

CITY OF OAK PARK PLANNING COMMISSION
March 13, 2017
MINUTES

Meeting was called to order at 7:00 p.m., in the City Council Chambers, Oak Park City Hall, 14000 Oak Park Boulevard, Oak Park, MI, by Vice Chairperson Brown and roll call was made.

PRESENT: Vice Chairperson Brown
Commissioner Burns
Commissioner Eizelman
Commissioner McClellan
Commissioner Tungate
Commissioner Seligson
Commissioner Walters-Gill

ABSENT: Chairperson Torgow
Commissioner Tkatch

OTHERS PRESENT: City Planner, Kevin Rulkowski
Community & Economic Development Director, Kimberly Marrone
City Clerk, Ed Norris

APPROVAL OF AGENDA OF MARCH 13, 2017

MOTION by Burns, SECONDED by Walters-Gill, to approve the agenda for March 13, 2017, as amended to add Item 8B.3) Request to schedule Special Land Use Public Hearing for Sweet Soul Bistro, 13400 Eight Mile Road.

VOTE: Yes: All
No: None

MOTION CARRIED

APPROVAL OF MINUTES OF DECEMBER 12, 2016 - APPROVED

MOTION by McClellan, SECONDED by Walters-Gill, to approve the minutes of December 12, 2016, as submitted.

VOTE: Yes: All
No: None

MOTION CARRIED

COMMUNICATIONS/CORRESPONDENCE: None

PUBLIC HEARING:**A. Public Hearing to receive public comments on a Proposed Master Plan for the City of Oak Park.**

Vice Chairperson Brown referenced City Planner Rulkowski's report, dated March 8, 2017:

At the March 13th Planning Commission meeting a Public Hearing is scheduled to hear public comments on the Proposed Master Plan for the City of Oak Park. After receiving the public comments, the Planning Commission will have to decide whether to adopt the Proposed Master Plan as presented or seek further modification. The preparation and approval of a Master Plan for a community is considered the single most important duty of the Planning Commission. As such, the Michigan Planning Enabling Act of 2008 requires an affirmative vote of a super majority (2/3rds) of the members of the Planning Commission for approval.

125.3843. Sec. 43.

(2) The approval of the proposed master plan shall be by resolution of the planning commission carried by the affirmative votes of not less than 2/3 of the members of a city or village planning commission...

For this reason, each Planning Commissioner's attendance at the meeting is very important.

Last week a bound Draft Master Plan was delivered to each Planning Commissioner for review. The Draft Master Plan represents months of information gathering, public input, and ongoing consultation between City staff and the Planning Commission. No fewer than five City staff members worked directly on the Draft Master Plan, in addition to many other City staff that contributed in a number of ways.

As required by the Municipal Planning Act, a copy of the Draft Master Plan was mailed to all the communities surrounding Oak Park and the Oakland County Coordinating Zoning Committee. At this point in time we have received comments from the City of Southfield, Royal Oak Township and Oakland County planning staff indicating that Oak Park's Draft Master Plan is not inconsistent with their Master Plans. On March 7th the Oakland County Coordinating Zoning Committee met and voted to ratify the finding of the Oakland County planning staff indicating that Oak Park's Draft Master Plan is not inconsistent with the Master Plans of the communities surrounding Oak Park.

In the memorandum that accompanied the bound Draft Master Plan from last week, it was noted that there were a few last minute amendments that were not incorporated in the bound document. These included changes to the Goals and Implementation section (pages 67-78) as well as a clarification to the Zoning Plan (page 79) as recommended by the Oakland County planning staff. As the Draft Master Plan is a "work in progress" we have made a few additional modifications to the information you received last week. These changes are as follows:

- *An updated Public Transportation Map from SMART on page 61.*
- *A corrected Parks Map on page 40.*
- *Revision of the listings of recreation facilities located in the various parks on pages 41 through 51.*

- *Typographical corrections throughout the document.*

So that there is complete clarity as to the Final Draft Master Plan that is being reviewed for approval, the version included in this packet is the one City staff is recommending for consideration.

It is with great pleasure that the Department of Community and Economic Development recommends adoption of the presented Master Plan for the City of Oak Park.

Vice Chairperson Brown opened the Public Hearing at 7:08 p.m.

There were no members of the public present.

Vice Chairperson Brown closed the Public Hearing at 7:08 p.m.

Mayor Pro Tem Burns expressed concern that the snow storm and power outages in the City might have discouraged the public from attending the public hearing. Mr. Rulkowski noted other opportunities provided for public input, including a well-attended open house in January.

City Planner Rulkowski explained the copy of the Plan distributed to Planning Commission members in the meeting packet is the final version incorporating all changes and corrections made to date.

City Manager Tungate commended Economic Development and Communications Director Kim Marrone and City Planner Rulkowski, Assistant to the City Manager Crystal McLain, and all other staff members who assisted in creating the Master Plan. In response to City Manager Tungate's query on the value of scheduling another public meeting, City Planner Rulkowski felt an additional meeting would be unproductive. He cited the many notices and meetings directed toward the public to solicit input during the statutory 60 day comment period.

Commissioner Eizelman commented on the great job done by City staff on the Plan.

Vice Chairperson Brown asked about a suggestion from Oakland County that responsibility for action items could be assigned in the Plan. City Planner Rulkowski explained the final version includes a goals and implementation section detailing the entities responsible and a time frame for the action items contained in the Plan.

CONSENT AGENDA: No Items Eligible This Month

OLD BUSINESS: None

NEW BUSINESS:

- 1) **Consideration of Adoption of Proposed Master Plan for the City of Oak Park.**

MOTION by Burns, SECONDED by Eizelman, to approve adoption of the Master Plan for the City of Oak Park as presented.

VOTE: Yes: Commissioners Burns, Eizelman, McClellan, Tungate, Seligson, Walters-Gill, Vice Chairperson Brown
No: None

MOTION CARRIED

2) City of Southfield Northland Sub Area Master Plan Amendment.

Vice Chairperson Brown referenced City Planner Rulkowski's report, dated March 1, 2017:

The City of Southfield is requesting comment on the draft Northland Sub Area Master Plan Amendment. This request is in accordance with the provisions of the Michigan Planning Enabling Act (Public Act 33 of 2008). A letter from the City of Southfield with information on how to view the draft Northland Sub Area Master Plan Amendment is attached.

After reviewing the information in the draft Northland Sub Area Master Plan Amendment I do not find the proposed plan would be inconsistent with the current City of Oak Park Master Plan or the draft City of Oak Park Master Plan.

As the draft Northland Sub Area Master Plan Amendment for the City of Southfield is not inconsistent with the Master Plan of the City of Oak Park, I am recommending the Planning Commission authorize sending the attached letter to the City of Southfield Planning Commission and a copy to the Oakland County Coordinating Zoning Committee.

MOTION by Eizelman, SECONDED by Burns, based on the information presented in the Planning Division Report, to authorize City Planner Rulkowski to send the following letter to the City of Southfield Planning Commission and a copy to the Oakland County Coordinating Zoning Committee:

March 14, 2017

*City of Southfield Planning Commission
Attn: Terry Croad, AICP, ASLA, Director of Planning
26000 Evergreen Road
Southfield, MI 48076*

Dear Mr. Croad:

Thank you for the opportunity to review the draft Northland Sub Area Master Plan Amendment. The draft Northland Sub Area Master Plan Amendment was reviewed by members of the City of Oak Park Planning Commission without any concerns. The Planning Commission determined the Northland Sub Area Master Plan Amendment was not inconsistent with the City of Oak Park Master Plan. The Planning Commission did not make any suggestions or recommendations regarding the Northland Sub Area Master Plan Amendment.

Sincerely,

*Kevin Rulkowski, AICP
City Planner*

cc: Kristen Kapelanski, Economic Development & Community Affairs, Oakland County

VOTE: Yes: All
No: None

MOTION CARRIED

3) Request to schedule Special Land Use Public Hearing, Sweet Soul Bistro, 13400 Eight Mile Road

Vice Chairperson Brown referenced City Planner Rulkowski's report, dated March 13, 2017:

The Planning Division has received an application from Sweet Soul Bistro, 13400 Eight Mile Road, for Special Land Use approval for a Restaurant that serves Alcohol. In addition to the General Standards outlined in Section 1900 of the Zoning Ordinance, the following specific standards must be met:

Sec. 1930. - Restaurants serving alcoholic liquor.

Restaurants serving alcoholic liquor may be permitted in certain districts specified in this section if the establishment is continually operated according to the following:

- A. *There shall at all times be maintained and provided culinary facilities to cook and prepare food, and tables and seating areas to accommodate dining on the premises by not fewer than 20 patrons at any time.*
- B. *Not more than 50 percent of the gross floor area open to the general public shall be used for purposes other than seating for diners, consisting of tables, chairs, booths, and necessary aisleways. Public restroom facilities shall not be considered in this determination.*
- C. *The proposed restaurant is not located within 500 feet of a church or school building. The distance between the church or school building and the contemplated location shall be measured along the center line of the street or streets of address between two fixed points on the center line determined by projecting straight lines, at right angles to the center line, from the part of the church or school building nearest to the contemplated location and from the part of the contemplated location nearest to the church or school building. Notwithstanding the stated distance requirements, no proposed restaurant will be permitted to serve alcoholic liquor if the restaurant is located on a parcel of land adjacent to a parcel of land with a church or school building. This provision may be waived by the city council if the affected school(s) or place(s) of worship, through its duly appointed or elected governing body, affirmatively waives, in writing, its right to object to the restaurant and the city council determines that the restaurant will not adversely affect the operation of the school or place of worship.*
- D. *The layout of the site of the proposed restaurant serving alcoholic liquor and its relationship to streets providing access to the site shall be in a manner that vehicular and pedestrian traffic to and from the proposed restaurant serving alcoholic liquor, and the potential assembly of persons connected therewith, will not be hazardous, endangering, or inconvenient to the surrounding neighborhood and commercial district.*

- E. *The proposed restaurant serving alcoholic liquor will be compatible with adjacent uses of land, considering the proximity of residential dwellings, churches, schools, public structures, and other places of public gatherings.*
- F. *The proposed restaurant serving alcoholic liquor will not be contrary to the public interest or injurious to nearby properties.*
- G. *The proposed restaurant serving alcoholic liquor will not have the possible effect of downgrading and blighting the surrounding neighborhood.*
- H. *The proposed restaurant serving alcoholic liquor will not reasonably be expected to diminish the value of properties in the immediate area.*

The proposed location of the restaurant does not meet the spacing requirements of Section 1930, C, and is located within 500 feet of a place of worship. The applicant has indicated they will be seeking a waiver from the Jehovah Witness Church 13300 Eight Mile Road.

As part of the Special Land Use review process, a Public Hearing is required to be scheduled. It is the recommendation of the Planning Division that the Planning Commission schedule a Public Hearing for the April 10, 2017, regular meeting.

MOTION by Burns, SECONDED by Seligson, to approve the scheduling of a Public Hearing for the April 10, 2017, regular Planning Commission meeting, on the application for a Special Land Use Permit from Sweet Soul Bistro, 13400 Eight Mile Road.

VOTE: Yes: All
 No: None

MOTION CARRIED

PLANNING COMMISSION MATTERS FOR DISCUSSION – from members only.

Director Marrone, in response to a question from Vice Chairperson Brown, indicated the petitioner for a restaurant at the former radio station location on Eight Mile Road is expected to be before the Planning Commission in May with a Site Plan application.

Director Marrone reported the Lincoln Center property is getting closer to having a tenant.

Vice Chairperson Brown and City Manager Tungate commented on continuing infrastructure issues on MDOT's I-696 overpass in the Victoria Park location.

PUBLIC COMMENTS ON ITEMS NOT SCHEDULED FOR PUBLIC HEARING: None.

ADJOURNMENT

There being no further business, Vice Chairperson Brown adjourned the meeting at 7:40 p.m.