

AGENDA
PLANNING COMMISSION SPECIAL MEETING
CITY OF FARMINGTON HILLS
JULY 25, 2024 @ 5:30 P.M.
FARMINGTON HILLS CITY HALL – COMMUNITY ROOM
31555 W. ELEVEN MILE ROAD, FARMINGTON HILLS, MICHIGAN 48336
www.fhgov.com
(248) 871-2540

PUBLIC HEARING BEGINS AT 7:30 P.M. IN CITY COUNCIL CHAMBER

- 1. Call Meeting to Order**
- 2. Roll Call**
- 3. Approval of Agenda**
- 4. Master Plan Implementation Study Session**
 - A. Discuss Draft [Zoning Text Amendment 2, 2024](#), to Revise Various Provisions of Sections 34-3.1.25, 34-4.28, 34-4.31, 34-4.35, 34-4.36, and 34-4.40**
- 5. Public Comment**
- 6. Commissioner Comments**
- 7. Adjournment**

Respectfully Submitted,

Kristen Aspinall, Planning Commission Secretary

Staff Contact
Erik Perdonik, AICP
City Planner, Planning and Community Development Department
(248) 871-2540
eperdonik@fhgov.com

NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk's Office at (248) 871-2410 at least two (2) business days prior to the meeting, wherein arrangements/accommodations will be made. Thank you.



DATE: July 18, 2024

TO: Planning Commission

FROM: Erik Perdonik, AICP, City Planner

CC: Charmaine Kettler-Schmult, Director of Planning and Community Development; Steven P. Joppich, City Attorney; Thomas R. Schultz, Assistant City Attorney; Jeri LaBelle, Secretary to the Director; Joe Tangari, Principal Planner, Giffels Webster; Kris Canty, Staff Planner; Gary Mekjian, P.E., City Manager; Karen Mondora, P.E., Assistant City Manager

SUBJECT: Draft Zoning Text Amendment ("ZTA") 2, 2024

OVERVIEW OF PROPOSED DRAFT ZTA:

First, the draft ZTA would amend Sections 34-3.1.25.B – Principal Permitted Uses, and 34-3.1.25.C – Special Approval Uses, to make drive-through or drive-in restaurants, gasoline service stations, automobile repair, and vehicle wash land uses, which are presently *principal permitted uses*, *special approval uses* within the B-3 District. Gasoline service stations and vehicle wash land uses, in particular, would be limited to the redevelopment of existing sites.

Second, the draft ZTA would amend the abovementioned Sections to include cigar bars or lounges as a principal permitted use for the first time, and to make coin-operated amusement device arcades, billiard parlors or other similar indoor recreation uses and establishments with coin-operated amusement devices, which are presently *special approval uses*, *principal permitted uses*.

Third, the draft ZTA would amend Sections 34-3.1.29.B – Principal Permitted Uses, and 34-3.1.29.C – Special Approval Uses, to make vehicle wash, which is presently a *special approval use*, a *principal permitted use* within the LI-1 District.

Lastly, the draft ZTA would comprehensively amend the *use standards* associated with drive-through or drive-in restaurants (Section 34-4.35); gasoline service stations (34-4.28); automobile repair (34-4.31); vehicle wash (34-4.40); and outdoor space for sale or rental of new or used motor vehicles, trailers, mobile homes, boats, recreational vehicles and other similar products (34-4.36) to add several new *use standards* and remove several existing ones.

RATIONALE FOR PROPOSED DRAFT ZTA:

Consistent with City Council, City Manager's Office, City Attorney's Office, and Planning and Community Development Department discussions over the past year or more, the draft ZTA seeks to modernize the City's B-3, General Business District, as a particularly high priority master plan implementation item. Staff's intent is to hit the ground running by aligning key Zoning Ordinance provisions affecting commercial areas in the City with the direction of the new master plan such that the Ordinance is working to advance rather than undermine the plan's vision, goals, and objectives.

Why are we proposing that drive-through or drive-in, gasoline service stations, automobile repair, and vehicle washes be *special approval* as opposed to *principal permitted* uses?

City staff and municipalities with land use goals similar to those of Farmington Hills recognize that, in some locations, the subject land uses inherently have significant potential to negatively impact adjacent properties and, therefore, should be limited or conditioned to mitigate such impacts. In the Charter Township of Canton and City of Rochester Hills, for example, each of the subject land uses are a *special approval use*.

Special approval uses afford the Planning Commission considerably more discretion to treat uses included as such with a higher degree of scrutiny, which is not the case with regard to *principal permitted uses*, by contrast, which must be approved by the Commission where they comply with the applicable provisions of the Zoning Ordinance. Additionally, unlike *principal permitted uses*, *special approval uses* require a public hearing, which creates an opportunity for those potentially affected by negative impacts to have input.

Please consider the following hypothetical example:

A developer seeks to construct a vehicle wash on a parcel abutting residentially zoned and used property. Potential externalities include high noise levels from automated drying systems and vacuums. If the vehicle wash is a *principal permitted use*, the developer may construct the wash so long as they meet the applicable standards of the Zoning Ordinance.

However, depending upon the context, such minimum standards alone may be insufficient to meaningfully address the high levels of noise. This is where *special approval uses* come in by giving the Planning Commission the authority to impose conditions beyond the minimum standards of the Zoning Ordinance directly related to ensuring compatibility with adjacent property and promoting the health, safety, and welfare of the City. In this hypothetical case, requiring the developer to submit a noise study proving that their operations will not cause excessive noise for adjacent properties, requiring that bay doors remain completely closed until drying is complete, or requiring that vacuums be housed inside of a structure might be potential conditions to impose beyond the minimum standards of the Zoning Ordinance.

Why are we proposing that gasoline service stations and vehicle washes be limited to the redevelopment of existing sites?

There is presently a high degree of market pressure on the City for the subject land uses; however, the proliferation of such land uses, especially at or near intersections of major roadways, comes with an opportunity cost within the context of a city that is largely built out and moving in a new direction in terms of walkability via the new Master Plan; for example, the parcel may have been appropriate for a restaurant or entertainment land use, which are uses highly desired by our

residents and City Council. Farmington Hills presently has twenty (20) total gasoline service stations, whereas West Bloomfield Township has six (6), and the City of Rochester Hills has fourteen (14), for example.

There is, of course, no correct answer to the question of how many gasoline service stations or vehicle washes are too many; however, they do come with the potential to crowd out preferable land uses in prime locations. Higher and better land uses may also be hesitant to locate adjacent to uses with significant potential for negative externalities, thus making the areas around them less marketable.

Moreover, ideally, within a largely built-out municipality, the Zoning Ordinance would encourage the redevelopment of existing sites rather than the construction of new ones from a sustainability perspective and with the intent of attracting the highest and best uses of the remaining developable land. Of course, with the exception of historically significant sites, we want to see the old sites become better. Limiting the subject uses to the redevelopment of existing sites sends the right message and sets the stage in this regard, as there are several vacant or underutilized gas stations and car washes within the City ripe for redevelopment.

Cigar bars or lounges and arcades/other indoor entertainment:

Cigar bars or lounges are a land use that City Council has specifically stated that they want to see in the City among more afterhours entertainment options. A logical initial step in attracting such land use is to expressly permit it, which the draft ZTA does.

The City has a somewhat peculiar history with regard to arcades and other indoor entertainment like billiard halls, and such uses were made *special approval uses* long ago so that they could be tightly controlled and limited. Making such uses harder to establish, even though they are not particularly prone to negative externalities in an objective sense, is a policy seemingly rooted in a bygone era. Residents and City Council want more entertainment options for families and children as well; therefore, we should arguably be making it easier to establish such uses, not harder as the legacy policies do.

Adding and removing various *use standards* for drive-through or drive-in restaurants, gasoline service stations, automobile repair, vehicle wash, and outdoor space for sale or rental of new or used motor vehicles, trailers, mobile homes, boats, recreational vehicles and other similar products:

Amidst the day-to-day administration of the Zoning Ordinance, staff observes several patterns, some of which provide a sense of which *use standards* are working as intended and which are not. The draft ZTA would remove several that are contrary to the City's vision, goals, and objectives in the new Master Plan. At the same time, consistent with the new Master Plan, the draft ZTA would add several standards that are best practices for suburban communities seeking to become more desirable, vibrant, and aesthetically pleasing places.

Because there are several such proposed revisions to the *use standards* in light of observed patterns, best practices, and the direction of the new Master Plan, several of which are quite nuanced, staff would be glad to discuss any of them in greater detail. Among the many considerations, the common thread running through the proposed revisions is an intent to significantly enhance the character and vibrancy of our commercial corridors consistent with the direction of the new Master Plan.

ATTACHMENTS:

- Draft Sec. 34-3.1.25 –B-3 General Business District
- Draft Sec. 34-3.1.29—LI-1 Light Industrial District
- Draft Sec. 34-4.35 – Drive-Through or Drive-In Restaurants
- Draft Sec. 34-4.36 – Outdoor Space for Sale or Rental of New or Used Motor Vehicles, Trailers, Mobile Homes, Boats, Recreational Vehicles and Other Similar Products

- Draft Sec. 34-4.28 – Gasoline Service Stations
- Draft Sec. 34-4.31 – Automobile Service Centers and Automobile Repair
- Draft Sec. 34-4.40 – Vehicle Wash

34-3.1.25 B-3 GENERAL BUSINESS DISTRICT

A. INTENT

The B-3 general business districts are designed to provide sites for more diversified business types which would often be incompatible with the pedestrian movement in the local business district or the community business district.

B. PRINCIPAL PERMITTED USES

The following uses are permitted subject to the required conditions in Section 34-3.11

- i. Retail businesses § 34-4.29
- ii. Personal service establishments which perform services on the premises
- iii. Laundry, drycleaning establishments, or pickup stations, dealing directly with the consumer § 34-4.25
- iv. Office buildings for any of the following occupations: executive, administrative, professional, accounting, writing, clerical, stenographic, drafting, sales
- v. Medical office including clinics
- vi. Banks, credit unions, savings and loan associations and similar uses with drive-in facilities as an accessory use only
- vii. Post office and similar governmental office buildings, serving persons living in the adjacent residential area
- viii. Nursery schools, day nurseries, and day care centers
- ix. Mortuary establishments
- x. Dance hall or catering hall when conducted within a completely enclosed building
- xi. Tire, battery and accessory sales
- xii. New or used car salesroom, showroom or office when the main use is carried on within a building with open air display of vehicles as accessory
- xiii. Retail sales of plant materials, lawn furniture, playground equipment and other house or garden supplies
- xiv. Lawn mower sales or service
- xv. Private clubs or lodge halls

- xvi. Data processing, computer centers
- xvii. Restaurants, including fast food or carryout restaurants
- xviii. Other uses similar to the above uses
- xix. Accessory structures and uses customarily incident to any of the above uses
- xx. Theaters, assembly halls, concert halls or similar places of assembly § 34-4.44
- xxi. Churches
- xxii. Business schools and colleges or private schools operated for profit

~~xxiii. The following uses are subject to review and approval of the site plan by the planning commission:~~

- ~~xxiii. a. Motel § 34-4.34~~
- ~~xxiv. b. Drive-in restaurants § 34-4.35~~
- ~~xxv. c. Outdoor space for sale or rental of new or used motor vehicles, trailers, mobile homes, boats, recreational vehicles and other similar products § 34-4.36~~
- ~~xxvi. d. Business in the character of a drive-in or open front store § 34-4.37~~
- ~~xxvii. e. Gasoline service stations § 34-4.28~~
- ~~xxviii. f. Veterinary hospitals or commercial kennels § 34-4.26~~
- ~~xxix. g. Bus passenger stations § 34-4.38~~
- ~~xxx. h. Commercially used outdoor recreational space for children's amusement parks, carnivals, miniature golf courses, tennis courts § 34-4.39~~
- ~~xxxi. i. Automobile repair § 34-4.31~~
- ~~xxxii. j. Vehicle Wash § 34-4.40~~
- ~~xxxiii. k. Indoor Recreation Facilities § 34-4.19~~
- ~~xxxiv. l. Public buildings, public utility buildings, telephone exchange buildings, electric transformer stations and substations without storage yards; gas regulator stations with service yards, but without storage yards; water and sewage pumping stations~~
- ~~xxxv. m. Outdoor space for seating areas accessory to a restaurant § 34-4.32~~
- ~~xxxvi. n. Cellular tower and cellular antennae § 34-4.24~~
- ~~xxxvii. o. Indoor health and fitness studio and instructional dance studios 34-4.58.1~~
- ~~xxxviii. Coin-operated amusement device arcades, billiard parlors or other similar indoor recreation uses § 34-4.19.4~~
- ~~xxxix. Establishments with coin-operated amusement devices § 34-4.33~~
- ~~xxxx. Cigar bars or lounges~~

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C. SPECIAL APPROVAL USES

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The following uses are permitted subject to the required conditions in Section 34-3.11

- i. ~~Drive-through or drive-in restaurants § 34-4.35~~
- ii. ~~Gasoline service stations § 34-4.28 (limited to redevelopment of existing stations)~~
- iii. ~~Automobile repair § 34-4.31~~
- iv. ~~Vehicle wash § 34-4.40 (limited to redevelopment of existing facilities)~~
 - i. ~~Coin-operated amusement device arcades, billiard parlors or other similar indoor recreation uses § 34-4.19.4~~
 - ii. ~~Establishments with coin-operated amusement devices § 34-4.33~~

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D. ACCESSORY USES

- i. Electric vehicle infrastructure § 34-4.55
- ii. Fabrication, repair, and processing of goods § 34-4.29

34-3.1.29 LI-7 LIGHT INDUSTRIAL DISTRICT

B. PRINCIPAL PERMITTED USES

The following uses are permitted subject to the required conditions in Sections 34-3.14.

- i. The following uses are permitted subject to Section 34-4.46.1
 - a. Manufacturing
 - b. Laboratories--experimental, film or testing, except biological laboratories engaging in genetic research
 - c. Warehouse, storage and transfer and electric and gas service buildings and yards, excluding gas treatment and gas pumping stations; water supply and sewage disposal plants; water and gas tanks and holders
 - d. Automobile repair § 34-4.31
- ii. Farms
- iii. Freestanding signs located within a freeway sign zone
- iv. Trade or industrial schools
- v. Commercial kennels
- vi. Other uses similar to and of no more objectionable character than the above uses
- vii. Reserved
- viii. Storage facilities for building materials, sand, gravel, stone, lumber, open storage for construction contractor's equipment, and supplies § 34-4.47
- ix. Cellular tower and cellular antennae § 34-4.24
- x. The following uses shall be permitted subject to Section 34-4.46.2 and Section 34-4.46.3
 - a. Office buildings for any of the following occupations: Executive, administrative, professional, accounting, writing, clerical, stenographic, drafting or sales
 - b. Banks, credit unions, savings and loan associations
 - c. Medical offices or clinics
 - d. Bowling alleys
 - e. Personal service establishments, which perform services on the premises

- f. Laundry, dry-cleaning establishments or pickup- stations
 - g. Restaurants², including fast food or carryout restaurants, drive-in restaurants § 34-4.35
 - h. Gasoline service stations² § 34-4.28
 - i. Any service establishment or an office, showroom or workshop of an electrician, decorator, dressmaker, tailor, baker, printer or upholsterer; or an establishment doing radio or home appliance repair, photographic reproduction and similar service establishments that may include a retail adjunct
 - j. Retail sales of plant materials not grown on-site and sales of lawn furniture, playground equipment and other home garden supplies
 - k. Recreation space providing children's amusement park, shuffleboard, miniature golf and other similar outdoor recreation
 - l. Lawnmower sales or service
 - m. Data processing, computer centers
 - n. Outdoor sales space for sale or rental of new or used motor vehicles, trailers, mobile homes, boats, recreational vehicles and other similar products § 34-4.36
 - o. New or used motor vehicle salesroom, showroom or office when the principal use is carried on within a building and open air display of vehicles is accessory
 - p. Indoor Recreation Facilities not exceeding 5,000 square feet in gross leasable area § 34-4.19
 - q. Outdoor space for seating areas accessory to a restaurant § 34-4.32
 - xi. Primary caregivers §34-4.57
 - xii. Vehicle Wash § 34-4.40
 - xiii. Accessory buildings and uses customarily incident to any of the above uses
- C. SPECIAL APPROVAL USES

The following uses are permitted subject to the required conditions in Sections 34-3.14.

- i. Automobile or other machinery assembly plants § 34-4.48
- ii. Painting, varnishing and undercoating shops § 34-4.49
- iii. Lumber and planing mills and lumber cutting and other finishing processes § 34-4.53
- iv. Junkyards²
- v. Other industrial uses of a similar and no more objectionable character § 34-4.51
- vi. Indoor Recreation Facilities over 5,000 square feet in gross leasable area § 34-4.19
- vii. Metal plating, buffing, polishing, and the manufacturing, compounding, processing, packaging or treatment of solvents, surface coatings, degreasing/metal cleaning materials, pesticides (including storage), pharmaceuticals or chemicals § 34-4.50

~~viii. Vehicle Wash § 34-4.40~~

—D. ACCESSORY USES

- i. Electric vehicle² infrastructure § 34-4.55

34-4.35 **DRIVE-THROUGH OR DRIVE-IN RESTAURANTS**

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1. In the B-3 district:

1. Within the B-3 District, no space for the stacking of vehicles shall be closer than thirty-five (35) feet to a residentially zoned lot, except where such lot is occupied by a nonresidential use.

A. Drive-in restaurants shall provide a building setback of at least sixty (60) feet from any street right-of-way. Signs and other structures shall provide setbacks required in Section 34-3.1.

B. No space set aside for the stacking of vehicles waiting to be served from a drive-in window shall be closer than thirty-five (35) feet to any adjacent residential zoning lot, except when such lot is occupied by use other than residential.

C. The zoning lot occupied by such use shall not abut an RA district unless the district is separated from the lot by a major or secondary thoroughfare.

2. Within the B-3 and LI-1 districts, vehicular access drives to a drive-in restaurant shall be located at least sixty (60) feet from the right-of-way of any intersecting street.

3. In the LI-1 district, a sixty (60) feet building setback shall be provided from any street from which vehicular access to the site is provided. Signs and other structures shall provide setbacks required in Section 34-3.1.

34-4.36 **OUTDOOR SPACE FOR SALE OR RENTAL OF NEW OR USED MOTOR VEHICLES, TRAILERS, MOBILE HOMES, BOATS, RECREATIONAL VEHICLES AND OTHER SIMILAR PRODUCTS**

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1. ~~Within~~ the B-3 and LI-1 districts:

~~A.~~

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~~A. The parcel or zoning lot The lot or area shall be surfaced with asphaltic or concrete paving and shall be graded and drained as to dispose of all surface water accumulated within the area, except permeable or pervious pavers may be used with the approval of the Director of Public Services or his or her designee, provided with a permanent, durable and dustless surface, which may include a pervious surface, and shall be graded and drained as to dispose of all surface water accumulated within the area.~~

~~B. Areas for display of vehicles shall meet the setback requirements applicable to principal buildings within the zoning district within which it is located.~~

~~CB: Vehicular aAccess drives~~ to the outdoor sales area shall be at least sixty (60) feet from the intersection of any two (2) streets.

2. ~~Within~~ the B-3 district:

~~A. The use shall be located on a parcel or zoning lot that has all of its frontage on a State of Michigan divided thoroughfare having a right-of-way width of two-hundred-and-four (204) feet. The parcel or zoning lot shall have a minimum frontage of two-hundred (200) feet along the state thoroughfare.~~

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~~B.~~ ~~No~~ major repair or ~~major~~ refinishing shall be done on the lot.

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34-4.28 GASOLINE SERVICE STATIONS

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1. ~~Within~~ all zoning districts ~~within which the use is permitted:~~
 - A. Adequate space shall be provided for the ingress, egress, and maneuvering of delivery trucks and emergency vehicles on the site. The analysis shall be based on radii and standards in the latest edition of A Policy of Geometric Design of Highways and Streets by the American Association of State Highway and Transportation Officials. Use of AutoTURN software or the equivalent is highly recommended for this analysis. This information ~~shall~~ ~~be~~ depicted on a site plan and approved in accordance with Section 34-6.1.
 - B. Up to fifty (50) percent of fueling positions may be considered toward fulfilling the parking requirement for the gas station, except that fueling positions shall not be counted as spaces required for service bays.
 - C. ~~The storage, sale, or rental of new or used cars, trucks, trailers, or any other vehicles on the parcel or zoning lot is prohibited.~~
 - D. ~~Any pump canopy shall be set back a minimum of one-hundred (100) feet from any residential district.~~
 - E. ~~No more than one (1) driveway access shall be permitted per street frontage.~~
 - F. ~~The building shall have a minimum transparency of sixty (60) percent on any façade facing a pump island or the front lot line. Transparency shall be measured based on the total wall area of the façade. False windows, spandrel glass or similar shall not be counted towards the transparency requirement.~~
 - G. ~~All sides of the building shall incorporate a consistent architectural style, including horizontal or vertical design elements that have sufficient relief to create shadow lines. The type of element (i.e. horizontal or vertical) shall be determined by the intended design aesthetic of the building.~~
 - H. ~~Any canopy structure shall be designed and constructed in a manner which is architecturally compatible with the principal building.~~
 - I. ~~The parcel or zoning lot shall be separated from any public thoroughfare by a masonry wall a minimum of two (2) feet in height, notwithstanding Section 34-5.14.5 of this Ordinance.~~
 - J. ~~Gas stations may be developed according to the following design standards that allow for the principal building to be closer to the street with the pump islands and canopy located behind the building. The standards of this~~

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~~subsection J shall take precedence over any conflicting design or dimensional requirement contained elsewhere in this ordinance.~~

~~i. The principal building shall be set back a minimum of five (5) feet from the front property line.~~

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~~ii. Any pump canopy shall be located to the rear of the principal building.~~

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2. ~~Within~~ the B-1, B-3 and ES districts, gasoline service stations where no repair work is done, other than incidental service, but not including steam cleaning or undercoating, vehicle body repair, painting, tire recapping, engine rebuilding, auto dismantling, upholstery, auto glass work and such other activities whose external effects could adversely extend beyond the property line, shall be permitted subject further to the following conditions:

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A. ~~Within~~ the B-1 district:

i. Main buildings 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.

ii. The operation of an automobile car wash shall not be permitted.

B. ~~Within~~ the B-1, B-3 and ES districts:

i. The curbcuts for access to a service station shall not be permitted at such locations that will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances shall be no less than twenty-five (25) feet from a street intersection (measured from the road right-of-way) or from adjacent residential districts.

ii. The minimum lot area shall be fifteen-thousand (15,000) square feet, and so arranged that ample space is available for motor vehicles which are required to wait. ~~Gasoline service stations having no facilities for repair or servicing of automobiles (including lubricating facilities) may be permitted on lots of ten thousand (10,000) square feet, subject to all other provisions herein required.~~

iii. Gasoline service stations which do not have a property line abutting a residential district shall not have service bay openings facing the public thoroughfare.

~~iv. The parking of motor vehicles or the storage of trailers, campers or other such conveyances on the gasoline service station property shall~~

~~be prohibited, except for those necessary to the operation of a gasoline service station.~~

iv. Off-street loading and unloading space shall be provided in the ratio of at least ten (10) square feet per front foot of building but may be located in any required yard, notwithstanding Section 34-5.4 of this Ordinance.

C. ~~Within~~In the ~~B-3 and~~LI-1 and ES districts, automobile car washes may be permitted as an accessory use.

2. ~~Within~~In the LI-1 district:

A. Vehicular access drives shall be located not fewer than twenty-five (25) feet from the right-of-way of any intersecting street.;

B. The minimum lot area for a service station shall be fifteen thousand (15,000) square feet, and so arranged that ample space is available for motor vehicles that are required to wait. ~~Service stations limited to the dispensing of gasoline with no facilities for servicing vehicles may be permitted on lots of ten thousand (10,000) square feet; and~~

C. Off-street loading and unloading space with a dimension of at least ten (10) feet by fifty (50) feet shall be provided but may be located in any required yard, notwithstanding Section 34-5.4 of this Ordinance.

34-4.31 AUTOMOBILE SERVICE CENTERS AND AUTOMOBILE REPAIR

1.1. Within all zoning districts within which the use is permitted:

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A. The storage, sale, or rental of new or used cars, trucks, trailers, and any other vehicles on the parcel or zoning lot is prohibited.

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B. All repair work must be carried out within an enclosed building.

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C. Damaged vehicles or those awaiting repair may be stored outside of a building provided that the area for storage is enclosed within a six (6) foot obscuring, masonry wall,

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D. Main buildings 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.

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E. No outdoor storage of scrap or junk cars, spare parts or dismantled cars shall be permitted.

F. All lubrication equipment, automobile wash equipment, hoists, and pits shall be enclosed entirely within a building.

G. All buildings must be oriented so that service bay doors face away from any abutting residentially-zoned or used property and shall be oriented and/or screened to eliminate and/or minimize views of the doors from adjacent public roads.

H. The parcel or zoning lot shall be surfaced with asphaltic or concrete paving and shall be graded and drained as to dispose of all surface water accumulated within the area, except permeable or pervious pavers may be used with the approval of the Director of Public Services or his or her designee.

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2. Within the B-2 and B-3 districts, automobile service centers shall be permitted only when developed as part of a larger planned shopping center designed so as to integrate the automobile service center within the site plan and architecture of the total shopping center. A building permit shall not be issued separately for the construction of any automobile service center within the B-2 and B-3 districts. Main buildings 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.

2. In the B-3 district:

A. All repair work must be carried out within an enclosed building.

~~B. — Damaged vehicles or those awaiting repair may be stored outside of a building provided that the area for storage is enclosed within a six (6) foot obscuring masonry wall, and that the storage area is paved with asphalt or concrete. The planning commission may waive the wall requirement if the repair does not involve body repair.~~

~~C. — Main buildings 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.~~

~~3. — In the B-3 and LI-1 districts, no outdoor storage of scrap or junk cars, spare parts or dismantled cars shall be permitted.~~

34-4.40 VEHICLE WASH

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1. ~~The minimum lot size shall be fifteen-thousand (15,000) square feet.~~
2. ~~Buildings shall be oriented such that open bays do not face onto adjacent thoroughfares unless screened by an adjoining lot or building.~~
3. All washing facilities shall be within a completely enclosed building.
42. Vacuuming and drying areas may be located outside the building but **only within the rear yard.**~~shall not be in the required front yard.~~
53. All cars required to wait for access to the facilities shall be provided space **outside of** the street right-of-way.
64. Access points shall be located at least two-hundred (200) feet from the intersection of any two (2) streets.
75. All off-street parking and waiting areas shall be hard surfaced and dust free.
86. One traffic lane shall be provided as means of exiting the facility without having to enter the car wash building; such lane shall be in addition to those which would be used by customers obtaining gasoline and waiting in line for the carwash.~~Such lane shall not be counted as part of the required reservoir parking space.~~
97. All buildings, vehicular stacking space, vacuuming or other outside use area, except employee parking, shall have a minimum setback of one-hundred (100) feet from a residential **zoning** district, unless the district is separated by a major or secondary thoroughfare.
10. ~~The parcel or zoning lot shall be surfaced with asphaltic or concrete paving and shall be graded and drained as to dispose of all surface water accumulated within the area, except permeable or pervious pavers may be used with the approval of the Director of Public Services or his or her designee.~~
8. ~~In the LI district, vehicle wash is permitted as a special approval use when it is the principal use (e.g., it is not connected to or accessory to a gasoline service station or automobile salesroom, showroom or office):~~

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AGENDA
PLANNING COMMISSION PUBLIC HEARING
CITY OF FARMINGTON HILLS
JULY 25, 2024 @ 7:30 P.M.
FARMINGTON HILLS CITY HALL – CITY COUNCIL CHAMBER
31555 W. ELEVEN MILE ROAD, FARMINGTON HILLS, MICHIGAN 48336
Cable TV: Spectrum – Channel 203; AT&T – Channel 99
YouTube Channel: <https://www.youtube.com/user/FHChannel8>
www.fhgov.com (248) 871-2540

1. Call Meeting to Order
2. Roll Call
3. Approval of Agenda

4. Public Hearing

A. CONSIDERATION OF APPROVAL OF DRAFT CITY OF FARMINGTON HILLS 2024 MASTER PLAN FOR FUTURE LAND USE

ACTION REQUESTED: Approval of draft City of Farmington Hills [2024 Master Plan for Future Land Use](#)

5. Approval of Minutes [June 20, 2024, Regular Meeting](#)
6. Public Comment
7. Commissioner/Staff Comments
8. Adjournment

Respectfully Submitted,

Kristen Aspinall, Planning Commission Secretary

Staff Contact:
Erik Perdonik, AICP
City Planner
Planning and Community Development Department
(248) 871-2540
eperdonik@fhgov.com

NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk's Office at (248) 871-2410 at least two (2) business days prior to the meeting, wherein arrangements/accommodations will be made. Thank you.

**CITY OF FARMINGTON HILLS
PLANNING COMMISSION PUBLIC HEARING NOTICE**
www.fhgov.com

DATE: July 25, 2024
TIME: 7:30 P.M.
PLACE: Farmington Hills City Hall, City Council Chamber
31555 Eleven Mile Road
Farmington Hills, Michigan 48336
ITEM: Consideration of Approval of Draft City of Farmington Hills 2024
Master Plan for Future Land Use

Approval of the draft City of Farmington Hills 2024 Master Plan for Future Land Use shall be considered by the City's Planning Commission.

Any person interested in this matter is invited to attend and comment during the public hearing, or to submit written comments prior to the hearing to Erik Perdonik, AICP, City Planner, at the street address noted above or eperdonik@fhgov.com.

A copy of the draft Plan is available via the City's website at www.fhgov.com by clicking on the "Master Plan Update" link at the bottom of the homepage or directly at <https://engage.giffelswebster.com/farmington-hills-master-plan>. The draft Plan may also be reviewed at the Planning Office at the street address noted above on any business day, between 8:30 a.m. and 4:30 p.m.

Erik Perdonik, AICP
City Planner

Phone: (248) 871-2540
E-mail: eperdonik@fhgov.com
Publish: July 9, 2024

Procedures for accommodations for persons with disabilities:

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 City Clerk at (248) 871-2410 at least two (2) working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION MEETING
31555 W ELEVEN MILE ROAD
FARMINGTON HILLS, MICHIGAN
JUNE 20, 2024, 7:30 P.M.**

CALL MEETING TO ORDER

The Planning Commission Regular Meeting was called to order by Chair Trafelet at 7:30 p.m.

ROLL CALL

Commissioners present: Brickner, Countegan, Grant, Mantey, Trafelet, Stimson, Varga, Ware

Commissioners Absent: Aspinall

Others Present: Staff Planner Canty, Planning Consultant Upfal

APPROVAL OF THE AGENDA

MOTION by Brickner, support by Countegan, to approve the agenda as published.

Motion passed unanimously by voice vote.

REGULAR MEETING

A. PLANNED UNIT DEVELOPMENT (PUD) QUALIFICATION 2, 2024

LOCATION:	27815 and 28025 Middlebelt Road
PARCEL I.D.:	22-23-11-477-013, -014, and -109
PROPOSAL:	Construction of gasoline service station with drive-through restaurant, in a RC-2, Multiple-Family District
ACTION REQUESTED:	Qualification of PUD
APPLICANT:	SkilkenGold Real Estate Development
OWNER:	HRA Farmington Hills, LLC

Applicant presentation

Members of the development team present this evening included:

- Kareem Amr, SkilkenGold, 4270 Morse Road, Columbus OH 43230
- Scott Armstrong, 39300 W. 12 Mile Rd., Farmington Hills MI
- Alex Siwicki, 39300 W. 12 Mile Rd., Farmington Hills MI
- Pat Lennon, Honigman LLP, Woodward Avenue, Bloomfield Hills MI
- John Ackerman, Kimley Horn, 1000 Town Center, Suite 1900, Southfield MI

The development team made the following points:

- Previously Sheetz had come before the Planning Commission requesting the parcel be rezoned to a B-3 District. However, Commissioners indicated reservations to a blanket rezoning. Tonight Sheetz was before the Commission to request a PUD (Planned United Development), which will allow for a more collaborative and inclusive process.

- The 3.83 acre parcel on the northwest corner of Middlebelt and W. 12 Mile Road has more than enough land to provide buffering between the proposed facility and neighboring residences, and to preserve open space.
- Features of the Sheetz development include:
 - A made-to-order restaurant with fresh food delivered daily, and with a drive through window. The drive-through is typically low volume and accounts for less than 10% of sales.
 - Six dual-sided fuel pumps (12 stations total).
 - This location will be a signature, hallmark location. The building will include high-quality materials with four-sided architecture, enhanced landscaping, and multiple pedestrian access points and bike racks. There will be a 3-foot knee-wall along the perimeter of the property. Impervious surface will be reduced, and there will be a net positive in trees.
 - The Sheetz team has had multiple meetings with City staff and received correspondence from the residential neighbors to the north.
 - Outdoor dining will encourage community gathering; the restaurant will also have 30 inside seats.
 - Sheetz works to be a good neighbor in their communities, supporting Special Olympics and Feeding America, as well as providing gifts to local children at the year-end holidays.
 - Sheetz does not create more traffic, but serves existing traffic.
 - Sheetz is the #1 third party partner to Tesla Superchargers. Even if Tesla does not come to this site, Sheetz is preparing to establish their own in-house EV charging station technology.
 - Sheetz maintains clean sites and has a robust state-of-the art monitoring of their underground storage tanks. Sheetz has maintained a near 100% technical compliance with the EPA and maintenance personnel are well staffed to respond quickly to any potential issues.
 - Sheetz has robust recycling programs, maintains high standards in operations and environmental management, and the sites are pre-planned with conduit for EV charging, preparing for a future when gas may no longer be a primary fuel.
- Regarding the proposed Planned Unit Development, the applicants provided a handout outlining the PUD criteria and how the Sheetz facility meets the criteria:
 - The development will revitalize a vacant site with a state-of-the-art facility that can act as a neighborhood gathering place.
 - The same land use objectives cannot be obtained outside of a PUD development agreement. The PUD tool allows the City to lock down certain aspects of the plan that would not occur under straight zoning. RC-2 multi-family zoning is not working on this site.
 - The project will not add service and facility loads beyond those contemplated by the Master Plan, which designates the area as shopping center type business, including B-1, B-2, and B-4 zoning districts. Fueling stations and restaurants are allowed in the B-1 district.
 - In terms of meeting at least one of the 8 objectives listed in the zoning ordinance, Sheetz believes it meets 7 of the 8 objectives (all but v.).
 - The PUD is not being used solely as a means of increasing density or as a substitute for a variance request.
- Regarding site plan features:

- The site plan protects open space and buffers residential areas: extra property has been purchased for buffering; the proposed building footprint is smaller than the current one, with a larger open space between it and the residential area.
- The site plan enhances the city's aesthetic and meets PUD criteria.
- Request for PUD approval is based on meeting PUD qualifying criteria and providing substantial community benefits.

In response to questions, the development team provided the following additional information:

- Impervious surface will be reduced by 1/4 acre. Open space will be 1-1/2 acres, and will include property to the north purchased to provide an open space buffer to the northern neighbors. The detention pond will also be to the north, in effect providing extra buffer in that area. The entire western perimeter has heavy vegetation, which will be supplemented where necessary.
- All existing structures, including 2 vacant homes, are being removed.
- All Sheetz stores are open 24 hours a day, 7 days a week.
- Michigan Underground Storage Tank Authority (MUSTA) regulations are followed for the underground tanks.
- Sheetz was involved in litigation in 2005 regarding how underground tanks were monitored – there were no leaks at that time, and for the past 20 years Sheetz has maintained a near 100% technical compliance with the EPA.
- The drive-through distance from residential is greater than the minimum distance required, and the lights should not impact the closest neighbors. The site will comply with all lighting ordinances.
- About 50% of Sheetz sites have drive-throughs, including all their newer facilities.
- The drive-through uses a digital ordering system. There is a speaker, but it is only used for assistance and accessibility issues, not for ordering. The drive-through traffic counts are very light and the applicant can provide data to the commission if needed.
- The west side of the property (adjacent to the residential area) will remain in its natural state, supplemented with approximately 80 trees, which will help buffer any light from the facility.
- Sheetz does an environmental study of the soils at new locations prior to building. If soils are contaminated, they are completely removed and the site is remediated.
- The company is firm in their requirement that the facility be open 24 hours. This does bring more employment opportunities to the area. There are over 60 surveillance cameras installed for increased security.

Commissioner Stimson remained concerned about light and noise pollution, especially in the middle of the night.

In response to questions, staff said there were other 24/7 gas stations in the City, outside of the Freeway Express districts.

Referencing the June 11, 2024 Giffels Webster review memorandum, Planning Consultant Upfal provided the following information:

- **Future Land Use:**

- The site is designated in the future land-use map as shopping center-type business, aligning with B1, B2, or B3 zoning districts, with northern parcels designated as multiple-family residential. The entire site is currently zoned as RC-2 (multiple-family residential).
- **Dimensional Requirements:**
 - The site generally meets the dimensional requirements, but further information is needed to evaluate setbacks.
 - Proposed setbacks include a 65-foot distance to the drive-through lane on the west side, adjacent to a utility parcel.
- **Parking and Circulation:**
 - Further review is needed upon a complete PUD submission to evaluate parking calculations and site circulation.
 - A bypass lane for drive-through is required but currently not included in the plans.

PUD Qualification Criteria:

- **Improvement to Health, Safety, and Welfare:**
 - Despite being zoned for multiple-family residential, the site is across from other gasoline stations.
 - The proposed use includes significant buffers, preserving land as open space.
- **PUD not utilized where same objectives can be met by development under conventional zoning provisions:**
 - The proposed use is not permissible in RC-2 but aligns with future land use as a shopping center-type business.
 - Rezoning to B-1 would allow a gas station, convenience store, and restaurant, but a drive-through necessitates development under a PUD.
 - PUD allows negotiation of community benefits, such as open space.
- **Additional Loads and Capacity:**
 - The use is consistent with the future land use map.
 - Potential traffic increase is difficult to ascertain without a traffic study, which the applicant is currently conducting.
- **Open Space and Buffers:**
 - The proposal meets multiple criteria by providing significant buffers and preserving open space, including the purchase of extra land to serve as a buffer, with restrictions to ensure its use remains protective.
- **Aesthetic and Orderly Change:**
 - The new facility will be an improvement over the current state.
 - Enhanced architecture, reduced impervious cover, increased green space, pedestrian access, bike racks, landscaping, and a decorative knee wall contribute to the aesthetic.
- **Promotes Master Plan Goals:**
 - The use meets more future land use designation criteria than the current multifamily residential zone.
- **Not seeking a PUD to increase Density or Substitute for a Variance:**
 - The primary reason for this PUD application is to allow a land use not permissible in RC-2 (drive-through).
- **Deviations Requested:**
 - To permit a gasoline station, convenience retail, and drive-through restaurant with outdoor dining in the RC-2 district.

- Required drive-through bypass in the customer stacking/ordering area.

Chair Trafelet brought the matter back to the Commission.

MOTION by Brickner, support by Varga, to make a preliminary finding that PUDQ2, 2024, dated May 20, 2024, submitted by SkilkenGold Real Estate Development, qualifies for the Planned Unit Development Option under Section 34-3.20.2A through D of the Zoning Chapter. It is further determined that the proposal meets at least one of the objectives outlined in Section 34-3.20.2.E.i through viii., and that the final granting of the PUD plan and contract requires approval by City Council following a recommendation by the Planning Commission.

1. **The proposed plan preliminarily meets the following qualification standards of Section 34-3.20.2.E.i. through viii:**
 - i. **To permanently preserve open space or natural features because of their exceptional characteristics or because they can provide a permanent transition or buffer between land uses.**
 - iii. **To accept dedication or set aside open space areas in perpetuity.**
 - iv. **To provide alternative uses for parcels which can provide transition buffers to residential areas.**
 - viii. **To bring about redevelopment of sites where an orderly change of use is determined to be desirable.**
2. **And with the condition that a traffic study be submitted with the site plan.**

Motion discussion:

- Cleaning up a blighted site should not be considered a community benefit under a PUD. Maintaining a property free of blight is an ordinance provision, whether or not a site is being developed.
- The proposed buffer is above and beyond ordinance requirement. The detention area will also act as a buffer to the neighbors, and will improve storm water management in the area.
- This motion, if approved, will qualify this project for a PUD application. It does not approve a PUD or a site plan. Significant further review will take place, and there will be a public hearing at the Planning Commission and City Council level. City Council will be the final decision maker as to whether the PUD is approved and if so, what will be part of the PUD Agreement.
- The site plan should address light and noise concerns.

Motion passed unanimously by voice vote.

APPROVAL OF MINUTES

May 16, 2024, Regular Meeting

MOTION by Varga, support by Grant, to approve the May 16, 2024, Regular Meeting minutes as submitted.

Motion carried unanimously by voice vote.

PUBLIC COMMENT

Dion DeGennaro, New Castle Road, opposed the Sheetz project, noting its proximity to his childhood home and the current residence of his mother. Mr. DeGennaro questioned the need for another gas station, given the existing nine stations within a 1.14 square mile radius, and expressed concerns that Sheetz's plan to capture existing traffic might lead to the closure and decay of older stations. He felt the developers downplayed environmental impact concerns. He highlighted the absence of planned EV chargers despite claims of future readiness. While appreciating efforts to mitigate light and sound pollution, Mr. DeGennaro was troubled by the drive-through's impact on their home. He suggested that instead of a gas station, the city should focus on developing more workforce housing for middle-class families.

Jerilee McHard expressed strong opposition to the Sheetz project. Ms. McHard emphasized the City's historical dedication to the environment, natural beauty, and quality of life. The development of a 24/7 gas station would significantly reduce the assessed value of their property and the 87 units in Beechwood Hill condos. Ms. McHard questioned the benefit of the project, arguing that it would degrade the character of the entire neighborhood.

Keith Henry, Jr., Orion Court, representing Crestwood Meadows Homeowners Association (HOA), voiced opposition to the Sheetz development. He highlighted concerns regarding safety, noting that gas stations increase traffic and pose risks to pedestrians, children, and cyclists on quiet streets, particularly small children who travel to the Hawk. Mr. Henry raised environmental concerns, emphasizing the pollution and health risks associated with fuel stations. Mr. Henry felt that property values would decline; the community invests heavily in their homes and fears financial loss. He also pointed out the problems of noise and light pollution, which would disrupt the predominantly working-class neighborhood accustomed to quieter nights. Lastly, Mr. Henry asserted that the neighborhood's residential character would be compromised by another gas station, exacerbating traffic issues and impacting privacy.

George Senawi, Orion Ct., opposed this development. He expressed concerns about the noise from the gas station and drive-through affecting his living area, compromising the privacy of his home. Mr. Senawi emphasized that he and his neighbors have young children who frequently bike on the street, and the increased traffic and crowd from a 24-hour gas station would pose safety risks. He worried that the development would attract undesirable behavior and that the street infrastructure is not equipped to handle the added traffic. Mr. Senawi pointed out that while trees currently provide some noise and light shielding, clearing them for the development would result in lights from the drive-through shining directly into his and his neighbors' windows.

Chuck Rose opposed this development. He questioned whether the development was essentially a truck stop. Mr. Rose suggested that the developers were rushing to implement their project before better alternatives emerged. He raised concerns about light and sound pollution, doubting the effectiveness of tree buffers in mitigating noise from cars. He asked that mitigation trees include a significant number of evergreens. Mr. Rose pointed out that the term "open space" on a gas station site is misleading, arguing it does not constitute a community benefit but rather superficial window dressing.

Samantha Henry, Orion Ct., opposed this development. She urged Commissioners to visit the site and consider the impact of the proposed Sheetz development on the neighborhood. During winter the

proposed tree buffer would leave the area exposed. Ms. Henry emphasized concerns about the negative effect on property values and the potential need to sell their home. The existing gas stations in the area do not operate 24 hours a day, unlike the proposed development, which will increase traffic and disrupt the community. She also echoed concerns about the environmental impact, aligning with points raised by Commissioner Ware. Henry stressed the importance of considering these factors in their decision.

COMMISSIONER/STAFF COMMENTS

The Commission outlined the review process going forward. The next step involves the applicant presenting a detailed site plan to the Planning Commission in a public hearing, where residents can comment specifically on plan details. If the Planning Commission recommends the plan, it will proceed to the City Council for another public hearing and final determination. The PUD agreement, which formalizes all details and agreements between the City and the developer, taking into account neighbors' concerns, will also require City Council approval. The site plan may evolve through this process based on public feedback and modifications made by the Planning Commission.

Commissioner Brickner addressed concerns about the environmental impact of the proposed gas station, explaining that state regulations strictly govern the installation and maintenance of gas station tanks, including requirements for tank burial, surrounding materials, and drainage. Under previous development applications, the site has already undergone phase one and phase two environmental assessments to ensure it is not contaminated. Commissioner Brickner emphasized that gas stations must comply with stringent state regulations to ensure environmental safety.

Commissioner Ware urged her colleagues to consistently apply the master plan when evaluating new developments. She expressed concern that the commission reviews projects in isolation, without considering the broader context, such as the existing eight gas stations within a 1.4-mile radius. Commissioner Ware emphasized the need for an integrated approach to ensure that new proposals align with the city's long-term vision and growth goals, as outlined in the master plan. She called for a thorough evaluation process that reflects the city's aspirations and guides its future evolution.

Commissioner Grant suggested addressing community concerns about the 24-hour operation by limiting outdoor dining hours, to prevent 24-hour outdoor gatherings.

Commissioner Mantey said a key take-away of the recent master plan update was the importance of asking for more during the PUD process. This proactive approach should guide their decisions going forward.

ADJOURNMENT

Motion by Varga, support by Ware, to adjourn the meeting.

Motion carried unanimously by voice vote.

The meeting was adjourned at 8:55pm.

Respectfully submitted,
Kristen Aspinall

City of Farmington Hills
Planning Commission Meeting
June 20, 2024
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DRAFT

Planning Commission Secretary

/cem