

FARMINGTON PLANNING COMMISSION SPECIAL PROCEEDINGS  
23600 Liberty Street  
Farmington, Michigan  
April 3, 2025

Chairperson Perrot called the meeting to order in Council Chambers, 23600 Liberty Street, Farmington, Michigan, at 7:00 p.m. on Thursday, April 3, 2025.

**ROLL CALL**

Present: Gray, Kmetzo, Mantey, Perrot, Westendorf  
Absent: Crutcher, Majoros

A quorum of the Commission was present.

**OTHER OFFICIALS PRESENT:** Chris Weber, Assistant City Manager; Jeff Bowdell, Building Inspector, Brian Belsky, Director of Media, Brian Golden, Director of Media, Bonnie Murphy, Recording Secretary, Beth Saarela, City Attorney.

**APPROVAL OF REGULAR AGENDA**

MOTION by Westendorf, seconded by Kmetzo, to approve the agenda.  
Motion carried, all ayes.

**PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT**

Accessory Outdoor Seating, Weather Resistant Outdoor Seating Enclosures, Seasonal Limitations on Outdoor Seating, Banquet Facilities and Event Centers.

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

Assistant City Manager Weber stated Administration has reviewed several areas of the Zoning Code and is recommending changes. Those changes include first involving Banquet Facilities and Event Centers, currently the ordinance specifies that banquet facilities are permitted by right. Event Centers are not mentioned. Administration recommends adding Event Centers and treating them identically to Banquet Centers. It is also recommended to change Banquet Facilities (and therefore Event Centers) to a special land use, which would require Planning Commission approval, that's the first item.

The second item is related to Outdoor Tables and Chairs for Carryout Service – current, this item is not included in the ordinance. This would be added as permitted by right and would require site plan approval by the Planning Commission. Minimum standards are added for tables and chairs.

The third item relates to Weather-resistant Enclosed Accessory Outdoor Seating Area – currently this item is not included in the ordinance. This would be added as a special land

use, subject to approval by the Planning Commission and the DDA Design Committee if located in the DDA. Design standards are added to the ordinance.

And the last item relates to Outdoor Seating Restricted by Season – currently outdoor seating is allowed April 15 to October 31<sup>st</sup>. This would be changed to allow outdoor season to be used year-round.

So we have with us here today Jeff Bowdell, our Building Official, and Beth Saarela, City Attorney for questions as well as myself and I just want to open up that discussion and give a chance for the public to weigh in on that and then discuss amongst yourselves and if you're amenable to the changes, those would get forwarded on to City Council where they would have a First and Second Reading to amend the ordinance.

Perrot thanked Weber for the information and opened the floor for questions from the Commission. He then stated Special Provisions, Section 2, I'd give you a page number but it's not provided, Item Number 2 it starts with outdoor seating shall be permitted, so down in the added section it says placement of tables and chairs outside carryout restaurants, so the next sentence, it ends with customer seeking carryout service subject to approved site plan, that's an approved site plan and City Attorney Saarela replied with an approved site plan.

Perrot stated in the edits and updates, the wording, we're replacing dining with seating and the term seating, I'm sure that was carefully chosen. And Saarela replied because dining sometime implies that you could get approval for a liquor license and issues like that, so we're not really trying to include that, just making it a broader term. Perrot then asked if there's no risk with, and of course this is taking it to the extreme, like adding bleachers or stadium styled seating and the risk is controlled and Saarela replied in the affirmative and further discussion was held. She stated the primary reason this was done because there are several locations where there is outdoor chairs and tables that have no site plan approval and its unknown, do they take out them out there and put them back in, are they out there in the winter, is it causing an obstruction to the sidewalk and stuff, this is really an attempt to get what they're allowed to do on paper and to get them to continually comply with that and if they don't comply, we have something that we can enforce so that is really the intent of this, what is on paper, what is on site plan, so that we be able to enforce it.

Perrot and of course everything we do is keeping in mind we're not just talking about the downtown, which is the first thing that your mind goes to, we're talking about the entire city, so all of the restaurants at 10 and Orchard and you know soon to be Peace Tacos and everybody else amongst the masses, we'll make sure we keep them in consideration. Perrot stated, it's just the OCD in me, making sure we choose the words correctly.

Saarela replied this is intended that we have a record of it, approve it and can enforce it.

Perrot thanked her for her input.

Jeff Bowdell, Building Official, stated that first off it's not OCD, it's OCB, it's a behavior, you choose to act that way.

Perrot replied I should have known you had one loaded in the chamber.

Bowdell stated in enforcement, and that's why we're here, whether it's the very first item and how we enforce that new term event center or you're asking about the seating. Everything relates back to the site plan and we want to be able to take that site plan that came in front of this body, now there are occasions where administrative approval can come with a site plan but the administrator of that has to decide when he wants to take all the good and bad that comes with that approval and decide whether or not a body like this should be looking at it. And so, let me give you some other examples of things that are site plan related. We get requests all the time to put a clothing bin, St. Vincent DePaul, Volunteers of America, on some private property. And we always so no, it's not on your approved site plan. And the only one you get in trouble with on those by the way is when they want to put the newspaper box, that's kind of a wrestling match, because you know a newspaper is something different and those have long gone away or almost gone away with the social media. So, all the time we rely on a site plan, so the things that you do with the site plan are really, really important for future approval. So, the most current one was we have a gas station at Nine and Farmington. All of a sudden the plans came in and they had electric plugs across the front of the building. Well, I know what that means, that means ice machines, everything that they can't fit in their building they're going to sell on the sidewalk. I said cover all those plugs up, you don't get to use them, nothing was on your approved site plan. So just keep that in mind when you approve site plans and that goes for the sale of propane, all of those things haven't been traditionally done because nobody was thinking about enforcement when they allowed them. So, like I say you, have a real important role when you approve a site plan.

Perrot said to that point that's just something that the average person doesn't appreciate but you look across the street and the gas stations across the street that's in the Hills is just full of stock.

Bowdell stated right now our station at Halstead or Freedom and Grand River has outside sales. I notified them your new building, that's over. If you're not getting it in the store, you're not putting it on the sidewalk. Because we've all seen the Speedway stations that lines the area between the pump with fertilizer and wood chips and everyone they can

buy themselves and that's not what you intended to allow for that. So, there are some provisions in our ordinance for outside sales and things of that nature, that's a little different but quite frankly if somebody came in new and wanted to have some of that, we'd be sending them to you for approval.

Perrot thanked Bowdell and opened the floor for comments or questions from staff.

Commissioner Kmetzo stated I do have a question, two questions actually. Can we define what is an event center, for example, like what would it do?

Bowdell stated the reason this on here is that many, many communities, not all, you can't say all, use banquet centers as a special land use. Why? Well, you take a great big building and all of a sudden you get a wedding with 350 people in it or anything else. I've actually been in communities that an unknown center like this had an event and they had to call mutual aid, there was a riot in the street. So, in our community we have to be cognizant that our police force can't handle a giant crowd all of a sudden with no notice. And a banquet center, they can rent it to anyone for almost anything. An event center is a term that has popped up in our world today as a way to have a banquet center without a kitchen and hold events that might be a wedding shower, it could be a bat mitzvah, it could be a CD release party where we had one in an event center here, they advertised on social media, had hundreds and hundreds of people, underage drinking, all kinds of stuff going on and they called the police department and they have a lot more to do than that. So you get to choose which buildings, do they have enough parking, do they have enough all of those things would fall into because right now it doesn't say it in the ordinance, we're trying to group it in with something so we have more control of it then. This is how hard it is to have an event center, oh, that building is vacant? It's got two bathrooms? I could have an event center there and they're calling you to try to move in and like I say they could be very detrimental to your Public Safety. I have talked to the chief about this and he was very much in agreement that there should be some control and it's not like we want to control them but if we have a legitimate facility who wants to be move in, there should be provisions, and again, the site plan approval dictates an awful lot as to how to move forward.

Kmetzo asked if it also includes a permit to hold the event in a building or something.

Bowdell replied they don't get a permit to hold the event, they get site plan approval and a building permit to open such a facility. Once they open it, it's on them as to who they rent it to, they can rent it to anybody.

Saarela stated under the special land use you have discretion there, you have a lot of discretion there because you're seeing it and you're seeing everything surrounding it, you

as the Planning Commission have the ability to say this is how big it is so we need this condition, it's next to this, so we need this condition. So, that's the reason for making it a special land use because it really is a vague term that you can apply to a lot of different buildings, so when they're coming in asking for this and they're coming to you, you look what it is and you decide what conditions do we need here to make this viable, if it's viable or not, you may say it's not, this isn't the right place for this and because it's discretionary you can turn it down.

Commissioner Westendorf stated we can potentially put a stipulation on it say our local police department just has to determine if they can handle a potential gathering of 100 people or something. They can say if your occupancy is more than that, then you have to notify the city and get an event permit?

Saarela replied we already have an ordinance for events and stuff that doesn't necessarily apply in that situation so we don't have a permit process for that. You could do something like if it's over or limit occupancy given what type of parking situation is there. You could say because of the parking situation you can't have an with than 25 people or whatever, you could do something like that. Or if you thought the event was going to be too much capacity for our public safety, I don't know maybe require them to have a private security detail. It's really going to be specific as to where it is locationally picked. Westendorf stated I was thinking more of notice to the department, hey, there's something happening here so you don't get that surprise or just at least give them the opportunity to respond to it.

Bowdell stated if you approve an event center, they get to hold any kind of event they want and like any other business, limited in its size to how many bathrooms they have, the building code dictates you can't have over 100 people without a sprinkling system. A couple of them have not, I've held my only Construction Board of Appeals in my life in this room over an event center that wanted to go into a place that would have allowed about 200 people, 180 or 230 or something, but they didn't have a sprinkling system and they wanted a variance for that and naturally they didn't get it because that's not safe, but once you approve an event center, you don't have any control over what events they're going to have. And that's why it's so important that these type of places just can't go into any vacant building that can hold 50, 70, 90 people and you don't get a say in it. We don't have our American Legion anymore, go talk to people who live behind the American Legion. They would have an event there in the parking lot because their building was too small and they would park cars all over every building on Grand River and fill that parking lot with people who attend. You're going to probably say you're going to keep your event inside the building and then it's limited by the occupant load of the building. So, like I say the reason this is in here is because people have taken that word all over Michigan and other places and turn banquet facilities and

what they do is they say we don't have food, well, they cater the food in, they don't have a liquor license, the guy brings his own alcohol. And like I say, that's why this is in front of you, it's just all the things you're thinking actually do happen and our Public Safety, we're a bedroom community with small business and we're not equipped to handle the CD release party, like I say I've seen them with 1,000 people, all of a sudden there's 1,000 people and there's cars parked everywhere, they're double parked on the street, they're standing everywhere, you name it, it's happening, and what would our Public Safety do and that's why it's in front of you.

Saarela stated every single one of those that came in you have that list of standards you have to go through and do a factual finding on, whether they can meet it or not, can they meet it conditionally with such and such condition.

Kmetzo said it's a still a little bit blurry for me. So, if it's a one-time event, someone wants to have a one-time event, do they need to have a site plan to use a certain facility for this one-time event?

Saarela replied they would have to have that whole building approved for that use as a special event center. So, they couldn't just come in and do it that one time.

Bowdell stated if the hardware store wants to have President's Day sale event, this verbiage is put into the ordinance because people want to come and they want to have a business, they want it to be there 365 days a year and every time they rent it, they're going to have some kind of event that we don't know what it is because they rented it to either one of you. Well, you know, we don't want my family, you know a bunch of crazy Irish people coming from all over the place.

Kmetzo said so it's basically a center used for events, maybe there should be some kind of definition what event center is.

The event center says see banquet facility, Bowdell stated. And Saarela said there is no definition of banquet facility either so that's why we included it, it's the same thing as a banquet facility, you're using it for the same purpose of using a banquet facility but without having a kitchen so that's why it's stated that why.

Kmetzo stated my other question involved outdoor seating. So, a place, a restaurant or something can put chairs and tables outside either for dining or for pick-up for customer pick-up, right, so will they have to designate what tables are used for dining and where the tables are used for pick-up because someone can just go there and eat but it's really designated for something else.

Bowdell replied to answer this properly you have to know that right now we have two standards. One standard is table service where you're going to be served, and one is outdoor dining. So, I'm going to tell you if you go over to Maza, you walk in, you order your tacos, they give them to you, you take them outside, sit down at a table and eat them. And that is outdoor dining. And right now there is no requirement other than the dates of when you can have your tables outside, there's no site plan necessary. But you just go just down the street to Blueberry Brunch and you sit down and you order your breakfast, they have to have a site plan and be approved for that. What we're doing is all outdoor tables and chairs regardless of what they're used for has to have an approved site plan so that we can dictate, like La Pecora Nera right here, two tables, little, two chairs at each table. They don't need anything, they just put them out there. Well, they're going to need a site plan to have two tables and if all of a sudden three show up and all of a sudden the sidewalk is crowded, they're leaning into the building next door, we say no, no, your site plan said two, that's what you're allowed, two.

Saarela stated unless they come back and amend their site plan if they want to change it but we would have to know about it, we'd have to do an amendment like anybody else.

Kmetzo thanked staff for the clarification.

Commissioner Gray asked with the outdoor seating, does that also include the igloos that were popping up during Covid and Saarela replied that's the other section we're talking about the enclosed structures, you need to come in for a special land use with that because there's a lot that goes with that.

MOTION by Westendorf, supported by Mantey, to open the Public Hearing.  
Motion carried, all ayes.  
(Public Hearing opened at 7:25 p.m.)

### **PUBLIC HEARING**

There being no public present on a  
MOTION by Kmetzo, supported by Mantey, to close the Public Hearing.  
Motion carried, all ayes.  
(Public Hearing closed at 7:25 p.m.)

MOTION BY Westendorf, supported by Mantey, to move to recommend approval of (all, some, or none) of the proposed amendments to Chapter 35, Article 7, Section 35-102 and 35-158 and to forward them to City Council for their review and consideration.  
Motion carried, all eyes.

City of Farmington Planning Commission  
April 3, 2025  
Page 8

**PUBLIC COMMENT**

None heard.

**PLANNING COMMISSION COMMENT**

None heard

**ADJOURNMENT**

MOTION by Kmetzo, supported by Westendorf , to adjourn the meeting.  
Motion carried, all ayes.

The meeting was adjourned at 7:27 p.m.

Respectfully submitted,

---

Secretary