

CITY OF OAK PARK PLANNING COMMISSION
April 24, 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 Chairperson Torgow and roll call was made.

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

ABSENT: Commissioner Tkatch

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

APPROVAL OF AGENDA OF APRIL 24, 2017 - no action taken

APPROVAL OF MINUTES OF MARCH 13, 2017 - APPROVED

MOTION by Burns, SECONDED by Brown, to approve the minutes of March 13, 2017, as submitted.

VOTE: Yes: All
No: None

MOTION CARRIED

COMMUNICATIONS/CORRESPONDENCE: None

PUBLIC HEARING:

- A. Public Hearing to consider a request submitted by Sweet Soul Bistro Restaurant for Special Land Use approval to allow for a Restaurant that serves alcoholic liquor to be located at 13400 Eight Mile.**

Chairperson Torgow referenced City Planner Rulkowski's report, dated April 19, 2017:

A Public Hearing has been scheduled for the April 24th meeting to review the request of Sweet Soul Bistro, 13400 Eight Mile, for approval of a restaurant that serves alcoholic liquor.

Special Land Use Standards

The Special Land Use section of the Zoning Ordinance (Article XIX) requires the proposed use for a Restaurant that serves Alcoholic Liquor to meet a number of general standards (Section 1900) as well as use specific standards for Restaurants Serving Alcoholic Liquor (Section 1930).

Section 1900 General Standards:

- A. The proposed special land use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located.*
- B. The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location of and access to off-street parking, and provisions for pedestrian safety.*
- C. The location, size, intensity, site layout and periods of operation of any such proposed use shall be designed to eliminate any possible nuisance emanating therefrom which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.*
- D. The proposed use shall be such that the proposed location and height of building or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.*
- E. The proposed use shall relate harmoniously with the physical and economic aspects of adjacent land uses as regards to prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the city.*
- F. The proposed use is necessary for the public convenience at the proposed location.*
- G. The proposed use is designed, located, planned and to be operated that the public health, safety and welfare will be protected.*
- H. The proposed use shall not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.*

The Planning Division finds that the information contained in the application package and on the Site Plan satisfactorily meets the eight general standards identified in Section 1900 Special Land Uses in the Zoning Ordinance.

Section 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.*

Specific standards findings:

- 1. The location of the Sweet Soul Bistro restaurant does not meet the specific spacing requirements of Section 1930 C and is located within 500 feet of a school, park, or place of worship. The applicant has received a letter from the adjacent Jehovah Witness Church stating they do not object to Sweet Soul Bistro restaurant serving alcoholic liquor. City Council has the authority to waive this requirement.*
- 2. The interior layout of the Sweet Soul Bistro restaurant accommodates over 20 patrons as indicated on the submitted floor plan.*
- 3. Not more than 50 percent of the gross floor area open to the general public is used for purposes other than seating for diners, consisting of tables, chairs, booths, and necessary aisle ways.*

The Planning Division finds the submitted information demonstrates the Sweet Soul Bistro restaurant, that is proposing to serve alcoholic liquor, satisfactorily meets the specific standards for Restaurants serving Alcoholic Liquor (Section 1930) with the following condition:

- 1. Applicant must submit a letter from the adjacent Jehovah Witness Church stating they do not object to Sweet Soul Bistro restaurant serving alcoholic liquor.*

Site Plan Review

A Site Plan is required as part of the Special Land Use process. The Site Plan has been reviewed to ensure that the proposed use would function properly on the site. The proposal calls for the renovation of the former Sami's Restaurant into a bistro/restaurant that serves alcohol. The 6,240 square foot restaurant will be open for breakfast, lunch and dinner. Two days a week the restaurant will have live music (Rhythm & Blues & Jazz). The applicant anticipates seating for about 120 persons. The applicant is proposing an outdoor dining area at the front of the building.

The property is zoned B-1, Neighborhood Business District and Restaurants serving Alcoholic Liquor are permitted as Special Land Uses. The existing building meets the minimum setback requirements of the Zoning Ordinance as well as the maximum building height requirement. The existing one-story building is in need of renovation.

The identified outdoor dining area is required to meet the standards in Section 1709 Outdoor Dining.

The Site Plan shows an existing parking lot with 63 parking spaces. The parking lot is in serious need of repair or replacement. In addition the existing storm water catch basins should be tested to verify they are working properly. A condition of approval should be the repair or the replacement of the parking lot and storm water catch basins as necessary.

The existing landscaping identified on the Site Plan is insufficient to meet the minimal requirements of the Zoning Ordinance. A more detailed landscaping plan meeting the minimum Zoning Ordinance standards should be required as a condition of approval.

There are a number of existing parking lot lighting that appear to be non-functional or in non-compliance with current Zoning Ordinance standards. Parking lot lighting to be repaired or replaced with lighting that is downward casting and meets minimum Zoning Ordinance standards.

A dumpster enclosure area is indicated on the Site Plan. A dumpster enclosure detail will need to be submitted that meets the minimum Zoning Ordinance requirements.

There is a ground level condenser unit at the rear of the building this unit will need to be screened as required by the Zoning Ordinance. All ground or rooftop equipment will need to be screened as required by the Zoning Ordinance.

A separate sign permit application must be submitted if the existing sign is to be refurbished.

Staff Recommendation

It is the recommendation of the Planning Division to approve the Special Land Use and Site Plan for Sweet Soul Bistro restaurant, 13400 Eight Mile, as a restaurant serving alcoholic liquor with the following conditions:

- 1) The identified outdoor dining area is required to meet the standards in Section 1709 Outdoor Dining.*
- 2) The repair or the replacement of the parking lot and storm water catch basins as necessary as determined by the Building Inspector..*

- 3) *Parking lot lighting to be repaired or replaced with lighting that is downward casting and meets minimum Zoning Ordinance standards.*
- 4) *A detailed landscaping plan meeting the minimum Zoning Ordinance standards to be developed and approved by the Planning Division.*
- 5) *All ground and rooftop equipment to be screened as required by the Zoning Ordinance.*
- 6) *A dumpster enclosure detail which meets the Zoning Ordinance requirements to be submitted.*
- 7) *No signs are approved as part of the Site Plan Review process. A separate sign permit application must be submitted.*
- 8) *Applicant must submit a letter from the adjacent Jehovah Witness Church stating they do not object to Sweet Soul Bistro restaurant serving alcoholic liquor.*
- 9) *The proprietor shall make available a varied menu of food items consisting of not less than ten such food items cooked or prepared on the premises.*
- 10) *During any 90-day period, no more than 50 percent of the gross revenues of the establishment shall be derived from the sale of alcoholic liquor. Admission charges or cover charges which exceed ten percent of the establishment's gross revenues shall be considered as derived from the sale of beer and wine for purposes of determining the percentage of sales of beer and wine. Sales of food or beer and wine to hotel or motel guests for consumption within their private rooms shall not be considered in determining the percentage ratio of sales of beer and wine.*

Chairperson Torgow opened the Public Hearing at 7:03 p.m.

There were no members of the public present. Community and Economic Director Marrone referenced a letter from the 8 Mile Road Congregation of the Jehovah Witness Church, 13300 W. Eight Mile Road, indicating a neutral opinion regarding Sweet Soul Bistro Restaurant serving alcoholic liquor.

Chairperson Torgow closed the Public Hearing at 7:05 p.m.

B. Planning Commission action regarding a request submitted by Sweet Soul Bistro Restaurant for Special Land Use approval to allow for a Restaurant that serves alcoholic liquor to be located at 13400 Eight Mile.

MOTION by Seligson, SECONDED by Brown, based on the information presented in the Planning Division Report, and additional findings of fact discussed during the public hearing, to **approve** the Special Land Use and Site Plan for Sweet Soul Bistro Restaurant, 13400 Eight Mile, as a restaurant serving alcoholic liquor with the following conditions:

- 1) The identified outdoor dining area is required to meet the standards in Section 1709 Outdoor Dining.
- 2) The repair or the replacement of the parking lot and storm water catch basins as necessary as determined by the Building Inspector.
- 3) Parking lot lighting to be repaired or replaced with lighting that is downward casting and meets minimum Zoning Ordinance standards.
- 4) A detailed landscaping plan meeting the minimum Zoning Ordinance standards to be developed and approved by the Planning Division.
- 5) All ground and rooftop equipment to be screened as required by the Zoning Ordinance.
- 6) A dumpster enclosure detail which meets the Zoning Ordinance requirements to be submitted.

- 7) No signs are approved as part of the Site Plan Review process. A separate sign permit application must be submitted.
- 8) Applicant must submit a letter from the adjacent Jehovah Witness Church stating they do not object to Sweet Soul Bistro restaurant serving alcoholic liquor.
- 9) The proprietor shall make available a varied menu of food items consisting of not less than ten such food items cooked or prepared on the premises.
- 10) During any 90-day period, no more than 50 percent of the gross revenues of the establishment shall be derived from the sale of alcoholic liquor. Admission charges or cover charges which exceed ten percent of the establishment's gross revenues shall be considered as derived from the sale of beer and wine for purposes of determining the percentage of sales of beer and wine. Sales of food or beer and wine to hotel or motel guests for consumption within their private rooms shall not be considered in determining the percentage ratio of sales of beer and wine.

VOTE: Yes: Brown, Burns, Eizelman, McClellan, Torgow, Tungate, Seligson,
Walters-Gill
No: None

MOTION CARRIED

C. Public Hearing to consider a request submitted by Pioneer Health Care Management for Special Land Use approval to allow for a skilled nursing facility to be located at 13200 Oak Park Boulevard.

Chairperson Torgow referenced City Planner Rulkowski's report, dated April 19, 2017:

A Public Hearing has been scheduled for the April meeting to review the request of Pioneer Health Care Management, 13200 Oak Park Boulevard, to construct a 64 bed skilled nursing facility, 41,660 square feet in size. The proposed use as a skilled nursing facility (Convalescent Home) is a Special Land Use that requires a Public Hearing and a Site Plan.

Special Land Use Standards

The Special Land Use section of the Zoning Ordinance (Article XIX) requires the proposed use to meet a number of general standards (Section 1900) as well as use specific standards for educational institutions (Section 1910).

Section 1900 General Standards:

- A. *The proposed special land use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located.*
- B. *The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and*

relationship to intersections, adequacy of sight distances, location of and access to off-street parking, and provisions for pedestrian safety.

- C. The location, size, intensity, site layout and periods of operation of any such proposed use shall be designed to eliminate any possible nuisance emanating therefrom which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.*
- D. The proposed use shall be such that the proposed location and height of building or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.*
- E. The proposed use shall relate harmoniously with the physical and economic aspects of adjacent land uses as regards to prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the city.*
- F. The proposed use is necessary for the public convenience at the proposed location.*
- G. The proposed use is designed, located, planned and to be operated that the public health, safety and welfare will be protected.*

The Planning Division finds that the information contained in the application package and on the Site Plan satisfactorily meets the eight general standards identified in Section 1900 Special Land Uses in the Zoning Ordinance.

Section 1907 Convalescent or Rest Home

A convalescent or rest home, orphanage, or home for the elderly may be permitted, in certain districts as specified in this ordinance, subject to the following:

- A. All vehicular ingress and egress shall be directly onto a major or secondary thoroughfare as designated on the city's adopted master plan.*
- B. The minimum site size shall be two acres.*
- C. All buildings shall be set back at least 50 feet from all property lines.*
- D. There shall be a minimum of 25 square feet of outdoor recreation space per resident cared for, in such areas as garden's, patios, decks, and the like. Recreation space must be fully accessible and barrier-free.*

The Planning Division finds that the information contained in the application package and on the Site Plan satisfactorily meets the standards identified in Section 1907 Convalescent or Rest Home of the Special Land Uses section in the Zoning Ordinance.

Site Plan Review

A Site Plan is required as part of the Special Land Use process. The Site Plan has been reviewed to ensure that the proposed use would function properly on the site. The proposal calls for the construction of a one-story, 64 bed skilled nursing facility, which is 41,660 square feet in size. As the application describes the building will include a central kitchen, resident dining room, activity rooms, physical/occupational therapy rooms, and a salon.

The property was rezoned RM-1, Low-Rise Multi-Family Residential District in October of 2016 and skilled nursing facilities (convalescent homes) are permitted as Special Land Uses. The proposed use meets the minimum setback requirements of the Zoning Ordinance as well as the maximum building height requirement.

The one-story building has a residential appearance that is attractive and will blend well into the adjacent single family residential area as seen on the exterior elevations page. The 4.35 acre site provides more than the minimum requirement for outdoor recreation space including a building perimeter walkway, outdoor dining area and large lawn areas.

The Site Plan shows an 82 space wraparound parking lot on the western side of the property. The parking lot location has been selected to minimize the negative vehicle impacts to the adjacent single family homes. The number of parking spaces provided exceeds the minimum number of parking spaces required for this type of use. In addition, there is a drop-off drive driveway in front of the building that includes a porte cochere to shelter people entering the building. A new break in the median on Oak Park Boulevard is identified on the Site Plan across from the drop-off driveway to facilitate traffic entering the site. The Engineering Division and Public Safety Department have reviewed this modification and have no issues with its general location. Final construction design of the entryways onto the site and the median modification need to be submitted to the Engineering Division for final approval.

A large fenced storm water detention basin is shown on the Site Plan in the northeast corner of the property. At this time a storm water management plan has yet to be submitted to the Engineering Division for final review and approval.

The landscaping plan for the project shows a combination of new and existing trees and shrubs. The proposed landscaping plan satisfactorily meets the minimum Zoning Ordinance requirement for landscaping. The landscaping plan notes that an underground automatic irrigation system will be provided. The Planning Division is recommending an improvement to the area identified as "existing vegetation to remain" in the southeast corner of the property. This "existing vegetation area" needs significant attention as well as the removal of a concrete planter box near the sidewalk.

A six-foot high vinyl screen fence is identified on the Site Plan along the north and east property lines to shield the facility from the adjacent residential properties. No screen fence detail is provided. The proposed screen fence ends approximately 90 feet from the southern property line. This proposed ending point will not adequately shield the adjacent home to the east. The Planning Division is recommending the screen fence be extended to match the front building line of the adjacent home (approximately 30 feet from the southern property line).

A dumpster enclosure area is indicated on the Site Plan surrounded by landscaping. A dumpster enclosure detail will need to be submitted as part of the building plans that meets the Zoning Ordinance requirements.

The application materials include a photometric Site Plan that indicates no nuisance lighting will pass into adjacent residential properties as required by the Zoning Ordinance.

The identified ground equipment (generator and transformer) is screened as required by the Zoning Ordinance. Any additional ground or rooftop equipment will also need to be screened as required by the Zoning Ordinance.

A monument style sign is indicated on the Site Plan. A separate sign permit application must be submitted for this proposed sign.

Staff Recommendation

It is the recommendation of the Planning Division to approve the Special Land Use and Site Plan for the proposed educational institution with the following conditions:

- 1) Approval by the Engineering Division of an acceptable storm water management plan.*
- 2) Approval by the Engineering Division of the final construction design of the entryways onto the site and the median modification need to be submitted to the Engineering Department for final approval.*
- 3) Approval by the Engineering Division and Public Safety Department of the locations of the fire hydrants and fire suppression building connections.*
- 4) Restoration of the landscape area identified as “existing vegetation to remain” and removal of a concrete planter box near the sidewalk.*
- 5) Screen fence detail to be submitted which meets the Zoning Ordinance requirements. Proposed screen fence be extended on the east property line to match the front building line of the adjacent home (approximately 30 feet from the southern property line).*
- 6) All ground and rooftop equipment screened as required by the Zoning Ordinance.*
- 7) Dumpster enclosure detail which meets the Zoning Ordinance requirements to be submitted.*

No signs are approved as part of the Site Plan Review process. A separate sign permit application must be submitted.

Chairperson Torgow opened the Public Hearing at 7:10 p.m.

Faith Kodsy, Macomb, MI, indicated she was the owner of 3 homes on Moritz Street that back up to the proposed development. She expressed opposition to the project citing concerns the development would decrease the value of her properties.

Marcia Johnson, 13251 Oak Park Blvd., who lives across the street from the development expressed concerns that the project would be an eyesore and would cause increased traffic in the neighborhood.

Fahim Udden, President of Pioneer Health Care Management addressed concerns regarding ambulance traffic, landscape barriers, construction materials and the overall aesthetics of the project.

Chairperson Torgow closed the Public Hearing at 7:25 p.m.

D. Planning Commission action regarding a request submitted by Pioneer Health Care Management for Special Land Use approval to allow for a skilled nursing facility to be located at 13200 Oak Park Boulevard.

MOTION by Eizelman, SECONDED by Walters-Gill, based on the information presented in the Planning Division Report, and additional findings of fact discussed during the public hearing, to **approve** the Special Land Use and Site Plan for Pioneer Health Care Management for a skilled nursing facility to be located at 13200 Oak Park Boulevard with the following conditions:

- 1) Approval by the Engineering Division of an acceptable storm water management plan.
- 2) Approval by the Engineering Division of the final construction design of the entryways onto the site and the median modification need to be submitted to the Engineering Department for final approval.
- 3) Approval by the Engineering Division and Public Safety Department of the locations of the fire hydrants and fire suppression building connections.
- 4) Restoration of the landscape area identified as “existing vegetation to remain” and removal of a concrete planter box near the sidewalk.
- 5) Screen fence detail to be submitted which meets the Zoning Ordinance requirements. Proposed screen fence be extended on the east property line to match the front building line of the adjacent home (approximately 30 feet from the southern property line).
- 6) All ground and rooftop equipment screened as required by the Zoning Ordinance.
- 7) Dumpster enclosure detail which meets the Zoning Ordinance requirements to be submitted
- 8) No signs are approved as part of the Site Plan Review process. A separate sign permit application must be submitted.

VOTE: Yes: Brown, Burns, Eizelman, McClellan, Torgow, Tungate, Seligson,
Walters-Gill

No: None

MOTION CARRIED

CONSENT AGENDA: No Items Eligible This Month

OLD BUSINESS: None

NEW BUSINESS:

- 1) **Proposed text amendments to create new regulations for Class A, B & W Vehicle Dealers and modify provisions for Outdoor Storage Yards.**

Chairperson Torgow referenced City Planner Rulkowski’s report, dated April 19, 2017:

As was discussed with the Planning Commission recently, in Michigan there are eight different Vehicle Dealer Licenses that address New and Used Vehicle Dealers as well as Parts, Brokers and Wholesalers. For New and Used Vehicle Dealers the Planning Division practice has been to require Site Plan Review. As for the licensing of Brokers and

Wholesalers the approval process has not been as stringent. All Vehicle Dealer Licenses require the local municipality to sign-off on the license to ensure it meets the City's zoning requirements.

Over the last few years the frequency and variety of licenses requested have increased dramatically (attached is a listing of the current dealer licenses in Oak Park). Because of this, at the end of 2016, a six month moratorium on the approval and issuance of any Vehicle Licenses in the City was put in place. Over the last few months staff has reviewed a number of other communities' provisions, analyzed our own experience with these uses and developed new regulations to address the issues related to these licenses. Our primary concern is with Class A (new), B (used), & W (Wholesale) Vehicle Dealer Licenses (see attached information describing the different types of licenses from the State of Michigan).

The attached proposed regulations accomplish the following:

- 1) Make all Vehicle Dealers subject to Special Land Use review (Public Hearing & Site Plan required).*
- 2) Allow Class A & B Licensed Dealers (new and used vehicle sales) only in B-2, General Business Districts.*
- 3) Allow Class B & W Licensed Dealers (used & wholesale vehicle sales) in LI, Light Industrial Districts only when in combination with a Towing, Collision Shop or Custom Utility Vehicle Manufacturer use.*
- 4) Establish minimum requirements for vehicle dealer lots.*

Additionally, through our examination of Vehicle Dealer Licenses we also determined changes should be made to Section 1925 – Outdoor storage yards. Our recommendations to that section are also attached.

Considering the short time period in between the April and May meetings, a Public Hearing has already been scheduled on the proposed regulations for the May 8th Planning Commission meeting.

**Vehicle Dealer Regulation (Class A, B, W)
Draft Three - April 17, 2017**

Note: Section 1917 a new section otherwise added language in red.

ARTICLE VIII. - B-2 GENERAL BUSINESS DISTRICTS

Sec. 802. - Special land uses.

- I. Automobile dealerships, showrooms and used car lots subject to the provisions of section 1914 and 1925.

ARTICLE IX. - LI LIGHT INDUSTRIAL DISTRICTS

Sec. 901. - Permitted uses.

12. Commercial uses which have an industrial character in terms of either their outdoor storage requirements or activities, including a lumberyard, home center, or building materials outlet, nursery or greenhouse, ~~automobile~~ or lawn and garden implements sales.

Sec. 902. - Special land uses.

G. Class B & W Vehicle Dealers permitted only in combination with a Towing, Collision Shop or Custom Utility Vehicle Manufacturer use, subject to the provisions in Section 1917 and 1925.

Sec. 1917. – Vehicle Dealers (Class A, B, W)

Vehicle Dealers shall be subject to the following regulations except as otherwise specified in this ordinance:

- A. General provisions. In B-2, General Business Districts and LI, Light Industrial Districts the following minimum standards apply:
- a. All Vehicle Dealers shall have a solely dedicated permanent structure containing not less than five hundred (500) square feet of interior floor space to be used as business or sales office, in which customers may enter and transact business, and in which heating, plumbing, and rest rooms are provided. Such building shall also include a bay in which vehicles can be brought in for minor servicing, cleaning, and preparation for sales.
 - b. All cleaning and refurbishing of vehicles must be performed within an enclosed permanent building. No repair or refinishing shall be done outside on the lot.
 - c. Outdoor loudspeakers or public address systems shall not be permitted.
 - d. The required vehicle display area shall conform to the following requirements:
 - i. Access to each individual vehicle shall be provided. Vehicles shall not be positioned in a stacked or packed formation.
 - ii. There shall be no storage or display of vehicles in the public right-of-way.
 - iii. Vehicles for sale shall be prohibited from parking within any maneuvering lane or driveway.
 - iv. Outdoor storage of inoperable or part-stripped vehicles shall be prohibited from the site.
 - e. The setback areas along street frontages shall not be used for the parking or for the storage/display of vehicles. Separate off-street parking shall be provided in compliance with the regulations contained in Section 1726 and the following provision:
 - i. The minimum number of parking spaces to be provided shall be calculated based on the formula of five (5) spaces plus one (1) space per each fifteen (15) used car storage/display spaces.
 - f. Grounds shall meet, or be improved to comply with the following site design requirements:
 - i. The site shall be hard-surfaced, graded and drained in accordance with the regulations of section 1726. Concrete curbing shall be provided along the perimeter of the parking area.
 - ii. Maneuvering lanes for the storage/display area shall be a minimum of twenty (20) feet in width.
 - iii. The setback areas along street frontages shall be a landscaped greenbelt measuring minimum of ten (10) feet in width. Landscape plans must be included in application for review. See landscape provisions in Section 1716 of the Ordinance.
 - iv. Overhead service doors shall not face or open toward residentially zoned property.

- g. A six-foot high masonry wall of face brick, six-foot high simulated brick pattern poured concrete wall, or a six-foot high pressure-treated wood or vinyl obscuring fence. The plan shall detail the location, height and type of wall/fence proposed, shall be located on all property lines which abut any residential district.
 - i. Where the storage yard abuts residentially zoned property there shall be a ten-foot wide landscaped greenbelt, between the property line and the fence/wall. Said greenbelt shall be planted in accordance with section 1716.
 - h. All lighting on the site shall be shielded. All glare shall be eliminated from all light fixtures and not encroach upon abutting properties. Lighting shall otherwise not direct illumination upon abutting properties, or emit illumination upon abutting properties in a manner that or of such magnitude that encroaches upon their peace. The light poles shall be no higher than twenty (20) feet. Upward directed lighting, searchlights, moving beams, and spotlights shall not be permitted.
 - i. A Vehicle Dealer Licensed business shall be issued only for use on the premises named in the license application and such location shall not be changed without the approval of the city clerk. The clerk shall not approve such a transfer unless the new location conforms with all applicable ordinances.
- B. LI, Light Industrial Districts. Class B & W Vehicle Dealer Licenses permitted only in combination with a Towing, Collision Shop or Custom Utility Vehicle Manufacturer subject to the following:
- a. The minimum lot area for a Class B Vehicle Dealer shall be a solely dedicated 5,000 square feet and for Class W licenses a solely dedicated 2,500 square feet.
 - b. There shall be provided a minimum of 10 storage/display spaces for Class B licenses and 5 storage/display spaces for Class W licenses.
- C. B-2, General Business Districts. Class A & B Vehicle Dealer Licenses permitted for automobile dealerships, showrooms and used car lots subject to the following:
- a. The minimum lot area for a Class A or B Vehicle Dealer shall be a solely dedicated 10,000 square feet.
 - b. There shall be provided a minimum of 10 storage/display spaces.

Sec. 1925. - Outdoor storage yards.

Outdoor storage yards for materials, equipment, ~~distressed~~ vehicles and recycling/reclamation ~~and scrap~~ may be permitted in certain districts, as specified in this ordinance, subject to the following:

- A. The site plan shall detail the general location and type of equipment or materials proposed to be stored in the outdoor storage yards.
- B. All vehicular use areas shall be paved with asphalt or concrete. Areas used exclusively for **non-vehicular** storage may be gravel or crushed stone surface, as approved by ~~City Council~~ the Planning Commission. All proposed **paved** surface areas shall be detailed on the site plan.
- C. All lighting shall be shielded downward and away from adjacent properties and right-of-way. All lighting locations shall be noted on the site plan.
- D. The storage yard shall be screened on all sides by a six-foot high masonry wall of face brick, six-foot high simulated brick pattern poured concrete wall, or a six-foot high treated-wood or **vinyl** obscuring fence. The plan shall detail the location, height and type of wall/fence proposed. **The Planning Commission may approve a partial or complete substitution of the screening requirement using existing or proposed topography, dense vegetation, or other natural or man-made features that would produce substantially equivalent results of screening and durability.**
- E. No materials, racks, or vehicles shall exceed the height of the required screen wall.

F. Where the storage yard abuts residentially zoned property there shall be a ten-foot wide landscaped greenbelt, between the property line and the fence/wall. Said greenbelt shall be planted in accordance with section 1716.

G. The Planning Commission and City Council may request review and comment on the proposed outdoor storage yard from the Fire Marshall and MDEQ where the materials proposed to be stored may pose an environmental or safety hazard.

~~H. The planning commission shall review the site one year from approval to ensure compliance with this section and the special land use permit.~~

MOTION by Burns, SECONDED by Eizelman, to approve the recommended changes to Vehicle Dealer Regulations and Outdoor storage yards.

VOTE: Yes: Brown, Burns, Eizelman, McClellan, Torgow, Tungate, Seligson,
Walters-Gill
No: None

MOTION CARRIED

2) Proposed Self-Storage Facility moratorium.

Chairperson Torgow referenced City Planner Rulkowski's report, dated April 18, 2017:

Over the last few years the Planning Commission has reviewed a number of new self-storage facilities throughout the City. The approvals range from brand new buildings to renovation of existing office and warehouse buildings. The number of self-storage units in Oak Park most likely number now in the thousands. Although these uses may be profitable for the owners, the overall benefit to the City is fairly low. Available industrial property is currently very low and it is questionable that these types of land uses may not be in the overall best interests of the community in the long run.

It is the belief of City staff that it may be wise to take a careful review of this type of land use and determine whether new regulations may need to be adopted. For this reason City staff is advising a six month moratorium on the review and approval of proposed self-storage facilities be instituted.

MOTION by McClellan, SECONDED by Eizelman, to approve the request to City Council that they adopt a six month moratorium on the review and approval of new self-storage facilities in the City of Oak Park.

VOTE: Yes: Brown, Burns, Eizelman, McClellan, Torgow, Tungate, Seligson,
Walters-Gill
No: None

MOTION CARRIED

3) City of Detroit - Detroit Master Plan of Policies Amendment.

Chairperson Torgow referenced City Planner Rulkowski's report, dated April 19, 2017:

The City of Detroit is requesting comment on proposed amendments to the Detroit Master Plan of Policies. This request is in accordance with the provisions of the Michigan Planning Enabling Act (Public Act 33 of 2008). As these changes have no effect on the City of Oak Park I am recommending the Planning Commission authorize sending the attached letter:

April 25, 2017

*Mr. Marcell R. Todd, Jr., Director
City of Detroit
City Planning Commission
208 Coleman A. Young Municipal Center
Detroit, Michigan 48226*

Dear Mr. Todd:

Thank you for the opportunity to review the proposed amendments to the Detroit Master Plan of Policies for the Middle East Central Neighborhood Area. The proposed revisions were reviewed by members of the City of Oak Park Planning Commission without any objections. The Planning Commission determined the proposed changes were not inconsistent with the City of Oak Park Master Plan. The Planning Commission did not make any suggestions or recommendations regarding the proposed revision.

Sincerely,

*Kevin Rulkowski, AICP
City Planner*

There was general consensus among the commission to proceed with the recommended action.

PLANNING COMMISSION MATTERS FOR DISCUSSION – from members only. None

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

ADJOURNMENT

There being no further business, Chairperson Torgow adjourned the meeting at 7:35 p.m.

T. Edwin Norris, Recording Secretary