

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION MEETING
31555 W ELEVEN MILE ROAD
FARMINGTON HILLS, MICHIGAN
MARCH 21, 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: Aspinall, Brickner, Countegan, Grant, Mantey, Trafelet, Stimson, Ware

Commissioners Absent: Varga

Others Present: Staff Planner Perdonik, City Attorney Schultz, Planning Consultants
Tangari and Upfal

APPROVAL OF THE AGENDA

MOTION by Stimson, support by Grant, to approve the agenda as submitted.

Motion passed unanimously by voice vote.

PUBLIC HEARING

A. REZONING REQUEST ZR 1-1-2024

LOCATION: 31130 Orchard Lake Road
PARCEL I.D.: 22-23-02-103-025
PROPOSAL: Rezone eastern portion of one (1) parcel from P-1, Vehicular
Parking District to B-3, General Business District
ACTION REQUESTED: Recommendation to City Council
APPLICANT: Mannik & Smith Group, LLC

Applicant presentation

Jefferey Schroeder, Plunkett Cooney, was present on behalf of this application to rezone a portion of a parcel from P-1 Vehicular Parking to B-3, General Business zoning. Jacob Rilett, Mannik & Smith Group, LLC., was also present.

The applicants provided the following information:

- The parcel was currently split-zoned. The applicant was requesting that the back portion of the lot be rezoned from P-1 to B-3, to be consistent with the zoning in the entire parcel. An express auto wash is being proposed for this location and the rezoning is necessary in order to meet the zoning requirements.
- The applicants had reviewed all of the staff comments and they were in agreement with those comments.

In response to questions from the Commission, the applicants gave the following further information:

- The use would be an adaptive re-use of the current building. A minor bump out (less than 500sf) would be added on the northeast corner of the building. The building has a slight notch cut out of it and the bump out will turn the building into a rectangle. The bump out is on the portion of the property that is already zoned B-3.
- Entrance and exit to the car wash will be on the eastern portion of the building, the furthest from the street. The driveway to Orchard Lake Road will be eliminated.
- Vacuums will be located both inside and outside the building.

Planner's Review

Referencing the January 30, 2024 Giffels Webster review memorandum, Planning Consultant Upfal offered the following comments:

- The subject property is 1.045 acres and currently split-zoned B-3 General Business District and P-1 Vehicular Parking District. It is located on the east side of Orchard Lake Road, at the corner of Mulfordton St. and Orchard Lake Rd.
- This land is designated Non-Center Type Business on the Future Land Use Map. The 2009 Master Plan compares uses permitted in Non-Center Type Business to those permitted in the B-3 Zoning District.
- The parcel is part of the Orchard Lake Road Mixed Use Redevelopment Area. As such, the Master Plan recommends that in addition to the goals and policies for mixed-use development, redevelopment plans in this area should also:
 - a. Take into account the approved PUD plan for this area
 - b. Encourage the redevelopment of the Farmington Heights Subdivision as mixed-use development similar to a Central Business District
 - c. Provide significant transition/ buffer to existing condominiums to the south and the group care facility if they remain
 - d. Encourage non-motorized access alternatives with connections to the east
 - e. Promote mixed use development, including increased height limit for the entire area under a unified plan provided that: (1) Changes would be permitted only if most properties are involved and that no isolated one-family residential uses remain. Include the existing multi-family developments if possible. (2) Intensity of uses allowed by increasing heights is in proportion to the amount of land included in the development (3) bike paths and/or sidewalks are installed to provide non-motorized access throughout the area (4) pedestrian-friendly environments are created including landscaping, walks, trees, shrubs, and street furniture
- To the rear of the site, there is a mix of office and residential. However, those residential lots only include one single-family home and the remainder is a vacant parking lot.
- Although the special planning area may not be consistent with an auto-oriented use, the future land-use designation of non-center type business is. The applicant has proposed re-zoning the entire property so that it's all B-3 rather than being a split-zone property. Because of the frontage on Orchard Lake Road, the effect of this re-zoning will not change the use that is allowed. The commercial zoning of the site is generally compatible with all surrounding uses. There would be no additional impact on road service on Orchard Lake Road or traffic.
- It does appear that the site could be developed within the standards of the B-3 district. However, there is a prohibition relative to car washes being adjacent to residentially zoned properties and a requirement that all access be a minimum of 200 feet from an intersection. So there are some challenges with a car wash, but there are no challenges with B-3 uses on the site. There is no risk of split zoning on this site.
- The intent of the P-1 district is to only accommodate vehicular parking uses and this type of use would not be permitted on the P-1 lot.
- The Planning Commission qualified this rezoning at the February 2024 meeting.

In response to questions, staff explained that:

- The only use allowed in the P-1 district is parking, including electric vehicle parking stations.
- Historically the P-1 district was used to buffer residential districts. The home behind this parcel is now an office use.
- The B-3 District would have a 20' rear yard setback and 10' side yard setback. There are buffering requirements relative to adjacent residential uses, including a wall/berm requirement that applies to both the P-1 and B-3 district. Landscaping requirements would also apply to both zoning districts.

Public Hearing

Chair Trafelet opened the public hearing. As no public indicated they wished to speak, Chair Trafelet closed the public hearing and brought the matter back to the Commission.

Commission discussion and/or motion

MOTION by Brickner, support by Aspinall, to RECOMMEND TO CITY COUNCIL that Rezoning Request ZR 1-1-2024, dated November 17, 2023, submitted by Mannik & Smith Group, LLC, to rezone property located at Parcel Identification Number: 22-23-02-103-025, Oakland County, Michigan, from P-1 Vehicular Parking District to B-3, General Business District, BE APPROVED.

Motion passed unanimously by voice vote.

REGULAR MEETING

A. ZONING TEXT AMENDMENT 1, 2024

CHAPTER OF CODE:	34, Zoning Ordinance
PROPOSED AMENDMENT:	Amend Zoning Ordinance to include new subsection addressing electronic messaging center area, and to revise regulations regarding additional freestanding sign area
ACTION REQUESTED:	Set for public hearing
SECTIONS:	34-5.5.3.A.ix, 34-5.5.3.A.iv, and 34-5.5.3.A.xi

Referencing the March 14, 2024 Giffels Webster memorandum, Planning Consultant Tangari explained that a recent review of bonus signs and sign areas for freestanding signs permitted under the Zoning Ordinance in the Expressway Service (ES) and Light Industrial (LI-1) districts, as provided in Section 34-5.5.3.A.iv of the Zoning Ordinance, indicates that there is no limit on the portion of a sign that may be devoted to an electronic display. Which is to say that these bonus signs (up to 100 or 150 square feet in the ES district and up to 300 square feet in the freeway sign area of the LI-1 district per Section 34-5.5.3.A.xi) could potentially be entirely electronic. This may be an unintended consequence of the bonus provisions and should be reviewed. This memo additionally looks at whether the bonus sign areas should be reduced.

In order to prevent the visual and light pollution caused by the spread of large electronic sign areas, Giffels Webster suggests limiting the portion of sign area that may be electronic display to 20-30%, amending Section 34-5.5.3.A.ix by adding the following new item h:

h. The electronic display area of a sign shall not exceed 30 percent of the total sign area or 30 square feet, whichever is larger.

Potentially a very small sign could be all electronic. Larger signs will be limited as to the total amount of the area that can be electronic. This would avoid the unintended consequence of having a very large sign in the City, all electronic with 100% electronic imagery, which would be visually impactful for the driver and anyone who lived in the area. Allowing very large signs to be all electronic appears to have been an oversight when the ordinance was drafted.

Commission discussion included:

- Some businesses are set far back from main roads, and could benefit from having larger signs. There was a balance between community aesthetic and businesses' ability to advertise.

Staff explained that there would be no change to the primary business identification sign regulations in most districts. The proposed change applies to the ES (Expressway Service) District and the LI-1 (Light Industrial) District, and would affect billboard-type signs. Signs could be as large as 150sf or 300sf. It was important to remember that sign content cannot be regulated, and these very large electronic signs can blast out any message.

- It is important that people are able to read the signs. At the public hearing, could staff bring examples of what will be allowed and what will be prohibited?
- Will existing signs be made nonconforming? If so, how many signs would be impacted in that way?
- Was there a true need for this ordinance change? What was the impetus behind this zoning text amendment?
- On the other hand, large tall signs as discussed tonight should not even be an option in Farmington Hills. People living in and driving through Farmington Hills should not be impacted by large LED signs. The issue was one of an overall aesthetic for the City.

After further discussion, Chair Trafelet asked staff to bring illustrations of signs that would be prohibited, and examples of what would be allowed, and in what district, for the public hearing. A map showing potential locations would also be helpful. Without concrete examples, what was being suggested seemed vague and even premature.

In response, City Planner Perdonik said it was important to have an ordinance the City could live with, prior to getting applications that might take advantage of the unintended consequences of the sign ordinance as it is now written.

Commissioner Ware supported getting more information and discussing this zoning text amendment further before setting it for public hearing. She preferred that the Commission be well informed and understand the issues involved before acting on any change, including this proposed zoning text amendment.

Staff committed to providing further information to the Commission well before the next meeting.

MOTION by Stimson, support by Mantey, that that Zoning Text Amendment 1-2024, which proposes to amend the Farmington Hills Code of Ordinance, Chapter 34, Zoning, Article 5.0, "Site Standards," Section 34-5.5, "Signs," to include a new subsection 34-5.5.3.A.ix.h addressing the area of electronic messaging centers; and Sections 34-5.5.3.A.iv and 34-5.5.3.A.xi to revise regulations regarding additional freestanding sign area, be set for public hearing for the Planning Commission's next available regular meeting agenda.

Motion passed 7-1 by voice vote (Ware opposed).

APPROVAL OF MINUTES

**February 15, 2024, Special Meeting, and February 15, 2024
Regular Meeting**

MOTION by Aspinall, support by Grant, to approve the February 15, 2024 Special Meeting minutes, and February 15, 2024 Regular Meeting minutes as submitted.

Motion carried unanimously by voice vote.

PUBLIC COMMENT

None.

COMMISSIONER/STAFF COMMENTS

- Gas station at 9 Mile and Middlebelt had very bright lights. City Planner Perdonik said there was active enforcement at that location.
- The Commission discussed issues relative to the SiFi Networks fiber project going on in the City. Work is supposed to be confined to the rights-of-way, but some residents were experiencing front yard damage due to this project. Was there a way to better communicate to residents when this work was going to be happening in their neighborhood? The Engineering Department is fielding calls about the project.

[See <https://fhgov.com/government-business/news-information/latest-news/farmington-hills-mayors-join-sifi-networks>]

ADJOURNMENT

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

Motion carried unanimously by voice vote.

The meeting was adjourned at 8:31pm.

Respectfully Submitted,
Kristen Aspinall
Planning Commission Secretary

/cem