10 million dollars, and a 4 million dollar streetscape project is a pretty chunk of a 10 million dollar budget, even though it's not all coming out of it, and I'm not discounting that project at all, I think it's significant, again, the staging that I talked about but we need to find alternative revenue sources for small communities like ours. Municipal finance is still the challenge. State shared revenues. Proposal A, everything else that goes along with it is a challenge. We keep working on it every day, that's why you've got to lay out your road map. You've got to have your Vision Plan, your Master Plan, your Capital Improvement Program, change your tools if necessary, figure out how you're going to get the money now and for the future, we're not going to be here forever.

**PUBLIC COMMENT**

None heard.

**PLANNING COMMISSION COMMENTS**

None heard.

**ADJOURNMENT**

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

The meeting was adjourned at 7:44 p.m.

Respectfully submitted,

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Secretary

<b>Farmington Planning Commission Staff Report</b>	<b>Planning Commission</b> <b>Date: May 11, 2020</b>	<b>Reference Number</b>
<b>Submitted by:</b> Kevin Christiansen, Economic and Community Development Director		
<b>Description</b> Site Plan Review for Outdoor Seating – 37085 Grand River Avenue, Freedom Plaza, Vindu Indian Cuisine Bar & Banquet		
<p><b>Background</b></p> <p>The owner of Vindu Indian Cuisine Bar &amp; Banquet Mr. Venkat Gutta has submitted a Site Plan for a proposed outdoor seating area for his existing restaurant located at 37085 Grand River Avenue in Freedom Plaza. The property is located in the C-3 General Commercial District. Outdoor seating in the C-3 District requires approval of the Planning Commission. The changes/improvements include a proposed outdoor seating/patio area for the existing restaurant along the front and west side of the existing building. No changes regarding building dimensions or other site improvements are proposed.</p> <p>The applicant/petitioner has submitted a site plan for the proposed outdoor seating/patio area, including a layout of the proposed outdoor seating area and the proposed outdoor seating tables and chairs. The submitted plans show the proposed outdoor seating/patio area to be located along the front (Grand River Avenue) and west side of the 1<sup>st</sup> floor of the existing building adjacent to the existing restaurant building/unit. The outdoor seating/patio area will have access from the existing restaurant building/unit. A 3.0 foot high aluminum “picket type” fence is proposed to enclose the outdoor seating/patio area.</p> <p>The requested action of the Planning Commission is to review the submitted outdoor seating site plan for Vindu Indian Cuisine Bar &amp; Banquet. A copy of Section 35-102, sub-section (b) of the Zoning Ordinance regarding outdoor seating is attached. The applicant/petitioner intends to review the plans and site plan information with the Planning Commission at the May 11, 2020 meeting.</p> <p>Attachments</p>		



# CITY OF FARMINGTON

## Site Plan Review

A site plan must be submitted for review by the Planning Commission for certain uses, buildings and structures to ensure that the arrangement, location, design and materials proposed for new development comply with the requirements of the Zoning Ordinance and are consistent with the character of the city and the goals of the City of Farmington Master Plan. Please refer to *ARTICLE 13 SITE PLAN REVIEW* of the Zoning Ordinance for details relating to site plan review.

The following steps are necessary for site plan review:

1. A site plan application must be submitted to the Economic & Community Development Department located at 23600 Liberty Street according to the following schedule:

Application Submittal Date	Planning Commission Meeting Date
December 23, 2019	January 13, 2020
January 20, 2020	February 10, 2020
February 17, 2020	March 9, 2020
March 23, 2020	April 13, 2020
April 20, 2020	May 11, 2020
May 18, 2020	June 8, 2020
June 22, 2020	July 13, 2020
July 20, 2020	August 10, 2020
August 20, 2020	September 14, 2020
September 21, 2020	October 12, 2020
October 19, 2020	November 9, 2020
November 23, 2020	December 14, 2020

All Planning Commission meetings are held the second Monday of the month at City of Farmington Offices, Council Chambers, 23600 Liberty Street and begin at 7:00 p.m.

A special meeting may be requested by the applicant. Special meetings are held the fourth Monday of the month and subject to administrative scheduling. A fee of \$500.00 is required.

2. The following information must be provided with every site plan application:
  - X One (1) copy of a completed and signed application form
  - X One (1) digital copy of a site plan meeting the requirements of *ARTICLE 13 SITE PLAN REVIEW* and in accordance with the attached checklist



X Payment of the required fee as determined by the City Council

3. **Pre-Application Meeting (Optional).** Prior to submittal for Planning Commission review, applicants are encouraged to discuss procedures and required submittal information with City staff. Please contact the Economic & Community Development Director or Building Official at 248-474-5500 with any questions.

4. **Preliminary Site Plan (Optional).** The preliminary site plan review is an optional review by the Planning Commission and/or City staff which allows the city to provide general comment on compliance with the standards of the Zoning Ordinance and to discuss architectural and site concepts and alternatives prior to the preparation of a complete site plan package.

Five (5) copies of a preliminary site plan must be provided. Contents of a preliminary site plan are at the applicant's discretion. Note that this stage of review is to provide guidance only and does not bind the Planning Commission or City staff on any future decision regarding the site plan.

5. **Final Site Plan.** One (1) digital copy of a final site plan application must be submitted to the Economic & Community Development Department **at least seventeen (17) days** prior to the Planning Commission meeting, in accordance with the schedule provided above. All items listed on the attached checklist must be provided.

X If the site plan application is deemed complete by City administration, it will be placed on the Planning Commission meeting agenda.

X The site plan will be reviewed by the Economic & Community Development Department-including the Economic & Community Director and Building Official-and any consultants as deemed necessary by the City. Reports to be forwarded to the Planning Commission for their consideration.

X The Commission can approve, approve with conditions, or deny the request at the meeting or defer the decision until the next regularly scheduled Planning Commission meeting. If site plans are revised for resubmittal, all modifications from the previous plan must be highlighted in such a manner that the modifications are easily identified.

X Upon approval of a site plan by the Planning Commission, the approved plans shall be initialed and dated by the Economic & Community Development Director and forwarded to the Building Official. If plans have been conditionally approved, revised plans shall be submitted for administrative review by the Economic & Community Development Director prior to being forwarded to the Building Official.

X All approved site plans are valid for a period of one (1) year from the date of approval by the Planning Commission.

6. **Construction Plans/Zoning Compliance/Building Permits.** The Building Official shall utilize the approved site plan as well as other documents required under Chapter 35 as the basis upon which a zoning compliance permit shall be issued.



# CITY OF FARMINGTON

*For office use only*

Date Filed: \_\_\_\_\_

Fee Paid: \_\_\_\_\_

## Site Plan Application

1. Project Name Rao gari Vindu Indian Cuisine Bar & Banquet

2: Location of Property

Address 37085 Grand River Ave, Suite A, Farmington, MI 48335

Cross Streets Grand River Ave and Freedom Road

Tax ID Number 20-23-29-101-005

3. Identification

Applicant Mr. Venkat Gutta

Address 37085 Grand River Ave., Suite A

City/State/Zip Farmington, Michigan 48335

Phone 248-470-6450 Fax \_\_\_\_\_

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

Property Owner  Other (Specify) Tenant

Property Owner POTLURI GROUP LLC

Address 37085 Grand River Ave., Suite 010

City/State/Zip Farmington, Michigan 48335

Phone (248) 719-8675 Fax \_\_\_\_\_

Preparer of Site Plan Siegal Tuomaala Associates Architects & Planners, Inc

Address 29200 Northwestern Highway, Suite 160

City/State/Zip Southfield, Michigan 48034

Phone (248) 352-0099 Fax \_\_\_\_\_

4. Property Information

Total Acres 2.86 acres  
Lot Width 348.91 feet Lot Depth 297.00 feet  
Zoning District PUD Agreement & C-3 Zoning District  
Zoning District of Adjacent Properties to the  
North N/A South PUD East C-3 West C-3

5. Use

Current Use of Property Mixed Use - Retail & Office  
Proposed Use

- Residential Number of Units \_\_\_\_\_
- Office Gross Floor Area \_\_\_\_\_
- Commercial Gross Floor Area \_\_\_\_\_
- Industrial Gross Floor Area \_\_\_\_\_
- Institutional Gross Floor Area \_\_\_\_\_
- Other Outdoor Seating Gross Floor Area 360sf of Outdoor Seating

Proposed Number of Employees \_\_\_\_\_

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

I, VENKATESWARAN GUJA (applicant), do hereby swear that the above statements are true.

C. Venkateswararan 04/20/2020  
Signature of Applicant Date

[Signature] 06/20/2020  
Signature of Property Owner Date

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

<u>City Action</u>
Approved/Denied: _____
Date: _____
By: _____
Conditions of Approval: _____
_____
_____



# CITY OF FARMINGTON

## Site Plan Review Checklist

a. Site Plan Descriptive and Identification Data	Provided	Not Provided
Site plans shall consist of an overall plan for the entire development, drawn to an engineer's scale of not less than 1 inch = 50 feet for property less than three acres, or one inch = 100 feet for property 3 acres or more in size	X	
Sheet size shall be at least 24 x 36 inches	X	
If a large development is shown in sections on multiple sheets, then one overall composite sheet shall be included	X	
Title block with sheet number/title; name, address and telephone number of the applicant and firm or individual who prepared the plans; and date(s) of submission and any revisions (month, day, year)	X	
Scale and north-point	X	
Location map drawn to a separate scale with north-point, showing surrounding land uses, water features and streets within a quarter mile	X	
"Not to be Used as Construction Drawings" must be noted on the site plan	X	
Legal and common description of property	X	
Identification and seal of registered or licensed architect, civil engineer, land surveyor, landscape architect or community planner who prepared drawings	X	
Zoning classification of petitioner's parcel and all abutting parcels	X	
Proximity to section corner and major thoroughfares	X	
Net acreage (minus rights-of-way) and total acreage	X	
b. Site Data	Provided	Not Provided
Existing lot lines, building lines, structures, parking areas and other improvements on the site and within 100 feet of the site	X	

Where grading is proposed, topography on the site and within 100 feet of the site at two-foot contour intervals, referenced to a U.S.G.S. benchmark	N/A	
Proposed lot lines, lot dimensions, property lines, setback dimensions, structures and other improvements on the site and within 100 feet of the site	X	
Location of existing drainage courses, floodplains, rivers and MDEQ regulated wetlands with elevations	N/A	
All existing and proposed easements	X	
Details of exterior lighting including locations, height, fixtures, method of shielding and a photometric grid overlaid on the proposed site plan indicating the overall lighting intensity of the site (in footcandles)	N/A	
Location of waste receptacle(s) and mechanical equipment and method of screening	N/A	
Location, size, height and lighting of all proposed freestanding and wall signs	N/A	
Location, size, height and material of construction for all walls or fences with cross-sections	X	
Extent of any outdoor sales or display area	X	
Location, height and outside dimensions of all storage areas and facilities	N/A	
<b>c. Access and Circulation</b>	<b>Provided</b>	<b>Not Provided</b>
Dimensions, curve radii and centerlines of existing and proposed access points, roads and road rights-of-way or access easements	X	
Driveways and intersections within 250 feet of site	X	
Cross section details of existing and proposed roads, driveways, parking lots, sidewalks and pathways illustrating materials, width and thickness	N/A	
Dimensions of acceleration, deceleration and passing lanes	N/A	
Dimensions of parking spaces, islands, circulation aisles and loading zones	X	
Radii for driveways and parking lot islands	N/A	

Calculations for required number of parking and loading spaces	X	_____
Designation of fire lanes	X	_____
Traffic regulatory signs and pavement markings	N/A	_____
Shared parking or access easements, where applicable	X	_____

<b>d. Landscape Plans (city reserves the right to require plans be prepared and sealed by a registered landscape architect)</b>	<b>Provided</b>	<b>Not Provided</b>
---	-----------------	---------------------

The general location, type and size of all existing plant material, with an identification of materials to be removed and materials to be preserved	N/A	_____
Limits of grading and description of methods to preserve existing landscaping	N/A	_____
The location of proposed lawns and landscaped areas	N/A	_____
Landscape plan, including location, of all proposed shrubs, trees and other plant material	N/A	_____
Planting list for proposed landscape materials with callper size or height of material, spacing of species, botanical and common names, and quantity	N/A	_____
Calculations for required greenbelts, buffer zones, parking lot trees, detention ponds and interior landscaping	N/A	_____
Method of installation and proposed dates of plant installation	N/A	_____
Landscape maintenance program	N/A	_____

<b>e. Building and Structure Details</b>	<b>Provided</b>	<b>Not Provided</b>
--	-----------------	---------------------

Location, height, and outside dimensions of all proposed buildings or structures	X	_____
Building floor plans and total floor area	X	_____
Details on accessory structures and any screening	N/A	_____
Building facade elevations for all sides, drawn at an appropriate scale	N/A	_____
Method of screening for all ground-, building- and roof-mounted equipment	N/A	_____

Description of exterior building materials including colors (samples or photographs may be required)

N/A

**f. Information Concerning Utilities, Drainage and Related Issues**

Provided

Not Provided

Location of sanitary sewers and septic systems, existing and proposed

N/A

Location and size of existing and proposed water mains, water service, storm sewers and drains, and fire hydrants

N/A

Storm water retention and detention ponds, including grading, side slopes, depth, high water elevation, volume and outfalls

N/A

Location of above and below ground gas, electric and telephone lines, existing and proposed

N/A

Location of utility boxes

N/A

**g. Additional Information Required for Multiple-family Residential Development**

Provided

Not Provided

The number and location of each type of residential unit (one bedroom units, two bedroom units, etc.)

N/A

Density calculations by type of residential unit (dwelling units per acre)

N/A

Garage and/or carport locations and details, if proposed

N/A

Mailbox clusters

N/A

Location, dimensions, floor plans and elevations of common building(s) (e.g., recreation, laundry, etc.), if applicable

N/A

Swimming pool fencing detail, including height and type of fence, if applicable

N/A

Location and size of recreation and open space areas

N/A

Indication of type of recreation facilities proposed for recreation area

N/A

**h. Miscellaneous**

Provided

Not Provided

A general operations plan including description of the nature of the proposed use or activity, noise impacts, hours of operation, the number of employees, etc

N/A

Assessment of potential impacts from the use, processing, or movement of hazardous materials or chemicals, if applicable

N/A

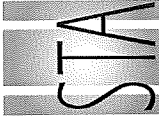


For additions and expansions, a clear distinction between existing buildings, structures and impervious surface areas and any proposed development must be made

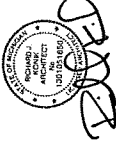
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Any additional graphics or written materials requested by the planning commission to assist in determining the compliance with site plan or special land use standards, such as but not limited to: aerial photography; cross-sections which illustrate impacts on views and relationship to adjacent land uses; photographs; traffic impact studies and parking demand studies; and environmental impact studies; such information shall be prepared by a qualified individual or firm with experience in the specific discipline

X



**SEIGAL FLUOMALA ASSOCIATES ARCHITECTS & PLANNERS INC.**  
 26200 northwestern highway 110  
 southfield, MI 48034  
 P: 248-352-1000  
 F: 248-352-1008  
 www.sta-architects.com



Project name:  
**Vindu Restaurant  
 Outdoor Seating**

Project location:  
 37085 Grand River Ave.,  
 Suite 240  
 Farmington, MI  
 Suite A

Date/Revision:  
 April 20, 2020 - Vindu SPA

Sheet Title:  
**Freedom Plaza  
 Site Plan**

Project Number:  
**2320-T13**

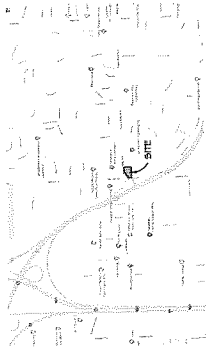
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**P1**

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**Site Data**

- PROPOSED OWNER:** VINDU RESTAURANT, INC. 2000 W. HAWTHORNE AVENUE, SUITE 200, SOUTHFIELD, MI 48034
- DEVELOPER/CONSULTANT:** SEIGAL FLUOMALA ASSOCIATES ARCHITECTS & PLANNERS INC. 26200 NORTHWESTERN HWY, SUITE 110, SOUTHFIELD, MI 48034
- DATE:** APRIL 20, 2020
- PROJECT:** VINDU RESTAURANT, INC. OUTDOOR SEATING
- DESCRIPTION:** THE PROPOSED VINDU RESTAURANT AND OUTDOOR SEATING ARE LOCATED AT 37085 GRAND RIVER AVENUE, SUITE A, FARMINGTON, MI 48331. THE PROPOSED RESTAURANT AND OUTDOOR SEATING ARE LOCATED ON A 1.2-ACRE PARCEL. THE PROPOSED RESTAURANT AND OUTDOOR SEATING ARE LOCATED ON A 1.2-ACRE PARCEL. THE PROPOSED RESTAURANT AND OUTDOOR SEATING ARE LOCATED ON A 1.2-ACRE PARCEL.
- ADJACENT PROPERTIES:** TO THE NORTH IS A 1.2-ACRE PARCEL OWNED BY VINDU RESTAURANT, INC. TO THE SOUTH IS A 1.2-ACRE PARCEL OWNED BY VINDU RESTAURANT, INC. TO THE EAST IS A 1.2-ACRE PARCEL OWNED BY VINDU RESTAURANT, INC. TO THE WEST IS A 1.2-ACRE PARCEL OWNED BY VINDU RESTAURANT, INC.
- ADJACENT UTILITIES:** TO THE NORTH IS A 1.2-ACRE PARCEL OWNED BY VINDU RESTAURANT, INC. TO THE SOUTH IS A 1.2-ACRE PARCEL OWNED BY VINDU RESTAURANT, INC. TO THE EAST IS A 1.2-ACRE PARCEL OWNED BY VINDU RESTAURANT, INC. TO THE WEST IS A 1.2-ACRE PARCEL OWNED BY VINDU RESTAURANT, INC.
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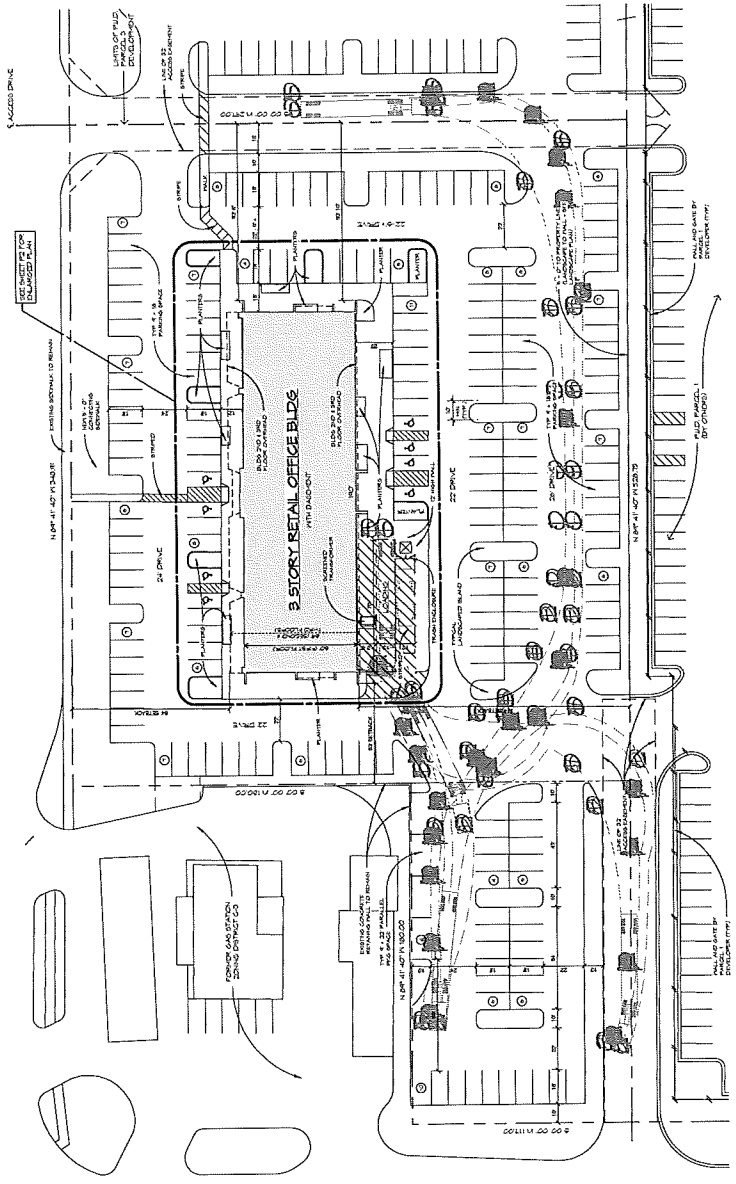


**Location Map**

**PROPERTY DESCRIPTION:**

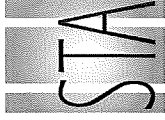
THE PROPERTY IS A 1.2-ACRE PARCEL OF LAND, MORE OR LESS, SITUATED IN THE CITY OF FARMINGTON, STATE OF MICHIGAN. THE PROPERTY IS BOUND BY GRAND RIVER AVENUE TO THE NORTH, FREEDOM ROAD TO THE EAST, AND THE WEST LINE OF THE 1.2-ACRE PARCEL TO THE WEST. THE PROPERTY IS ZONED R-1 (RESIDENTIAL SINGLE-FAMILY). THE PROPERTY IS CURRENTLY OCCUPIED BY A 3-STORY RETAIL OFFICE BUILDING. THE PROPOSED RESTAURANT AND OUTDOOR SEATING ARE LOCATED ON THE 1.2-ACRE PARCEL. THE PROPOSED RESTAURANT AND OUTDOOR SEATING ARE LOCATED ON THE 1.2-ACRE PARCEL. THE PROPOSED RESTAURANT AND OUTDOOR SEATING ARE LOCATED ON THE 1.2-ACRE PARCEL.

**Grand River Avenue**  
 50 FT (15.24 M)



Freedom Rd  
 50 FT (15.24 M)

**Site Plan**  
 SCALE: 1/8" = 1'-0"



SIEGAL/LOJAMALA  
ASSOCIATES  
ARCHITECTS &  
PLANNERS INC.

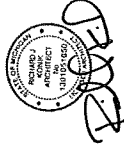
2300 Northwestern Hwy

Warren, MI 48093

P • 248 • 252 • 0099

F • 248 • 252 • 0088

www.sta-architects.com



project name:  
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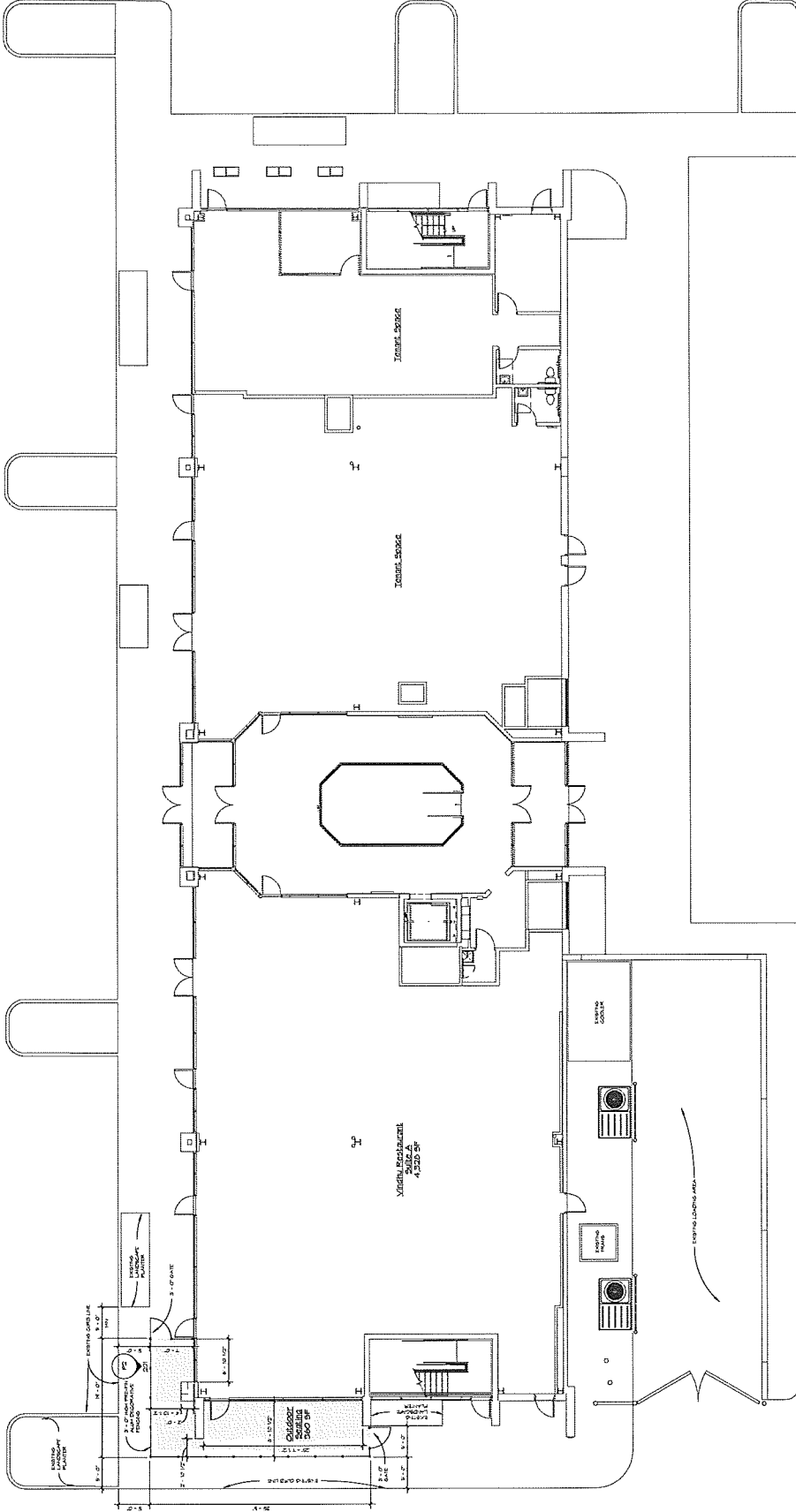
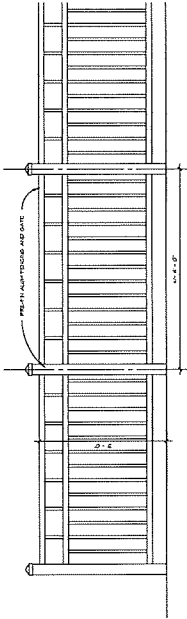
sheet title:  
Freedom Plaza  
Overall Floor Plan

project number:  
2320-T13

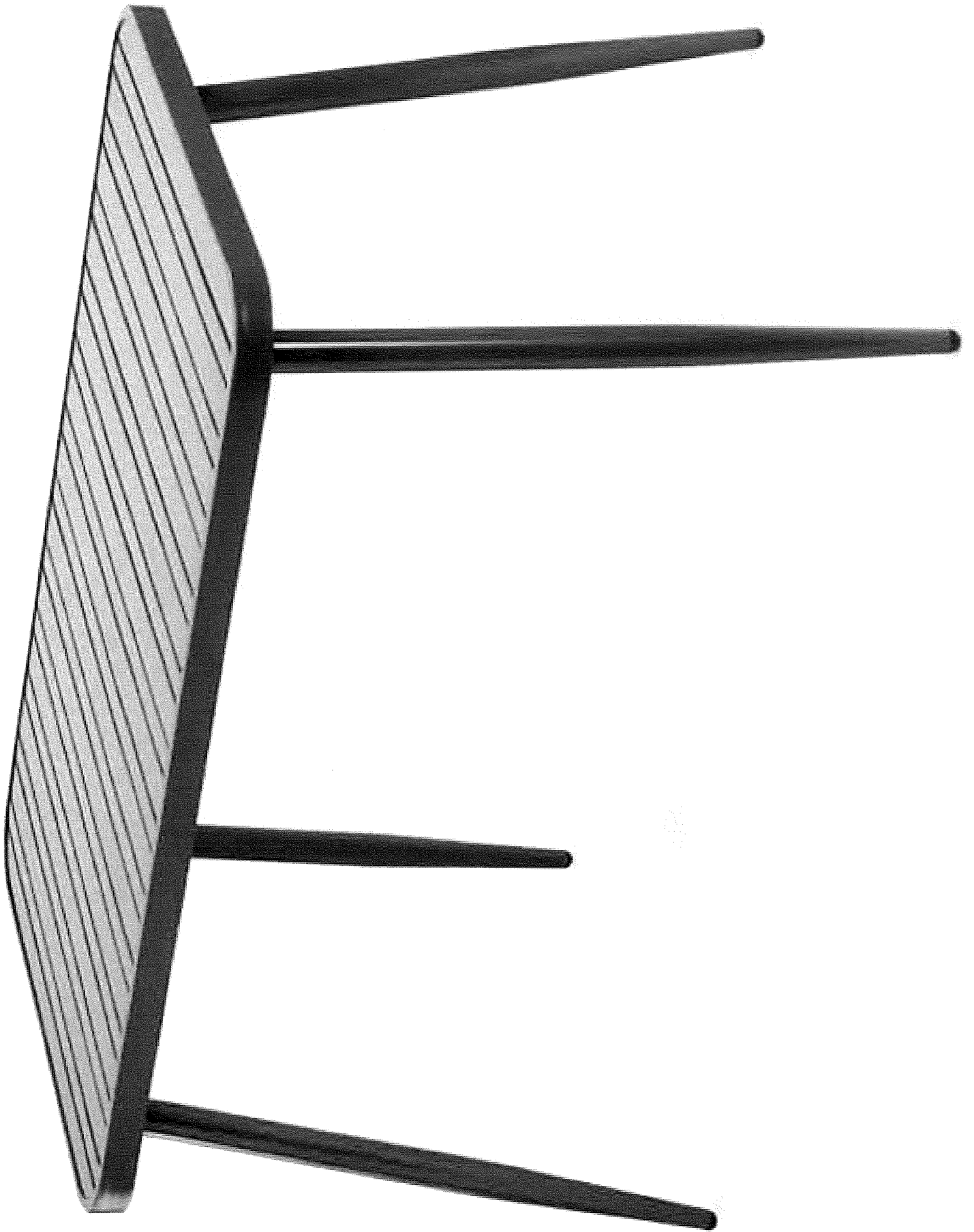
sheet number:  
P2

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Freedom Plaza  
Overall Floor Plan  
SCALE: 1/8" = 1'-0"





## Sec. 35-102. - Table of Uses.

Use	CBD	C2	C3
P: Use is permitted by right in district SLU: Special Land Use in accordance with Article 12, Special Land Uses			
<i>RETAIL:</i>			
General commercial/retail businesses and shopping centers 50,000 square feet of floor area or less	P	P	P
General commercial/retail business or shopping center exceeding 50,000 square feet of floor area	SLU	SLU	SLU
Drive-through accessory to a retail use, not specified elsewhere	-	-	SLU (c)
Drive-through accessory to a pharmacy	-	SLU	P
Commercial outdoor display, sales or storage (accessory only)	P (a)	SLU (a)	P (a)
Garden centers and nurseries	P (a)	P (a)	P (a)
Home improvement showrooms and supply stores	SLU	P	P
Wholesale establishments	-	-	P
<i>RESTAURANTS: (see definitions in Article 21, Definitions)</i>			
Standard restaurant	P	P	P
Banquet facilities	P	-	P
Bars, taverns, lounges	P	SLU	SLU
Carry-out	P	P	P
Drive-in	-	-	SLU
Drive-through	-	SLU (c)	SLU (c)
Open front window (when principal or accessory use)	P	P	P
Outdoor seating accessory to a restaurant use	P (b)	P (b)	P (b)
<i>SERVICES/OFFICE:</i>			
Animal grooming and training establishments (without 24-hour services or boarding)	SLU	SLU	SLU
Banks, credit unions and similar financial institutions	P	P	P
Banks with drive-through facilities		SLU (c)	SLU (c)
Banking centers separate from a financial institution (including ATMs)	P	P	P
Bed and breakfasts and boarding houses	SLU	SLU	SLU
Business offices and service establishments	P	P	P

Dry cleaning establishments and laundromats	P	P	P
Drive-through accessory to a dry cleaning establishment	-	SLU (c)	P (c)
Dry cleaning plants	-	-	SLU
Funeral homes and mortuary establishments	P	P	P
Hotels and motels	P (d)	P	P
Medical and dental offices and clinics	P	P	P
Personal service establishments	P	P	P
Professional offices and service establishments	P	P	P
Repair service establishments	P	P	P
Showrooms for contractors	P	SLU	SLU
Studios for photography, dance, music, art and similar uses	P	P	P
Tattoo establishment	-	-	SLU
Tool and equipment rental	-	-	SLU
Veterinary office and clinics (not 24-hour)	P	P	P
Veterinary clinics and hospitals (24-hour)	SLU	SLU	SLU
<i>AUTOMOBILE USES:</i>			
Automobile gasoline stations	-	SLU	SLU
Automobile service/maintenance facilities	-	-	SLU
Automobile wash establishments	-	-	SLU
Automobile and vehicle dealerships, new and used	-	-	SLU
Automobile, vehicle and truck rental and leasing establishments	-	-	SLU
<i>ENTERTAINMENT AND RECREATION:</i>			
Fitness centers and health clubs	P	P	P
Golf courses	-	-	P
Indoor entertainment and amusement establishments	P	SLU	P
Instructional entertainment uses	P (i)	P (i)	P (i)
Recreation facilities (municipal)	P	P	P
Recreation facilities (commercial)	P (e)	P (e)	P (e)
Social clubs, halls and similar uses	SLU	P	P
Theaters (indoor), cinemas and auditoriums	SLU	-	P
<i>INSTITUTIONAL:</i>			
Adult and child care facilities	In accordance with <u>Sec. 35-25</u> , Adult and Child Care Facilities		
Churches, temples and similar places of worship and related facilities	SLU	P	P



Municipal buildings and structures	P (f)	P (f)	P (f)
Public or private primary and secondary schools; colleges and universities; business, trade and vocational schools	SLU	SLU	SLU
Public and quasi-public institutional buildings, structures and uses	SLU	P	P
<i>RESIDENTIAL:</i>			
Single-family attached dwellings/townhouses	P	P (g)	PUD
Multiple-family dwelling units	P	P (g)	PUD
Residential dwellings in upper stories of mixed-use buildings	P	P (g)	PUD
Nursing homes and senior assisted living	P	P (g)	P
<i>OTHER:</i>			
Off-street parking as a principal use, including parking decks	P	-	-
Essential public services	P	P	P
Essential public service buildings	P	SLU	SLU
Accessory buildings, structures and uses	In accordance with <u>Sec. 35-43</u> , Accessory Buildings		

Special Provisions

- (a) All retail businesses shall be conducted within a completely enclosed building; provided, however, that a site plan may be approved by the planning commission for accessory outdoor display, sales, or storage, including garden centers and nurseries, subject to article 13, site plan approval and the following requirements:
  - 1. Outdoor display, sales, or storage may be considered for the following businesses:
    - a. Businesses located within a shopping center as defined in this section.
    - b. Businesses located within a building that exceeds 10,000 square feet in size.
    - c. Businesses located within the central business district (CBD).
    - d. Service stations located within a "C" commercial district.
  - 2. Items sold shall:
    - a.

Relate and be accessory to the permanent business conducted within the building in which the business is located, such as the sale of flowers at a home improvement store, or sale of ice melt at automobile service stations, and shall be owned and operated by the same merchant operating within the building.

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

- a. The tanks shall not be larger than the standard twenty (20)-pound tank size.
  - b. The tanks are stored in a locked storage container.
  - c. The container does not exceed fifty (50) cubic feet and six (6) feet in height.
  - d. The container complies with all applicable fire and safety codes.
  - e. At least three (3) feet of clearance for pedestrian traffic is provided.
  - f. Advertising shall be limited to one (1) square foot.
9. All loading and truck maneuvering shall be accommodated on-site or on a dedicated easement.
  10. Fencing and lighting for security and aesthetic purposes may be required as determined by the planning commission. Fences shall comply with all lighting shall be shielded from adjacent residential areas in accordance with section 35-48, exterior lighting.
  11. Uncovered items may be displayed or stored outside between April 15<sup>th</sup> and October 31<sup>st</sup>. The building official may extend this time as weather permits. All structures associated with temporary outdoor display shall be temporary and removed at the end of the season for storage indoors.
  12. Outdoor display, sales, and storage may be permitted as part of an approved site plan, under the following terms:
    - a. The permit shall be valid for one (1) calendar year.
    - b. Following the initial planning commission site plan approval, the permit may be renewed annually by the building official, subject to the plan originally approved by the planning commission. If the building official finds any violations of this section or the conditions of the planning commission's original approval, no renewal shall be issued, and any new outdoor display shall require a new permit from the planning commission.
    - c. Approved outdoor display, sales and storage areas may continue until such time as the property ownership changes or a revised site plan is approved. Approval shall not be transferrable to new owners or users.

Changes of ownership or use shall be required to return to the planning commission for a renewal of their privileges, to ensure they are aware of the limitations that exist.

13. The planning commission may allow outdoor display, sales, and storage for businesses that do not meet the criteria listed in subsection 1., provided all other provisions of this section (a) are met and the applicant establishes that compliance with the strict requirements of subsection 1. would unreasonably prevent the use of the property for a permitted purpose; that the proposed display, sales, and/or storage would not adversely affect adjacent or nearby properties and would not adversely affect the public health, welfare, and safety.
  - (b) Accessory outdoor seating areas may be permitted by annual license when accessory to a permitted or special land use in the district subject to the following:
    1. Whether the seating area is proposed as part of a site plan application or an existing business, it shall require site plan review and approval by the planning commission in accordance with Article 13 Site Plan Review. Insurance in a form and amount deemed acceptable by the city attorney's office shall be provided with the application. Once initial approval has been granted by the planning commission, an annual license shall be issued by the building official. The license may be renewed annually by the building official, provided that it complies with the original planning commission approval and the requirements of this section. The building official may, at any time, refer an outdoor seating permit to the planning commission for renewal if the Building Official feels additional review is necessary.
    2. Outdoor seating shall be permitted between April 15 and October 31, with all furniture and fixtures removed after October 31. All tables, chairs, railings and related fixtures shall be removed when not in use. If weather permits, the building official may extend this time for outdoor seating on privately owned property only.
    3. Outdoor seating shall not be the primary seating of the restaurant, except for carry-out restaurants when approved by the planning commission.
    4. Outdoor seating areas shall be located in a manner to maintain a minimum pathway width of five (5) feet (clear of structures such as light poles, trees and hydrants) along the sidewalk so as not to interfere with pedestrian traffic.

Outdoor dining areas may be either curbside or adjacent to the building front provided that the location change allows an appropriate walking path alignment with neighboring properties as determined by the city.

5. Chairs and tables shall be of quality durable material such as metal or wood.
6. Outdoor seating areas shall be maintained in a clean and sanitary condition. Waste receptacles shall be provided in instances where wait staff does not clear all tables.
7. Outdoor service areas shall be well-defined, with clearly marked access points, making it obvious to patrons whether they are within or outside of the designated dining area. The on-premises licensee shall not sell, or allow the consumption of, alcoholic liquor outdoors, except in the defined area. Outdoor seating areas shall be delineated by outlining the periphery in some manner as to distinguish the public walkway from dining area. This may be accomplished by the use of planters, railings, or walls reviewed and approved by the planning commission.
8. For outdoor seating areas located within the public right-of-way, approval by the corresponding jurisdiction (i.e., Farmington DPW, MDOT, or Road Commission for Oakland County) is required. Proof of insurance naming the city as an additional insured, in a form and amount deemed acceptable by the city attorney's office, shall be required. A license agreement in a form deemed acceptable to the city attorney's office shall also be required.
9. If there is not adequate space to allow for outdoor dining on the sidewalk adjacent to the site, an elevated, ADA compliant, platform may be erected in a parking lot to create an outdoor dining area, but only if the city engineer determines there is sufficient space available for this purpose given parking and traffic conditions. Specially designated parking spaces (ADA accessible, loading zones, etc.) shall only be considered for use if the spaces can be temporarily replaced within a close proximity. Use of a public parking lot for such purpose shall require city council approval.
10. Additional outdoor lighting and/or amplification is prohibited without approval of the city.
11. Applicants may be asked to demonstrate that additional parking demand can be met before approval.
- 12.

The city retains the right to revoke outdoor seating permits if all sections of this article have not been met, or if the operation of such areas is found by the city to be dangerous or otherwise detrimental to surrounding uses or pedestrian or vehicular traffic.

- (c) Drive-through uses may be allowed as an accessory to any permitted bank, pharmacy, dry cleaner, or restaurant use, provided the following are met:
1. Drive-through uses shall be designed to minimize conflicts with pedestrian or vehicular circulation and shall meet the following standards:
  2. The number of drive-through lanes shall be limited to the following:
    - a. Drive-through banks and car washes shall have a maximum of three (3) drive-through lanes, including any that are devoted to ATM(s).
    - b. All other drive-through uses shall have a maximum of one (1) drive-through lane.
  3. Stacking Spaces shall be provided as required in Article 14, Off-Street Parking and Loading Standards and Access Design.
  4. Communication and speaker boxes shall meet the following requirements:
    - a. Speakers shall be placed as close as safely possible from the edge of the drive-through lane; in no case may speakers be more than three (3) feet from the drive-through lane.
    - b. Where feasible, speakers shall face away from residential neighborhoods.
    - c. Noise from communication speakers shall not exceed fifty (50) decibels at a nonresidential property line and thirty (30) decibels at any residential property line. Where a screening wall is provided, the noise level shall be measured on the residential side of the screening wall.
  5. Site design for drive-through uses shall use the minimum number of driveways possible. Use of two (2) directional driveways may only be allowed if there are no other reasonable alternatives, such as access to a side street, rear alley, cross-access easement or shared driveway.
  6. Circulation patterns shall separate pedestrian and vehicular traffic where possible. Clear delineation of pedestrian crossings shall be provided in the form of textured concrete or asphalt, striping or other method that clearly draws attention.

- (d) No hotel or motel lodging rooms shall be permitted on the ground floor.
- (e) Outdoor recreation facilities in the CBD, C2 and C3 districts shall not include activities that include automobiles, motorcycles or other motor-driven vehicles.
- (f) All city-owned buildings and uses shall be permitted after a finding that the particular use and development would not be injurious to the surrounding neighborhoods and would not be contrary to the spirit and purpose of this chapter. In the event the planning commission does not approve the use or site plan, city council may grant such approval by an affirmative vote of no less than four (4) members.
- (g) In the C2 district, residential buildings and dwelling units in mixed-use buildings shall be permitted up to a maximum density of twenty-two (22) dwelling units per acre.
- (h) The allowed uses within the RO district shall be the same uses as permitted in the underlying zoning district, provided multiple-family dwelling units may be permitted by special land use.
- (i) Instructional entertainment uses shall meet the following requirements:
  - 1. Such uses may be permitted by the city manager, if determined compliant with this section.
  - 2. Once initial approval has been granted by the city manager, an annual license shall be issued by the building official. The license may be renewed annually by the building official, provided that it complies with the original approval and the requirements of this section. The building official may, at any time, refer any request to the city manager or planning commission for renewal if they feel additional review is necessary.
  - 3. Such uses may remain open until 12:00 a.m. (midnight).
  - 4. All activity associated with the use shall be conducted indoors. Accessory outdoor seating may be permitted by the city manager only if all of the requirements in subsection (b) above are met.
  - 5. Gambling, gaming, betting, sweepstakes, games of chance, adult regulated uses, or other similar activities may not be conducted in conjunction with such use.
  - 6. All activity associated with the use shall be conducted in accordance with all local, county, state and federal laws.



(Ord. No. C-746-2010, § 1, 4-19-10; Ord. No. C-765-2012, § 1, 8-20-12; Ord. No. C-775-2014, § 1, 3-14-14; Ord. No. C-779-2015, § 1, 9-21-15)