

Oak Park

City Council Agenda

December 18, 2017





AGENDA
REGULAR CITY COUNCIL MEETING
37th CITY COUNCIL
OAK PARK, MICHIGAN
December 18, 2017
7:00 PM

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF AGENDA

5. CONSENT AGENDA

The following routine items are presented for City Council approval without discussion, as a single agenda item. Should any Council Member wish to discuss or disapprove any item it must be dropped from the blanket motion of approval and considered as a separate item.

- A. Regular Council Meeting Minutes of December 4, 2017
- B. Planning Commission Meeting Minutes of November 13, 2017
- C. Request to cancel the regularly scheduled Zoning Board of Appeals meeting of December 26, 2017
- D. Board of Review Meeting Minutes of December 12, 2017
- E. Recycling and Environmental Conservation Commission Meeting Minutes of October 19, 2017
- F. Payment application No. 6 (FINAL) to Florence Cement Company of Shelby Township, MI for the 2017 Granzon Avenue Reconstruction Project, M-650, for the total amount of \$5,000.00

6. RECOGNITION OF VISITING ELECTED OFFICIALS

7. SPECIAL RECOGNITION/PRESENTATIONS:

- A. City Manager Employee Recognition – Erik Nock

8. PUBLIC HEARINGS: None

9. COMMUNICATIONS: None

10. SPECIAL LICENSES: None

11. ACCOUNTING REPORTS:

- A. Approval for payment of an invoice submitted by Secrest, Wardle, Lynch, Hampton, Truex & Morley for legal services in the total amount of \$3,873.73
- B. Approval for payment of an invoice submitted by Howard L. Shifman, P.C., for legal services retainer for January 1, 2018 thru March 31, 2018 in the total amount of \$15,000.00

12. BIDS: None

13. ORDINANCES:

- A. First reading of an ordinance to amend Section 901 - Permitted Uses, of Article IX, LI Light Industrial Districts, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, Michigan
- B. First reading of an ordinance to amend City of Oak Park Code of Ordinances by adding a new Chapter 3 - Municipal Civil Infractions, thereby prescribing civil sanctions for certain violations of the City of Oak Park Code of Ordinances

- C. First reading of an ordinance to amend Article VI, Property Maintenance Code, of Chapter 18, Buildings And Building Regulations, of the Code of Ordinances of the City of Oak Park by Amending Section 18-231 thereof
- D. First reading of an ordinance to amend Section 42-37 of Chapter 42, Fire Prevention and Protection, of the Code of Ordinances, City of Oak Park
- E. First reading of an ordinance to amend Section 38-99 of Chapter 38, Environment, of the Code of Ordinances, City of Oak Park

14. CITY ATTORNEY:

15. CITY MANAGER:

Administration

- A. City Hall Holiday Hours

Economic Development and Communications

- B. Request to accept the recommendation of the Planning Commission for approval of the Final Site Plan for Northland Plaza, 21260-21280 Greenfield, subject to conditions

16. CALL TO THE AUDIENCE

Each speaker's remarks are a matter of public record; the speaker, alone, is responsible for his or her comments and the City of Oak Park does not, by permitting such remarks, support, endorse or accept the content, thereof, as being true or accurate. "Any person while being heard at a City Council Meeting may be called to order by the Chair, or any Council Member for failure to be germane to the business of the City, vulgarity, or personal attacks on persons or institutions." There is a three minute time limit per speaker.

17. CALL TO THE COUNCIL

18. ADJOURNMENT

The City of Oak Park will comply with the spirit and intent of the American with Disabilities Act. We will provide support and make reasonable accommodations to assist people with disabilities to access and participate in our programs, facilities and services. Accommodations to participate at a Council Meeting will be made with 7-day prior notice.



**CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
37th OAK PARK CITY COUNCIL
December 4, 2017
7:00 PM**

MINUTES

The meeting was called to order at 7:00 PM by Mayor McClellan in the Council Chambers of City Hall located at 14000 Oak Park Boulevard, Oak Park, MI 48237. (248) 691-7544.

PRESENT: Mayor McClellan, Mayor Pro Tem Radner, Council Member Burns,
Council Member Rich, Council Member Weiss

ABSENT: None

OTHERS

PRESENT: City Manager Tungate, City Clerk Norris

APPROVAL OF AGENDA:

APPROVAL OF AGENDA:

**CM-12-487-17 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS
AMENDED – APPROVED**

Motion by Burns, seconded by Rich, CARRIED UNANIMOUSLY, to approve the agenda with the following changes:

- Add Item #5I, resolution approving the inclusion of a loan program within the 457 retirement plans.

Voice Vote:	Yes:	McClellan, Radner, Burns, Rich, Weiss
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-12-488-17 (AGENDA ITEM #5A-I) CONSENT AGENDA - APPROVED

Motion by Burns, seconded by Rich, CARRIED UNANIMOUSLY, to approve the Consent Agenda consisting of the following items:

- A. Regular Council Meeting Minutes of November 20, 2017 **CM-12-489-17**
- B. Arts and Cultural Diversity Commission Meeting Minutes of September 14, 2017 and October 12, 2017 **CM-12-490-17**
- C. Zoning Board of Appeals Meeting Minutes of October 24, 2017 **CM-12-491-17**

- D. Payment of invoices from Orchard, Hiltz & McCliment (OHM) for Traffic Signal Optimization and the Nine Mile TAP Grant Design in the total amount of \$22,513.74 **CM-12-492-17**
- E. Payment application No. 2 (FINAL) for the 2017 Fire Hydrant Blasting and Repainting Project, M-646 to Cross Renovation, Inc. of Garden City, MI. for the total amount of \$1,000.00 **CM-12-493-17**
- F. Public Safety Activity Summary Report for October 2017 **CM-12-494-17**
- G. Parks and Recreation Commission Meeting Minutes of November 15, 2017 **CM-12-495-17**
- H. Licenses - New and Renewals as submitted for December 4, 2017 **CM-12-496-17**

MERCHANT'S LICENSES – December 4, 2017
(Subject to All Departmental Approvals)

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
Life Skills Residential LLC	25623 Lincoln Ter. 101	\$150	Professional Services

<u>RENEWALS</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
None			

- I. Resolution approving the inclusion of a loan program within the 457 retirement plans (**Added to the agenda**) **CM-12-497-17**

Roll Call Vote:	Yes:	McClellan, Radner, Burns, Rich, Weiss
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS:

State Representative Robert Wittenberg congratulated the newly elected members of City Council and reported on activity pertaining to the State Legislature.

SPECIAL RECOGNITION/PRESENTATIONS:

(AGENDA ITEM #7A) Public Safety Special Recognition

Public Safety Director Cooper presented Merit Citations to the following Public Safety Officers:

Ryan Beasley
Scott Turner
Matthew Theisen
Donald Hoffman

PUBLIC HEARINGS:

(AGENDA ITEM #8A) Public Hearing to receive public comment on the allocation of the 2018 Community Development Block Grant Funds

Mayor McClellan opened the Public Hearing at 7:25 PM and it was immediately closed as there were no members of the public that wanted to speak.

CM-12-498-17

**(AGENDA ITEM #8B) RESOLUTION APPROVING THE
RECOMMENDED ALLOCATIONS OF THE 2018 COMMUNITY
DEVELOPMENT BLOCK GRANT FUNDS AND AUTHORIZING
THE MAYOR TO SIGN THE SUB RECIPIENT AGREEMENT ON
BEHALF OF THE CITY - APPROVED**

Motion by Radner, seconded by Burns, CARRIED UNANIMOUSLY, to approve the following resolution approving the recommended allocations of the 2018 Community Development Block Grant Funds and to authorize the Mayor to sign the Sub recipient Agreement on behalf of the City:

**RESOLUTION APPROVING THE 2018
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

WHEREAS, Oakland County is preparing an Annual Action Plan to meet application requirements for the Community Development Block Grant (CDBG) program, and other Community Planning and Development (CPD) programs; and

WHEREAS, Oakland County has requested CDBG eligible projects from participating communities for inclusion in the Action Plan; and

WHEREAS, the City of Oak Park is a participating local unit of government in the Oakland County Community Development Block Grant Program; and

WHEREAS, the City Of Oak Park has duly advertised and conducted a public hearing on December 4, 2017 for the purposes of receiving comments regarding the proposed use of Program Year 2018 Community Development Block Grant funds in the approximate amount of \$112,915.00; and

WHEREAS, the public hearing conformed to the guidelines of the Oakland County Community Development Division; and

WHEREAS, The City of Oak Park found that the following projects meet the federal objectives of the CDBG program and are prioritized by the community as high priority need:

Account Number	Project Name	Amount
172170-730310	Code Enforcement	\$82,915.00
172160-732170	Public Service/Yard Services	\$30,000.00

NOW THEREFORE, BE IT RESOLVED, that the City of Oak Park CDBG application is hereby authorized to be submitted to Oakland County for inclusion in Oakland County's Annual Action Plan to the U.S. Department of Housing and Urban Development, and that the Mayor is hereby authorized to execute all documents, agreements, or contracts which result from this application to Oakland County.

Roll Call Vote:	Yes:	McClellan, Radner, Burns, Rich, Weiss
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

COMMUNICATIONS: None

SPECIAL LICENSES: None

ACCOUNTING REPORTS: None

BIDS: None

ORDINANCES:

CM-12-499-17 (AGENDA ITEM #13A) SECOND READING AND ADOPTION OF THE FOLLOWING ORDINANCE TO AMEND ARTICLE II, DEFINITIONS, SECTION 204, ARTICLE VIII, SECTION 802, SPECIAL LAND USES, AND ARTICLE XIX, SECTION 1919, SELF-STORAGE WAREHOUSE, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN - APPROVED

Motion by Weiss, seconded by Burns, CARRIED UNANIMOUSLY, to approve the second reading and adopt the following ordinance to amend Article II, Definitions, Section 204, Article VIII, Section 802, Special Land Uses, and Article XIX, Section 1919, Self-Storage Warehouse, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, Michigan:

**CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN**

AN ORDINANCE TO AMEND ARTICLE II, DEFINITIONS, SECTION 204, ARTICLE VIII, SECTION 802, SPECIAL LAND USES, AND ARTICLE XIX, SECTION 1919, SELF-STORAGE WAREHOUSE, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN.

Article II, Definitions, Article VIII, Section 802, Special Land Uses, Article XVII, Section 1725, Site Plan Review, and Article XIX, Section 1919, Self-storage Warehouse

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. Article II, Definitions, Section 204, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to add the following:
Sec. 204. – Definitions N through S.

Self-storage Facilities - A building or group of buildings in a controlled access or fenced area that contains varying sizes of individual compartmentalized units which are accessed by separate exterior doorways for each unit, designed for the storage of property for individuals, organizations, and businesses.

SECTION 2. Article VIII, Section 802, Special Land Uses, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to delete the following provision and re-order the remaining provisions:

A. Wholesale, storage, self-storage and warehouse facilities, subject to the provisions in Section 1919.

SECTION 3. Article XIX, Section 1919, Self-storage Warehouse, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to read:

Sec. 1919. - Self-storage Facilities.

Self-storage facilities may be permitted in certain districts as specified in the ordinance, subject to the following requirements:

- A. The owner and/or operator shall not permit any non-storage business activity to be conducted from individual storage units. The purpose of self-storage facilities shall be limited to storage of private property by individuals, individuals, organizations, and businesses.
- B. The minimum spacing between self-storage buildings shall be 30 feet where a one-way traffic pattern is used and 40 feet for two-way movement of customer vehicles.
- C. If an office and caretaker's quarters are proposed on-site, they shall occupy a single building.
- D. If the site of a self-storage facility directly abuts or lies across the street from a residential district, a masonry screen wall, obscuring fence and/or a landscaped greenbelt shall be provided, at the discretion of the city council. In deciding what type of screening to require, the council shall evaluate which would be most appropriate to the neighborhood area in question.
- E. Any proposed outdoor storage yard proposed in conjunction with a self-storage facility 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.
- F. No individual self-storage unit shall have an interior width greater than ten-feet and there shall be no electrical service to individual units that could be used by customers.
- G. There shall be no storage of hazardous, flammable, explosive, or toxic materials in any storage units at any time.
- H. Any proposed outdoor storage yard proposed in conjunction with a self-storage facility shall be utilized only for recreation vehicles, private automobiles, and customarily manufactured non-commercial vehicles. The intent of this subsection is to prevent use of these facilities for contractor's storage yards, heavy equipment etc.
- I. Box trucks for use by lessees or rental by the general public, subject to the following:
 - a. The self-storage facility may store on the premises not more than two (2) box trucks for moving/transportation of personal property to and from the self-storage facility by lessees of the self-storage facility units.
 - b. The public self-storage facility may have up to six (6) box trucks available for rent by the general public, provided that trucks requiring a commercial driver's license to operate shall be prohibited.
 - c. Box trucks shall be parked behind the front building line of the self-storage facility. The box trucks shall not be parked or otherwise situated upon the property of the public self-storage facility in such a manner that the box trucks serve as signs or advertisements of any kind.
- J. All vehicular use and outdoor storage areas shall be paved with asphalt or concrete.
- K. The minimum lot size for self-storage facilities shall be five (5) acres.

SECTION 4. Conflicting Provisions Repealed

All ordinances in conflict with the provisions of this ordinance are repealed only to the extent necessary to give this ordinance full force and effect; provided that all other

provisions of the Oak Park Code of Ordinances as heretofore amended shall remain in full force and effect.

SECTION 5. Severability

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park, Michigan shall be affected by this ordinance except as to the above sections, and in the event any portion, section or subsection of this ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this ordinance or of the Code of Ordinances of the City of Oak Park, Michigan.

SECTION 6. Effective Date

This ordinance shall be published as required by the Charter of the City of Oak Park and shall become effective ten (10) days from the date of its passage or upon the expiration of seven (7) days after its publication, whichever is later.

Roll Call Vote:	Yes:	McClellan, Radner, Burns, Rich, Weiss
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

CM-12-500-17 (AGENDA ITEM #13B) SECOND READING AND ADOPTION OF THE FOLLOWING ORDINANCE TO AMEND ARTICLE XVII, GENERAL PROVISIONS, SECTION 1725 SITE PLAN REVIEW, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN - APPROVED

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to approve the second reading and adopt the following ordinance to amend Article XVII, General Provisions, Section 1725 Site Plan Review, Appendix A, Zoning, Of the Code of Ordinances of the City of Oak Park, Michigan:

**CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN**

ORDINANCE TO AMEND ARTICLE XVII, GENERAL PROVISIONS, SECTION 1725 SITE PLAN REVIEW, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. Article XVII, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Section 1725, with the following:

Sec. 1725. - Site plan review.

This section sets forth the requirements for the site plan review process in the City of Oak Park.

- A. *Development requiring submittal of a site plan.* A site plan shall be submitted in accordance with the procedures in this section for any of the following activities, uses or development except single-family and two-family dwellings.
1. All new construction, structural alteration, or substantial change in use, as determined by the department of economic development and communications, for all permitted uses in all zoning districts, except single-family and two-family dwellings.
 2. All special land uses in every district.
 3. Any use that requires a new, modified, or expanded parking lot.
 4. The improvement, expansion, extension, or abandonment of any public or private overhead or underground utility or utility lines or easement.
- B. *Site plan review process.* A site plan submitted to the City of Oak Park for site plan review must contain all of the information set forth in the site plan data checklist included in subsection E and F below. Deadlines for submittals are established by administrative policy.

1. Administrative Review Process

Development requiring administrative site plan review only.

Site plans for the following do not require approval of the city planning commission:

- a. New uses, changes in use, construction of additions to existing permitted uses, and alterations to existing construction, where the new building, addition or area affected by the changes in use or alterations is 2,000 square feet or less in gross floor area.
- b. Minor changes to approved site plans and minor changes in indoor and outdoor use(s) where, in the opinion of the director of the department of technical and planning services, the proposed change(s) do not warrant planning commission review and approval.
- c. Initiating the process. To initiate the site plan review process, the applicant must submit the following information to the department of economic development and communications:
 - i. 18 copies (please fold) of the site plan.
 - ii. The site plan application form.
 - iii. Payment of all applicable fees.
- d. Application packets will be distributed by the department of economic development and communications to other appropriate departments for review and approval as required by this ordinance.
- e. Applications will be distributed and reviewed by the department of economic development and communications and other appropriate city departments for compliance with applicable city ordinances and regulations. After review of the application, and receipt of comments from other city departments, the department of economic development and communications will issue an approval, approval with conditions, or denial. Applications receiving an approval with conditions or denial must be revised and resubmitted to the department of economic development and communications. Approval by the department of economic development and communications under this section will constitute administrative site plan approval.

2. Developments requiring planning commission site plan review.

- a. Initiating the process. To initiate the site plan review process, the applicant must submit the following information to the department of economic development and communications:
 - i. 18 copies (please fold) of the site plan.
 - ii. The site plan application form.
 - iii. Payment of all applicable fees.
- b. Applications will be reviewed by the department of economic development and communications and other appropriate departments for compliance with applicable city ordinances and regulations. If the department of economic development and communications, or other department finds that it cannot recommend approval or conditional approval because the application is incomplete or does not meet applicable ordinances and regulations, the applicant will be notified by letter of the deficiencies in the application. The applicant may thereupon submit additional information or a revised application, as necessary.
- c. When the application has received a recommendation for approval or conditional approval from the department of economic development and communications, the application will be placed on the agenda of a meeting of the planning commission. The applicant will be notified of the date, time and place of the meeting at which the planning commission will consider the application.
- d. At the scheduled meeting, the planning commission will consider all review letters and reports from the applicable city department, together with such statements, evidence or argument as the applicant may present concerning the application.
- e. The planning commission may issue an approval, conditional approval, or deny approval, of the site plan.
- f. The applicant or a representative should attend all meetings at which their development is scheduled for discussion or action. Failure to appear at the meeting may cause the item to be tabled to the next meeting. The planning commission may take action on a scheduled agenda item regardless of the attendance of the applicant or a representative.

C. *Site plan review criteria.* In reviewing site plans, city departments and the planning commission shall consider and endeavor to assure the following:

1. The location of development features, including principal buildings, and open spaces, and the location, design, width, and adequacy of curb cuts, parking areas, driveways, and sidewalks within the site and their relationship to nearby connecting streets and sidewalks providing access to and egress from the site, are such as to minimize possible adverse effects on adjacent properties and so as to relate properly to pedestrian vehicular traffic safety.
2. On-site circulation of both vehicular and pedestrian traffic will achieve both safety and convenience of persons and vehicles using or visiting the site.

3. Landscaping, earth berms, fencing, signs, and obscuring walls are of such a design and location that the proposed development is aesthetically pleasing and is harmonious with nearby existing or proposed developments.
 4. Utility service, including proposed water, sanitary sewer and stormwater runoff systems are sufficient to fulfill the projected needs of the development and the recommendation of the city engineer and director of public safety. Approval by a state or county department having jurisdiction, such as the department of health, drain commission or road commission, may also be a prerequisite to approval.
 5. Notwithstanding any other provisions of this ordinance, the city may require as a condition of site plan approval, landscaping, berming, fencing, construction of walls, marginal access drives or other appurtenances as necessary or desirable to promote the health, safety, and welfare of the community, to provide adequate protection to surrounding properties, to preserve and promote the character of the district and the intent of this chapter, and to achieve a lasting and desirable improvement to the community.
- D. *Expiration of site plan approval.* The approval of any site plan under the provisions of this ordinance shall expire and be considered revoked one year after the date of such approval unless actual construction has commenced in accordance with the issuance of a valid building permit.
- E. *Site plan application checklist..*
1. Applicant's name, address and phone number.
 2. Name of proposed development.
 3. Common description of property and complete legal description.
 4. Land acreage and frontage on public roads or rights-of-way.
 5. Existing zoning of subject and adjacent properties.
 6. Detailed description of the proposed use of the land.
 7. Name, address, and phone number of:
 - a. Firm or individual who prepared site plan.
 - b. Legal owner of property.
 8. Signature of applicant and legal owner of property, if not the applicant.
- F. *Site plan data required.*
1. Name of development and title block.
 2. Location map at a scale of one inch equals 2,000 feet, showing site location, major roads, and railroads.
 3. A scale of not less than one inch equals 50 feet if the subject property is less than three acres, and one inch equals 100 feet if there are three acres or more.
 4. Date, north point, and scale (graphic and written).
 5. Seal of registered architect, landscape architect, land surveyor, or civil engineer who prepared the plan. In cases of minor structural alterations where professional services are not required, or for changes in the use of existing buildings, the department of economic development and communications may waive this requirement.
 6. Property identification number(s) and the dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties.

7. Location of all existing and proposed structures, uses, number of stories, gross building area, setback lines, distances between structures, and location of loading areas on the subject property.
8. Location of all existing structures within 100 feet of the subject property lines.
9. All existing and proposed aisles, drives, pedestrian paths, roadways, parking areas and number of parking spaces on the subject property. Interior walks and pedestrian or bicycle paths within right-of-way.
10. All existing and proposed roadways, drives, parking areas, and pedestrian paths within 100 feet of the subject property.
11. Location and height of all walls, fences, and screen planting, including a plan for landscaping of the development and the method by which landscaping is to be maintained.
12. Location and widths of all abutting streets, existing and proposed rights-of-way, easements, and pavements.
13. Types of existing and proposed surfacing, such as asphalt or concrete paving.
14. Types of facing materials to be used on structures.
15. Elevations (front, sides, and rear views) of all sides of the building(s).
16. A floor plan drawing showing the specific use areas of all existing and proposed building on-site.
17. Density calculations (for multiple family projects).
18. Principal and accessory buildings.
19. Exterior lighting locations, type of fixtures, and methods of shielding from projecting onto adjoining properties.
20. Trash receptacle and transformer locations and method of screening.
21. Drive or street approaches including acceleration, deceleration and passing lanes, where appropriate.
22. All utilities located on or serving the site, including sizes of water and sewer lines.
23. Loading and unloading areas.
24. Estimated number of full-time and part-time employees.
25. Where large equipment or machinery is to be installed as part of the development, the location, type, horsepower, fuel, dimensions, noise, vibration, and emission levels, and other data of all such equipment or machinery.
26. General location type, and size of proposed signs for all buildings and uses on site.
27. Such other reasonable and relevant information as may be required by the city to assist in the review of the proposed development.
28. Proposed fire lanes and fire lane signs.
29. Proposed traffic circulation pattern and proposed signs and specifications for control of traffic.
30. Measures to be taken to protect existing on-site trees not proposed for removal as part of the development.
31. Landscape plan showing species, spacing, and size of each tree and plant material and ground cover and including required irrigation method.

32. Final site plan approval may be conditioned on approvals being obtained from outside agencies.
33. Site engineering plans prepared by a registered civil engineer. Submission of final engineering plans may be a condition of site plan approval. Plans shall include the following:
 - (a) A proposed grading and drainage plan. The plan should show proposed finished floor elevations, finished grades at structures, proposed storm collection system, storm outlet(s), ultimate downstream outlet, and, when required, retention/detention basin design calculations. Any areas of filled or reclaimed land shall be identified and all development shall detain stormwater so that the runoff from the property does not negatively impact upon adjacent properties or public and private rights-of-way. Compliance with engineering standards shall be determined by the city engineer. The planning commission shall require compliance with engineering standards, subject to the city engineer's final approval, as a condition of site plan approval.
 - (b) All utilities located on or serving the site, including sizes of water and sewer lines, proposed hydrants, proposed meter size, and proposed fire suppression line into building. Proposed sanitary leads, proposed sanitary sewers or on-site disposal systems must also be shown, as applicable.
 - (c) Proposed streets and drives showing types of surfacing, whether public or private, and grade elevations.
 - (d) If connected to a city water system, show existing invert elevation or lateral at proposed tap manhole and approximate invert; otherwise, Location of existing or proposed well.
 - (e) If connected to a city sanitary system, show existing invert elevation or lateral at proposed tap man-hole and approximate invert
 - (f) Preliminary storm system layout and flow arrows demonstrating that storm flow connections and disposal methods are feasible.
 - (g) Typical cross-sections for streets, roads, alleys, parking lots, etc., as applicable.
 - (h) Existing and proposed ground contours at intervals of one foot.
- G. *Fees.* Any application for site plan approval shall be accompanied by a fee as determined from time to time by resolution of the city council. Such fee may be utilized by the city to determine if the development will conform to the applicable city ordinances, policies, and standards, and for investigation and report of any objectionable elements.
- H. *Performance guarantees.* To insure compliance with the provisions of this ordinance and any conditions imposed by the planning commission, the department of technical and planning services may require that a performance guarantee be deposited with the city to insure the faithful completion of improvements, in accordance with Section 505 (1) of the Michigan Zoning Enabling Act of 2006, Public Act 110 of 2006, as amended. Improvements for which the city may require a performance guarantee include, but are not limited to, landscaping, berms, screen walls, lighting, surfacing of drives, parking areas, and acceleration/deceleration lanes, traffic control devices, sewer or water line improvements, and storm water management systems.

SECTION 2. Conflicting Provisions Repealed

All ordinances in conflict with the provisions of this ordinance are repealed only to the extent necessary to give this ordinance full force and effect; provided that all other

provisions of the Oak Park Code of Ordinances as heretofore amended shall remain in full force and effect.

SECTION 3. Severability

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park, Michigan shall be affected by this ordinance except as to the above sections, and in the event any portion, section or subsection of this ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this ordinance or of the Code of Ordinances of the City of Oak Park, Michigan.

SECTION 4. Effective Date

This ordinance shall be published as required by the Charter of the City of Oak Park and shall become effective ten (10) days from the date of its passage or upon the expiration of seven (7) days after its publication, whichever is later.

Roll Call Vote:	Yes:	McClellan, Radner, Burns, Rich, Weiss
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

CITY ATTORNEY:

CM-12-501-17 (AGENDA ITEM #14A) RESOLUTION APPROVING A METRO ACT PERMIT FOR 123NET, INC. - APPROVED

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to adopt the following resolution approving a Metro Act Permit application submitted by 123Net, Inc.:

CITY OF OAK PARK

**RESOLUTION APPROVING 123 NET INC.
APPLICATION FOR METRO ACT PERMIT**

WHEREAS, the City of Oak Park has received a request from 123 Net, Inc. for a METRO Act Right-of-Way Telecommunications Permit for a term of five years; and

WHEREAS, 123 Net, Inc. has submitted an Application for the permit, which complies with the requirements of the Act; and

WHEREAS, the City is aware of no reason to deny the permit.

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Oak Park, Oakland County, Michigan, that:

1. The request by 123 Net, Inc. for the City to grant a five year METRO Act Permit is hereby approved.

2. The Mayor, City Manager, and City Clerk are authorized and directed to execute the METRO Act Right-of-Way Permit, in substantially the form attached hereto.
3. All resolutions inconsistent with this Resolution be and hereby are rescinded to the extent of such inconsistency.

Roll Call Vote: Yes: McClellan, Radner, Burns, Rich, Weiss
 No: None
 Absent: None

MOTION DECLARED ADOPTED

CITY MANAGER:

Department of Public Works

CM-12-502-17 (AGENDA ITEM #15A) REQUEST TO APPROVE MAINTENANCE AND OPERATION AGREEMENT 17-5505 WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION FOR A GATEWAY SIGN, ORNAMENTAL PEDESTRIAN FENCING AND DECORATIVE STREET LIGHTING TO BE INSTALLED AS A PART OF THE 2017 I-696 AT COOLIDGE HIGHWAY BRIDGE ENHANCEMENT PROJECT, M-670 AND TO AUTHORIZE THE CITY MANAGER AND CITY CLERK TO SIGN THE CONTRACT ON BEHALF OF THE CITY - APPROVED

Motion by Weiss, seconded by Burns, CARRIED UNANIMOUSLY, to approve Maintenance and Operation agreement 17-5505 with the Michigan Department of Transportation for a gateway sign, ornamental pedestrian fencing and decorative street lighting to be installed as a part of the 2017 I-696 at Coolidge Highway Bridge Enhancement Project, M-670 and to authorize the City Manager and City Clerk to sign the contract on behalf of the City.

Roll Call Vote: Yes: McClellan, Radner, Burns, Rich, Weiss
 No: None
 Absent: None

MOTION DECLARED ADOPTED

Assistant City Manager Yee indicated the Engineering Division is requesting approval and adoption of a resolution certifying rights and obligations regarding the performance, maintenance, and operation of Gateway signage, ornamental pedestrian fencing, and decorative street lighting installation work. Upon completion of construction, the City will, at its sole cost and expense, inspect, maintain and operate the facilities constructed. There is \$350,000 budgeted in the FY 2017-18 budget for the project.

CALL TO THE AUDIENCE:

Members of the South Oakland Helping Hands 4-H Club presented information about their service organization.

CALL TO THE COUNCIL:

Mayor McClellan reported on her trip to a conference in Charlotte, North Carolina that focused on best practices for city government. She also reviewed recent library events and thanked the Department of Public Works for putting up the wonderful holiday lights.

Mayor Pro Tem Radner wished everyone a good evening.

Council Member Burns reminded everyone to pay attention to the weather and wished everyone a good night.

Council Member Weiss reminded everyone to complete the Recreation Department Five Year Recreation Plan Survey that can be found online and also encouraged East Oak Park Block Club members to attend their upcoming holiday party.

Council Member Rich wished everyone a good night.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 7:50 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor

**CITY OF OAK PARK PLANNING COMMISSION
MONDAY, NOVEMBER 13, 2017
MINUTES**

Meeting was called to order at 6:00 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 (arrived at 6:04 p.m.)
Commissioner McClellan
Commissioner Seligson
Commissioner Tkatch
Commissioner Tungate
Commissioner Walters-Gill

ABSENT: Chairperson Torgow

OTHERS PRESENT: City Planner, Kevin Rulkowski
Community & Economic Development Director, Kimberly Marrone
Deputy City Clerk, Lisa Vecchio

3. APPROVAL OF AGENDA OF NOVEMBER 13, 2017 - APPROVED

4. APPROVAL OF MINUTES OF OCTOBER 9, 2017 - APPROVED

MOTION by Walters-Gill, **SECONDED** by Burns, to approve the minutes of October 9, 2017 with two corrections.

VOTE: Yes: All
No: None

MOTION CARRIED

5. COMMUNICATIONS/CORRESPONDENCE:

6. PUBLIC HEARING:

- A. Public Hearing to receive comments on proposed text amendments to Article II, Definitions, Article VIII, Section 802, Special Land Uses and Article XIX, Section 1919, Self-storage Warehouse. The proposed text amendments for Self-storage Warehouse uses would no longer permit the use in the B-2, General Business District and update the regulations for these uses where they are permitted.**

Vice Chairperson Brown referenced City Planner Rulkowski's report, dated November 2, 2017:

The Department of Community & Economic Development proposed at the October meeting amendments to the City's Self-storage regulations. A Public Hearing was scheduled for the November meeting to hear public comment on the proposed changes.

As was discussed at the October meeting, 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.

Since May there has been a moratorium on the review and approval of any new self-storage facilities in the City. City staff has reviewed a number of regulations from other communities for this type of land use and have determined that some additional regulations should be adopted. Attached are the proposed Section 1919 Self-storage (mini) warehouse amended regulations.

If the proposed Zoning Ordinance text amendments are acceptable to the Planning Commission the Department of Community & Economic Development recommends approving the attached proposed ordinance.

Vice Chairperson Brown opened the Public Hearing at 6:06 p.m.

There was no comment from the public.

Vice Chairperson Brown close the Public Hearing at 6:06 p.m.

B. Planning Commission action on proposed text amendments to Article II, Definitions, Article VIII, Section 802, Special Land Uses and Article XIX, Section 1919, Self-storage Warehouse.

Vice Chairperson Brown questioned what the total available square footage of storage is currently. City Planner Rulkowski stated that there is currently over 400,000 sq ft of storage, which is 219% of what is needed in the City.

MOTION by McClellan, SECONDED by Walters-Gill, to approve the proposed text amendments to Article II, Definitions, Article VIII, Section 802, Special Land Uses and Article XIX, Section 1919, Self-storage Warehouse.

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

MOTION CARRIED

C. Public Hearing to receive comments on proposed text amendments to Article XVII, Section 1725, Site Plan Review. The proposed text amendments to the Site Plan Review section would streamline the review process.

Vice Chairperson Brown referenced City Planner Rulkowski's report, dated November 7, 2017:

The Department of Community & Economic Development proposed at the October meeting amendments to the City's Site Plan Review provisions. A Public Hearing was scheduled for the November meeting to hear public comment on the proposed changes.

As was discussed in October, in keeping with the Best Practices guidelines of Redevelopment Ready Communities City staff have reviewed the City's Site Plan Review provisions and are recommending a number of changes. The most significant is the overall approval process in which the Planning Commission recommends approval of Site Plans and the City Council is the

body officially approving Site Plans. The new streamlined process would have the Planning Commission as the sole approving body. In addition, a number of other changes are proposed to eliminate some of the unnecessary information currently requested and reduce the amount of time to perform site plans review.

Attached is the proposed text amendment ordinance as well as a marked-up copy of the proposed text changes to the site plan process.

If the proposed Zoning Ordinance text amendments are acceptable to the Planning Commission the Department of Community & Economic Development recommends approving the attached proposed ordinance.

Vice Chairperson Brown opened the Public Hearing at 6:09 p.m.

There was no comment from the public.

Vice Chairperson Brown closed the Public Hearing at 6:09 p.m.

D. Planning Commission action on proposed text amendments to Article XVII, Section 1725, Site Plan Review.

MOTION by Eizelman, SECONDED by Burns, to approve the proposed text amendments to Article XVII, Section 1725, Site Plan Review.

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

MOTION CARRIED

7. CONSENT AGENDA: No Items Eligible This Month

8. MATTERS FOR CONSIDERATION

A. OLD BUSINESS – None

B. NEW BUSINESS

1) Value Wholesale, 15188 Eight Mile, Final Site Plan Review

Vice Chairperson Brown referenced City Planner Rulkowski's report, dated November 7, 2017:

Value Wholesale is requesting Final Site Plan approval for two additions to their warehouse facility at 15188 Eight Mile Road. The two additions of 4,505 square feet and 34,716 square feet will connect what are currently three buildings into one 146,814 square foot warehouse.

The property is zoned LI, Light Industrial District and warehouse uses are permitted by right in this district. The proposed addition meets all the height and setback requirements of the Zoning Ordinance.

The hard surface areas are being modified to accommodate better truck traffic flow on the east side of the building and employee and customer parking on the west side of the building. Based

on the square footage of the building the Zoning Ordinance requires 92 parking spaces on-site for and the Site Plan identifies 97 parking spaces. According to the project engineer, the large sign in the northwest corner of the property that blocks access around the building is going to be removed. The proposed Site Plan has been reviewed with Public Safety and they find it acceptable.

The concrete driveway on the west side of the building is to be removed and replaced to accommodate a new below ground storm water system (oversized storm water pipes). An application for a Land Development Permit will need to be submitted to the Engineering Department for review and approval of the on-site storm water management system. Where necessary the concrete drives on the east side of the building will need to be repaired.

The Site Plan indicates new landscaping in the front of the building on Eight Mile Road. The identified landscaped areas of 15,601 square feet are less than the 29,002 required by the City Zoning Ordinance. Additionally, 505 square feet of parking lot landscaping is required and the Site Plan shows only 137 square feet. The applicant has submitted a request to the Zoning Board of Appeals for variances for a reduction of the required landscaping. The Department has communicated with the project engineers that the landscaping in the front of the building should be enhanced as a tradeoff of providing less overall landscaped areas. Additionally, possibly removing a couple of parking spaces near Eight Mile Road to create some landscaped islands might enhance the appearance of the front of the site. The Site Plan indicates the landscaped areas will be irrigated.

The Site Plan does not indicate any details regarding new roof or ground mechanical equipment. The Zoning Ordinance requires all roof top and ground level equipment to be screened.

A photometric lighting plan has been submitted that meets the requirements of the City Zoning Ordinance.

The applicant is proposing a monument style sign to be located on the adjacent property to the east of the eastern driveway. Because this sign is proposed on another business property a variance is required for an off-premise sign. The applicant has submitted a request to the Zoning Board of Appeals for a sign variance.

Commissioner Burns thanked Value Wholesale for staying in business in Oak Park and looking to make improvements in expansion of their business.

Mr. Ponton, a representative from the engineering firm working with Value Wholesale, also explained that Value Wholesale will be looking to create a green space in between Eight Mile Rd and the property itself.

Vice Chairperson Brown questioned whether the exterior façade of the building will be altered. Jim Ponton, explained that the front facing façade on Eight Mile Road will remain unchanged.

MOTION by Eizelman, SECONDED by Burns, to approve the Final Site Plan, with the following conditions:

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

2) Proposed Zoning Ordinance text amendments for Indoor Recreational Uses in L1, Light Industrial Districts

As a follow-up to amendments the Planning Commission made in 2014 to allow additional popular land uses in the LI, Light Industrial District and following recent trends in Industrial Districts, the staff is recommending consideration of some indoor recreation uses for this district. Indoor recreation uses generally require larger building spaces with higher ceilings that would typically be found in industrial districts. The proposed provision in Article IX – Light Industrial Districts, would read:

- In 2014, the following uses were added to the LI, Light Industrial District along Eight Mile Road, Coolidge Highway and Eleven Mile Road:*

1. *Gymnastic centers.*
2. *Gun or archery ranges.*
3. *Art gallery and/or studios.*
4. *Music and/or dance studios.*
5. *Venues for the performing arts.*

The process for approval of text changes to the Zoning Ordinance requires a Public Hearing to be scheduled. It is the recommendation of the Department of Community and Economic

Commissioner Burns inquired why “gun or archery ranges” would be included as a defined type of usage. Community and Economic Development Director Marrone explained that this listing is usage required by law that the City provide for, finding that the Light Industrial District along Eight Mile Road, Coolidge Highway, and Eleven Mile Road to be the best locations for any of those types of uses.

Commissioner Eizelman noted that in the ordinance text amendment language that the “such as” amendments are not needed.

MOTION CARRIED

There being no further business, Vice Chairperson Brown adjourned the meeting at 6:27 p.m.



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: December 18, 2017

AGENDA #

SUBJECT: Request to cancel the December 26, 2017 Zoning Board of Appeals meeting.

DEPARTMENT: Community & Economic Development, Planning Division

SUMMARY: The Chairperson of the Zoning Board of Appeals is requesting the December 26, 2017 Zoning Board of Appeals meeting be cancelled. There is no business scheduled before the Zoning Board of Appeals.

FINANCIAL STATEMENT:

RECOMMENDED ACTION: The City Council consider accepting the request of the Chairperson of the Zoning Board of Appeals and cancel the December 26, 2017, regularly scheduled meeting.

APPROVALS:

City Manager: [Signature]

Department Director: [Signature]

Director of Finance: [Signature]

Budgeted: ☐ N/A

EXHIBITS:

**CITY OF OAK PARK, MICHIGAN
BOARD OF REVIEW MEETING
Tuesday, December 12, 2017**

The Board of Review convened at 5:00 p.m.

Present: Chairperson – Herschel Goldstein
 Members – Zakiya Hollifield and Craig McCrary
 Assessor – Aaron Powers
 Appraiser – Laurie Pettinaro

Absent: None

Case DC17001 **52-25-29-202-005** **24721 Seneca**

Property improperly uncapped. The Board reviewed and determined the property should not have uncapped.

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct the uncapping of the taxable value.

YES: GOLDSTEIN, HOLLIFIELD, MCCRARY

NO: NONE

Case DC17002 **52-25-29-252-021** **24245 Rensselaer**

Property improperly uncapped. The Board reviewed and determined the property should not have uncapped.

Motion by GOLDSTEIN, supported by MCCRARY:

To correct the uncapping of the taxable value.

YES: GOLDSTEIN, HOLLIFIELD, MCCRARY

Case DC17003 **52-25-31-253-007** **21700 Gardner**

Property improperly uncapped. The Board reviewed documentation and determined the property should not have uncapped.

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct the uncapping of the taxable value.

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DC17004 **52-25-31-401-010** **21311 Kenosha**

Property improperly uncapped. The Board reviewed documentation and determined the property should not have uncapped.

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct the uncapping of the taxable value.

YES: GOLDSTEIN, HOLLIFIELD

NO: NONE

Case DPP17001

52-99-00-016-064

21700 Greenfield

Personal Property was not located in the city on 12/31/16 and therefore, personal property AV/TV should be set to zero.

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct the AV/TV to zero reflecting no personal property in the city.

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DPP17002

52-99-00-013-034

23141 Coolidge

Personal Property was not located in the city on 12/31/16 and therefore, personal property AV/TV should be set to zero.

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct the AV/TV to zero reflecting no personal property in the city.

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DPP17003

52-99-00-008-003

13291 Northend

Personal Property was not located in the city on 12/31/16 and therefore, personal property AV/TV should be set to zero.

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct the AV/TV to zero reflecting no personal property in the city.

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DPP17004

52-99-00-016-009

13741 11 Mile

Personal Property parcel is a duplicate and therefore AV/TV should be set to zero.

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Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct the AV/TV to zero reflecting duplicate parcel.

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DPP17005 52-99-00-015-029 8700 Capital

Personal Property was not located in the city on 12/31/16 and therefore, personal property AV/TV should be set to zero.

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct the AV/TV to zero reflecting no personal property in the city.

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DPP17006 52-99-00-016-090 26106 Greenfield

Personal Property was not located in the city on 12/31/16 and therefore, personal property AV/TV should be set to zero.

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct the AV/TV to zero reflecting no personal property in the city.

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DPP17007 52-99-00-015-023 15300 9 Mile

Personal Property was not located in the city on 12/31/16 and therefore, personal property AV/TV should be set to zero.

Motion by GOLDSTEIN, supported by MCCRARY:

To correct the AV/TV to zero reflecting no personal property in the city.

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DPP17008 52-99-00-002-041 10440 9 Mile

Personal Property was not located in the city on 12/31/16 and therefore, personal property AV/TV should be set to zero.

Motion by GOLDSTEIN, supported by HOLLIFIELD:

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To correct the AV/TV to zero reflecting no personal property in the city.
YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DR17001 **52-25-19-406-004** **25510 Karen**

Principal Residence Exemption should be adjusted to 100% for 2017

Motion by GOLDSTEIN, supported by MCCRARY:

To correct the PRE to 100% for 2017

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DR17002 **52-25-19-478-013** **13746 Wales**

Principal Residence Exemption should be adjusted to 100% for 2016

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct the PRE to 100% for 2016.

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DR17003 **52-25-28-103-042** **24451 Republic**

Principal Residence Exemption should be adjusted to 0% for 2017

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct the PRE to 0% for 2017

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DR17004 **52-25-28-380-016** **23045 Sherman**

Principal Residence Exemption should be adjusted to 100% for 2017

Motion by GOLDSTEIN, supported by MCCRARY:

To correct the PRE to 100% for 2017

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DR17005 **52-25-29-154-024** **24251 Eastwood**

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Principal Residence Exemption should be adjusted to 100% for 2015-2017
Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct the PRE to 100% for 2015-2017.

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DR17006 52-25-29-183-006 24060 Condon

Principal Residence Exemption should be adjusted to 100% for 2014-2017
Motion by GOLDSTEIN, supported by MCCRARY:

To correct the PRE to 100% for 2014-2017

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DR17007 52-25-29-202-005 24721 Seneca

Principal Residence Exemption should be adjusted to 100% for 2017

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct the PRE to 100% for 2017

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DR17008 52-25-29-453-031 & 032 23071 Seneca
Principal Residence Exemption should be adjusted to 100% for 2017

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct the PRE to 100% for 2017.

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DR17009 52-25-30-102-027 15030 Sutherland
Principal Residence Exemption should be adjusted to 100% for 2016

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct the PRE to 100% for 2016.

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DR17010

52-25-30-302-053

23671 Radclift

Principal Residence Exemption should be adjusted to 100% for 2014-2017

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct the PRE to 100% for 2014-2017.

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DR17011

52-25-31-101-014

22181 Beverly

Principal Residence Exemption should be adjusted to 100% for 2014-2017

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct the PRE to 100% for 2014-2017.

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DR17012

52-25-31-152-018

21941 Avon

Principal Residence Exemption should be adjusted to 100% for 2015-2017

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct the PRE to 100% for 2015-2017.

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DR17013

52-25-31-253-007

21700 Gardner

Principal Residence Exemption should be adjusted to 100% for 2015-2017

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct the PRE to 100% for 2015-2017.

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

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Case DR17014 **52-25-31-126-020** **21940 Stratford**

Principal Residence Exemption rescinded to 0% for 2014-2017

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct the PRE to 0% for 2014-2017.

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DP17001 **52-25-31-403-027** **14110 Greenbriar**

Board reviewed hardship application for exemption and determined owner meets qualifications but is not currently occupying the property as her principal residence and therefore is not entitled to the exemption

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To reduce the TV to reflect the hardship exemption

NO: GOLDSTEIN And MCCRARY YES: HOLLIFIELD

Case DP17002 **52-25-30-131-038** **14400 Northfield Blvd.**

Board reviewed hardship application for exemption and determined owner meets qualifications

Motion by GOLDSTEIN, supported by MCCRARY:

To reduce the TV to reflect the hardship exemption

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DP17003 **52-25-31-129-057** **21821 Church**

Board reviewed hardship application for exemption and determined owner meets qualifications but did not provide the necessary documentation to grant an exemption- missing 2016 tax returns.

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To reduce the TV to reflect the hardship exemption

NO: GOLDSTEIN, HOLLIFIELD, And MCCRARY YES: NONE

Case DP17004 **52-25-29-451-022** **23251 Geneva**

Board reviewed hardship application for exemption and determined owner meets qualifications

Motion by GOLDSTEIN, supported by MCCRARY:

To reduce the TV to reflect the hardship exemption

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DP17005 **52-25-19-130-006** **14651 LaBelle**

Board reviewed hardship application for exemption and determined owner meets qualifications

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To reduce the TV to reflect the hardship exemption

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

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Case DV17001

52-25-29-152-029

13420 Northfield

Board reviewed taxable value for 2017 and determined it incorrectly calculated

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To correct taxable value for 2017

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

Case DV17002

52-25-30-376-004

23120 Radcliff

Board reviewed application for Veterans exemption and determined owner meets qualifications

Motion by GOLDSTEIN, supported by HOLLIFIELD:

To exempt property to reflect veterans exemption

YES: GOLDSTEIN, HOLLIFIELD, And MCCRARY NO: NONE

**** Mr. George Mukalla appeared seeking a veterans exemption for 2014. Board explained to him they have no authority over 2014 exemptions.**

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**2017 December Board of Review
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Motion by GOLDSTEIN, supported by HOLLIFIELD:

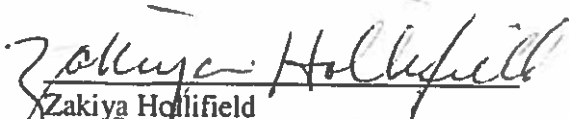
That there being no further business to come before the Board at this meeting, that the meeting be hereby adjourned at 6:45 p.m. on December 12, 2017.

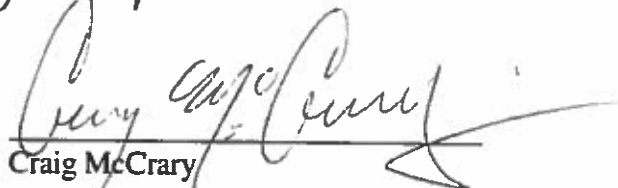
YES: GOLDSTEIN, HOLLIFIELD, MCCRARY

NO: NONE

The above minutes reflect the actions and findings of the Board. Detailed affidavits and investigations are on file with the Assessor's Office.


Herschel Goldstein


Zakiya Hollifield


Craig McCrary

**CITY OF OAK PARK, MICHIGAN
RECYCLING and ENVIRONMENTAL COMMISSION
October 19, 2017
MEETING MINUTES**

The meeting was called to order at 7:04 p.m. by Co-Chairperson Davis in the #2 room of the Oak Park Community Center located at 14300 Oak Park Boulevard, Oak Park, MI 48237 and Roll Call was made.

PRESENT: Chairperson Al Lewis, Co-Chair Carolyn Davis, Board Members, Denise Trombly, Richard Readus, Clarissa Clemons, Angela Mitchell, Paul Bannon

Ex-officio members: Deputy Director of Public Works Rocco B. Fortura, Doris Applebaum, Joyce Bannon

ABSENT: Council Member Carolyn Burns

4. READING AND APPROVAL OF MINUTES

Moved by Davis, seconded by *Trombly*, to approve the minutes of August 17th, 2017 as submitted.

Vote: Yes: All
No: None

MOTION DECLARED ADOPTED

5. INTRODUCTION OF NEW MEMBER

Nyner Brown

6. CONSIDERATION OF NEW BUSINESS

- a. SOCRRA update was given by Fortura about the MERF.
- b. Update was given and hand outs were given on the Mixed Recycling Launch and the new hours of operation and location for trash and yard waste dumping
- c. Update was given that Oak Park is up 63% in Recycling from the previous time last year
- d. Clemons spoke with several people and they love the new carts. She would like to have a table at the Halloween Event if possible

7. ADJOURNMENT

Moved by Davis, seconded by *Readus*, to adjourn the meeting.

Vote: Yes: All
No: None

MOTION DECLARED ADOPTED

Chairman Lewis adjourned the meeting at 7:49 p.m.

Rocco B. Fortura, Deputy Director of Public Works

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** December 18, 2017**AGENDA #**

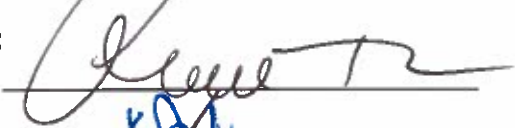
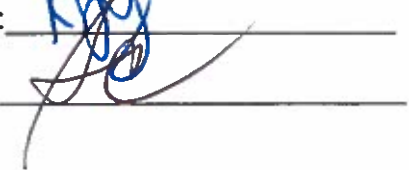
SUBJECT: Payment Application No. 6 (FINAL) for the 2017 Granzon Avenue Reconstruction Project, M-650.

DEPARTMENT: Technical & Planning/DPW – Engineering GWS

SUMMARY: Attached is Payment Application No. 6 (FINAL) for the 2017 Granzon Avenue Reconstruction Project, M-650. This project replaced storm sewers and roadway pavement as shown on the attached map. This project is 100% complete.

<u>FINANCIAL STATEMENT:</u>	Original Contract Amount:	\$971,425.00
	Change Order No. 1	(\$ 2,629.84)
	Current Contract Amount:	\$968,795.16
	Total Completed to Date:	\$968,795.16
	Less Retainage:	\$ 0.00
	Net Earned:	\$968,795.16
	Deductions:	\$ 0.00
	Balance:	\$968,795.16
	Payments to Date:	<u>\$963,795.16</u>
	Amount Due Florence Cement Company:	\$ 5,000.00

RECOMMENDED ACTION: It is recommended that Payment Application No. 6 (FINAL) to Florence Cement Company of Shelby Township, MI for the 2017 Granzon Avenue Reconstruction Project, M-650, be approved for the total amount of \$5,000.00. Funding is available as follows: \$500,000 in the FY 2016-17 Local Street Budget, \$151,000 in the Water & Sewer Fund for sewer work on the project, and the balance is proposed in the FY 2017-18 Local Street Budget. This payment will be distributed accordingly.

APPROVALS:City Manager: Department Director: Director of Finance: Budgeted: ☒

EXHIBITS: Payment Application No. 6 (FINAL), map of area

PAYMENT APPLICATION

PROJECT:

Granzon Ave. Reconstruction Project

JOB NUMBER:

M-650

OWNER:

City of Oak Park, Michigan

APPLICATION NO.:

6(final)

CONTRACTOR:

Florence Cement Company
12585 23 Mile Rd.
Shelby Twp., MI 48315

PERIOD ENDING:

12/8/17

PAGE:

1 of 2

Item No.	Description	Original Bid Quantity	Unit	Unit Price	Period Quantity	Period Amount	Quantity To Date	Amount To Date
1	Mobilization, Max 5%	1	LSUM	\$48,000.00	0.00	\$0.00	1.00	\$48,000.00
2	Pavement Removal, Modified SP	11,000	SYD	\$5.00	0.00	\$0.00	10,698.25	\$53,491.25
3	Drainage Structure, Removing, Modified SP	25	EACH	\$300.00	0.00	\$0.00	26.00	\$7,800.00
4	Sewer Remove under 24"	725	LFT	\$10.00	0.00	\$0.00	711.00	\$7,110.00
5	Subgrade Undercutting, (Modified)	500	CYD	\$48.00	0.00	\$0.00	542.78	\$24,967.88
6	Machine Grading, Modified SP	25.50	STA	\$3,100.00	0.00	\$0.00	25.49	\$79,018.00
7	Erosion Control, Inlet Protection, Fabric Drop, Modified SP	30	EACH	\$100.00	0.00	\$0.00	28.00	\$2,800.00
8	Aggregate Base Under Concrete (6" 21AA Crush Limestone)	9,500	SYD	\$9.00	0.00	\$0.00	9,283.43	\$83,550.87
9	Maintenance gravel, Modified SP	300	TON	\$18.00	0.00	\$0.00	219.50	\$3,951.00
10	Drainage Structure, 24 inch (Inlet), Modified SP	13	EACH	\$1,100.00	0.00	\$0.00	13.00	\$14,300.00
11	Drainage Structure, 48 inch Diameter, Modified SP	12	EACH	\$1,400.00	0.00	\$0.00	13.00	\$18,200.00
12	Drainage Structure Cover	3,800	LBS	\$2.00	0.00	\$0.00	9,500.00	\$19,000.00
13	Adjusting Drainage Structure Cover Case 1, Modified SP	15	EACH	\$400.00	0.00	\$0.00	8.00	\$3,200.00
14	Sewer Pipe 12" Class IV Reinf. Concrete Pipe	725	LFT	\$58.00	0.00	\$0.00	711.00	\$41,238.00
15	Underdrain Subgrade, Open Graded 6", Modified SP	5,500	LFT	\$9.00	0.00	\$0.00	4,972.00	\$44,748.00
16	Conc. Pavement, Non-Reinf 7" Conc., Modified SP	9,500	SYD	\$36.00	0.00	\$0.00	9,283.43	\$334,203.48
17	Sidewalk Conc.- NonReinf.8" Conc. Sidewalk/Drive App., Modified SP	500	SFT	\$7.00	0.00	\$0.00	228.26	\$1,597.82
18	Sidewalk Conc.- NonReinf.8" Conc. Sidewalk/Drive App. Modified SP	8,700	SFT	\$5.50	0.00	\$0.00	9,726.05	\$53,493.28
19	Sidewalk Conc.- NonReinf.4" Concrete Sidewalk Modified SP	5,700	SFT	\$5.00	0.00	\$0.00	5,326.95	\$26,634.75
20	Cast In Place Detectable/ Tactile Warning Surfaces.	600	SFT	\$14.00	0.00	\$0.00	577.00	\$8,078.00
21	Class A Sodding, Modified SP	5,500	SYD	\$8.75	0.00	\$0.00	4,266.12	\$37,328.55
22	Minor Traffic Device, Modified SP	1	LSUM	\$10,000.00	0.00	\$0.00	1.00	\$10,000.00
23	Salvage Sign, Modified SP	20	EACH	\$115.00	0.00	\$0.00	30.00	\$3,450.00
24	Project Cleanup	1	LSUM	\$10,000.00	0.00	\$0.00	1.00	\$10,000.00
25	Inspection Crew Days, Modified SP	\$320	DAY	65.00	0.00	\$0.00	1.50	\$480.00
26	Sewer Trap, 12" and Under	0	EACH	\$480.00	0.00	\$0.00	13.00	\$5,980.00
27	8" CL54, Ductile Iron Water Main Pipe	0	LFT	\$95.00	0.00	\$0.00	74.00	\$7,030.00
28	Sewer Tap 12"	0	EACH	500.00	0.00	\$0.00	2.00	\$1,000.00
29	Discing Time and Materials	0	T/M	7,178.78	0.00	\$0.00	1.00	\$7,178.78
30	Model 2030-B AMCO Towalbe Disc	0	LSUM	\$8,056.00	0.00	\$0.00	1.00	\$8,056.00
31	Irrigation Piping	0	LFT	\$2.10	0.00	\$0.00	435.00	\$913.50
32	Sprinkler Heads	0	EACH	\$52.50	0.00	\$0.00	38.00	\$1,995.00

Period Amount:

\$0.00

Amount to Date:

\$968,795.16

PROJECT: Granzon Ave. Reconstruction Project
OWNER: City of Oak Park, Michigan
CONTRACTOR: Florence Cement Company
12585 23 Mile Rd.
Shelby Twp., MI 48315

JOB NUMBER: M-650
APPLICATION NO.: 6(final)
PERIOD ENDING: 12/8/17
PAGE: 2 of 2

Contract Amount: \$971,425.00
Change Order #1: (\$2,629.84)
Current Contract Amount: \$968,795.16

Earnings This Period: \$0.00
Total Earnings to Date: \$968,795.16
Less Retainage: \$0.00
Net Earned: \$968,795.16
Deductions: \$0.00
Balance: \$968,795.16
Payments to Date: \$963,795.16

Amount Due: \$5,000.00

Accepted By:


Jordan Surles
Florence Cement Company

Date:

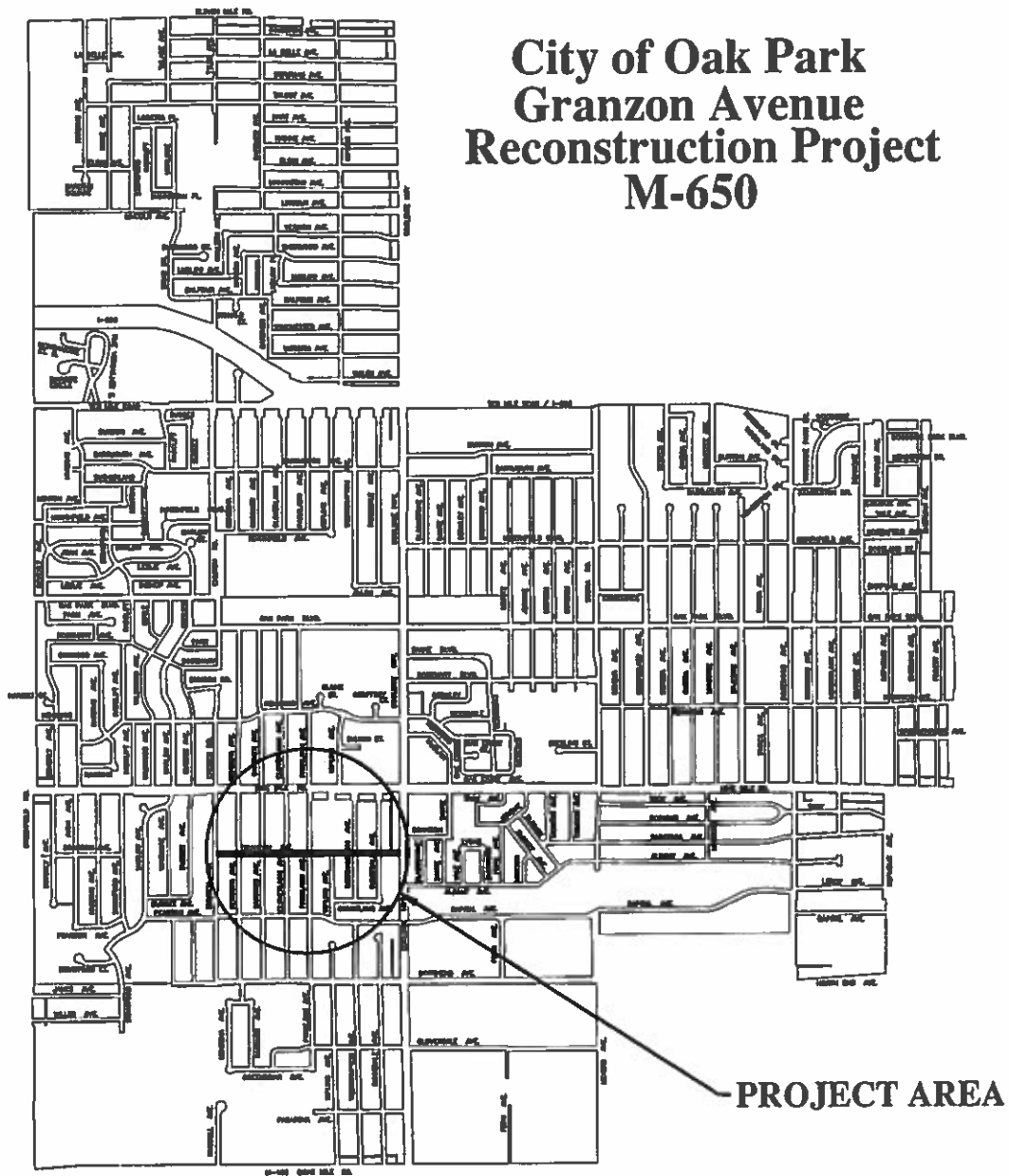
12/11/17


Gerrah Surles - Assistant City Engineer
City of Oak Park, Michigan

Date:

12/11/2017

City of Oak Park Granzon Avenue Reconstruction Project M-650



SECRET
SW
WARDLE

SECRET, WARDLE, LYNCH
HAMPTON, TRUEX & MORLEY
2600 TROY CENTER DRIVE P.O. BOX 5025
TROY, MICHIGAN 48007-5025
(248) 851-9500

IRS # 38-1863919

City of Oak Park
Erik Tungate
13600 Oak Park Blvd
Oak Park, MI 48237

December 7, 2017
Invoice # 1323148
Client No. M1409
Matter No. 100314

RE: Oak Park, City of (Building Fund)

INTERIM

Services Rendered:

CURRENT BILLING SUMMARY THROUGH NOVEMBER 30, 2017

Fees for Professional Services	\$3,712.00
Expenses Advanced	\$161.73
CURRENT BILL DUE	\$3,873.73

PLEASE REMIT TO: SECRET, WARDLE, LYNCH,
HAMPTON, TRUEX & MORLEY, PC
P.O. BOX 772725
CHICAGO, IL 60677-2007

Howard L. Shifman, P.C.
370 E. Maple Road, Ste. 200
Birmingham, MI 48009

Invoice Submitted to:

Erik Tungate, City Manager
City of Oak Park
14000 Oak Park Boulevard
Oak Park, MI 48237

In Reference To: City of Oak Park/General Labor

Invoice # 13150

Professional Services

12/1/17	Services per Retainer Agreement for January 1, 2018 thru March 31, 2018	\$ 15,000.00
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TOTAL		\$ 15,000.00
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BALANCE DUE		<u><u>\$ 15,000.00</u></u>
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BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: December 18, 2017

AGENDA #

SUBJECT: Recommendation of the Planning Commission for Zoning Ordinance text amendments to Article IX, LI Light Industrial Districts, Section 901, Permitted Uses.

DEPARTMENT: Economic Development & Communications, Planning Division

SUMMARY: At the December 11, 2017 meeting, the Planning Commission conducted a Public Hearing regarding proposed changes to the City of Oak Park Zoning Ordinance. The proposed text amendments to the City's LI, Light Industrial District will allow for art facilities and additional indoor recreational uses.

The Planning Commission voted to recommend to the City Council adoption of the text amendments.

RECOMMENDED ACTION: The City Council consider accepting the recommendation of the Planning Commission and conduct the first reading of the proposed text amendments to the City of Oak Park Zoning Ordinance, Article IX, LI Light Industrial Districts, Section 901, Permitted Uses.

APPROVALS:

City Manager: [Signature]

Director: [Signature]

Finance Director: [Signature]

Budgeted: ☐

N/A

EXHIBITS: Memorandum, proposed ordinance for adoption.



CITY OF OAK PARK

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

MEMORANDUM

TO: Planning Commission members DATE: November 29, 2017
FROM: Kevin Rulkowski, AICP, City Planner FILE: Planning/IndustrialDist
Recreation Uses
Memo 122017
SUBJECT: Proposed Light Industrial District recreation uses.

The Department of Community & Economic Development proposed at the November meeting amendments to the City's LI, Light Industrial District to allow for additional indoor recreational uses. A Public Hearing was scheduled for the December meeting to hear public comment on the proposed changes.

As was discussed at the November meeting, as a follow-up to amendments the Planning Commission made in 2014 to the LI, Light Industrial District and following recent trends in industrial districts, the staff is recommending consideration of some indoor recreation uses for this district. Indoor recreation uses generally require larger building spaces with higher ceilings that would typically be found in industrial districts. After additional review and discussion the staff is suggesting a slightly different provision from that initially proposed to you in November. The revised provision to be included in the permitted uses section of Article IX – Light Industrial Districts, would read:

19. Art facilities (art gallery and/or studios, music recording and/or dance studios) and indoor recreation uses (gymnastic centers, rock climbing gyms, exercise and fitness centers) of 4,000 square feet or more.

If the proposed Zoning Ordinance text amendment is acceptable to the Planning Commission the Department of Community & Economic Development recommends approving the attached proposed ordinance.

CITY OF OAK PARK, MICHIGAN

ORDINANCE NO.

AN ORDINANCE TO AMEND SECTION 901 - PERMITTED USES, OF ARTICLE IX, LI LIGHT INDUSTRIAL DISTRICTS, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. Article IX, LI Light Industrial Districts, Section 901, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to read as follows:

19. Art facilities (art gallery and/or studios, music recording and/or dance studios) and indoor recreation uses (gymnastic centers, rock climbing gyms, exercise and fitness centers) of 4,000 square feet or more.
20. Accessory uses and buildings, including accessory outdoor storage which conforms with the provisions of Section 1925 (special approval not required).

SECTION 2. Conflicting Provisions Repealed

All ordinances in conflict with the provisions of this ordinance are repealed only to the extent necessary to give this ordinance full force and effect; provided that all other provisions of the Oak Park Code of Ordinances as heretofore amended shall remain in full force and effect.

SECTION 3. Severability

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park, Michigan shall be affected by this ordinance except as to the above sections, and in the event any portion, section or subsection of this ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this ordinance or of the Code of Ordinances of the City of Oak Park, Michigan.

SECTION 4. Effective Date

This ordinance shall be published as required by the Charter of the City of Oak Park and shall become effective ten (10) days from the date of its passage or upon the expiration of seven (7) days after its publication, whichever is later.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this

day of _____, 2017.

T. Edwin Norris, City Clerk

I, T. Edwin Norris, the duly authorized Clerk of the City of Oak Park, Michigan, do hereby certify that the foregoing ordinance was adopted by the Council of the City of Oak Park at its regular meeting held on _____, 2017.

T. Edwin Norris
City Clerk

First Reading:
Second Reading:
Adopted:
Published:

CITY OF OAK PARK, MICHIGAN

PROPOSED ORDINANCE NO.

MUNICIPAL CIVIL INFRACTIONS – FIRST READING

PROPOSED ORDINANCE TO AMEND CITY OF OAK PARK CODE OF ORDINANCES BY ADDING A NEW CHAPTER 3 - MUNICIPAL CIVIL INFRACTIONS, THEREBY PRESCRIBING CIVIL SANCTIONS FOR CERTAIN VIOLATIONS OF THE CITY OF OAK PARK CODE OF ORDINANCES.

THE CITY OF OAK PARK ORDAINS:

SECTION 1. ORDINANCE - The Code of Ordinances of the City of Oak Park is hereby amended by the addition of a new Chapter 3 - Municipal Civil Infractions, which shall read as follows:

CHAPTER 3. - MUNICIPAL CIVIL INFRACTIONS

Sec. 3-1. - Definitions.

For purposes of this chapter, the following definitions shall apply:

Act shall mean Public Act No. 236 of 1961 (see MCL 600.101 et seq.).

Authorized city official shall mean a public safety officer, the building official, the electrical inspector or other personnel authorized by this Code or any ordinance to issue municipal civil infraction citations.

Municipal civil infraction shall mean an act or omission that is prohibited by this Code or any ordinance of the city, but which is not a crime under the Code or other ordinance, and for which civil sanctions, including, without limitation, fines, damages, expenses and costs, may be ordered, as authorized by chapter 87 of Public Act No. 236 of 1961 (see MCL 600.8701 et seq.). A municipal civil infraction is not a lesser included offense of a violation of this Code that is a criminal offense.

Municipal civil infraction action shall mean a civil action in which the defendant is alleged to be responsible for a municipal civil infraction.

Municipal civil infraction citation shall mean a written complaint or notice prepared by an authorized city official directing a person to appear in court regarding the occurrence or existence of a municipal civil infraction violation by that person.

Municipal civil infraction determination shall mean a determination that a defendant is responsible for a municipal civil infraction by one (1) of the following:

- (a) An admission of responsibility for the municipal civil infraction.
- (b) An admission of responsibility for the municipal civil infraction, "with explanation."
- (c) A preponderance of the evidence at an informal hearing or formal hearing.

(d) A default judgment for failing to appear at a scheduled appearance.

Repeat offense shall mean a determination of responsibility for a second, or any subsequent, municipal civil infraction with regard to the same code provision, committed by the same person within any three-year period, unless some other period is specifically provided with regard to a specific Code provision.

Responsible or responsibility shall mean a determination entered by a court or magistrate that a person is in violation of a provision of this Code prescribed to be a municipal civil infraction.

Sec. 3-2. - Commencement of municipal civil infraction action.

- (1) A municipal civil infraction action shall be commenced upon the issuance by an authorized city official of a municipal civil infraction citation directing the person alleged to be responsible to appear in court.
- (2) The form of citations or notices used to charge municipal civil infraction violations shall be in accordance with state law (see MCL 600.8709).
- (3) The basis for issuance of a municipal civil infraction citation shall be as set forth below:
 - (a) An authorized official who witnesses a person violate an ordinance, the violation of which is a municipal civil infraction.
 - (b) An authorized official may issue a citation to a person if, based upon investigation, the official has reasonable cause to believe that a person is responsible for a municipal civil infraction.
 - (c) An authorized official may issue a citation to a person if, based upon investigation of a complaint by someone who allegedly witnessed the person violate an ordinance, a violation of which is a municipal civil infraction, the official has reasonable cause to believe that the person is responsible for a municipal civil infraction and if the attorney for the city approves in writing the issuance of the citation.
- (4) Municipal civil infraction citations shall be served in the following manner:
 - (a) Except as otherwise provided below, the authorized official shall personally serve a copy of the citation upon the alleged violator.
 - (b) In a municipal civil infraction action involving the use or occupancy of land or a building or other structure, a copy of the citation need not be personally served upon the alleged violator but may be served upon an owner or occupant of the land, building, or structure by posting the copy on the land or attaching the copy to the building or structure. In addition, a copy of the citation shall be sent by first class mail to the owner of the land, building, or structure at the owner's last known address.
 - (c) A citation served, as provided in paragraph (b) above, for a violation involving the use or occupancy of land or a building or other structure, shall be processed in the same manner as a citation served personally upon a defendant.
 - (d) Municipal civil infraction citations shall be distributed as follows as provided by section

8705 of the Act (see MCL 600.8705).

1. The original citation shall be filed with the district court.
2. The first copy shall be an abstract of court records.
3. The second copy shall be retained by the authorized official.
4. The third copy shall be delivered to the alleged violator.

Sec. 3-3. – Authorized city official.

- (1) The building official, electrical inspector, plumbing and mechanical inspectors, code enforcement officer and public safety officers are hereby designated as the authorized city officials to issue municipal civil infraction citations directing alleged violators to appeal in court as provided by this Code.
- (2) An Authorized city official is authorized to enforce all provisions of this Code whether or not any particular provision specifies or designates a different enforcing official, unless otherwise prescribed by state or federal law. Where a particular officer is designated in any Code provision, that officer's authority shall continue in full force and effect, and shall not be diminished or impaired by the terms of this section; and the authority of the Authorized city official shall be in addition and supplementary to the authority granted to such other specific officer.
- (3) The Authorized city official's duties shall include the following: investigation of code violations; issuance and service of municipal civil infraction citations; and appearance in court or other judicial or quasi-judicial proceedings in the administration of this Code.

Sec. 3-4. - Penalties for municipal civil infractions.

- (a) The following civil fines shall apply in the event of a determination of responsibility for a municipal civil infraction, unless a different fine is specified in connection with a particular Code provision:
 - (1) The first offense, \$150.00.
 - (2) The first repeat offense, \$250.00.
 - (3) A person who is determined to be responsible for a second or any subsequent repeat offense, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or community service for not more than 200 hours, or any combination of these penalties and the cost of prosecution, plus any cost to abate, if applicable.
- (b) The following shall be exceptions to the civil fine schedule:
 - (1) A violation of any provision of Chapter 14 – Animals:
 - i. The first offense, \$50.00.

- ii. The first repeat offense, \$100.00.
 - iii. A person who is determined to be responsible for a second or any subsequent repeat offense, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or community service for not more than 200 hours, or any combination of these penalties and the cost of prosecution, plus any cost to abate, if applicable.
- (2) A violation of any provision of Chapter 18 – Building and Building Regulations:
- i. The first offense, \$150.00.
 - ii. The first repeat offense, \$300.00.
 - iii. A person who is determined to be responsible for a second or any subsequent repeat offense, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or community service for not more than 200 hours, or any combination of these penalties and the cost of prosecution, plus any cost to abate, if applicable.
- (3) A violation of any provision of Chapter 22 – Business:
- i. The first offense, \$50.00.
 - ii. The first repeat offense, \$100.00.
 - iii. A person who is determined to be responsible for a second or any subsequent repeat offense, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or community service for not more than 200 hours, or any combination of these penalties and the cost of prosecution, plus any cost to abate, if applicable.
- (4) A violation of Division 3. Blight Sec 38-96. Cause of blight or blighting factors of Chapter 38 – Environment:
- i. The first offense, \$50.00 plus any cost to abate.
 - ii. The first repeat offense, \$100 plus any cost to abate.
 - iii. A person who is determined to be responsible for a second or any subsequent repeat offense, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or community service for not more than 200 hours, or any combination of these penalties and the cost of prosecution, plus any cost to abate, if applicable.
- (5) A violation of any provision of Chapter 62 – Solid Waste:
- i. The first offense, \$50.00.
 - ii. The first repeat offense, \$100.00.
 - iii. A person who is determined to be responsible for a second or any subsequent repeat offense, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or community service for not more than 200 hours, or any combination of these penalties and the cost of prosecution, plus any cost to abate, if applicable.

- (6) A violation of any provision of Chapter 71 – Telecommunications Services:
- i. The first offense, \$500.00.
 - ii. The first repeat offense, \$1,000.00.
 - iii. A person who is determined to be responsible for a second or any subsequent repeat offense, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$2,000.00, or community service for not more than 200 hours, or any combination of these penalties and the cost of prosecution, plus any cost to abate, if applicable.
- (7) A violation of any provision of Chapter 78 – Trees.
- i. The first offense, \$50.00 plus any cost to abate.
 - ii. The first repeat offense, \$100 plus any cost to abate.
 - iii. A person who is determined to be responsible for a second or any subsequent repeat offense, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or community service for not more than 200 hours, or any combination of these penalties and the cost of prosecution, plus any cost to abate, if applicable.
- (c) A copy of the civil infraction fee schedule, as amended from time to time, shall be posted at the 45th District Court.
- (d) In addition to ordering the defendant determined to be responsible for a municipal civil infraction to pay a civil fine, costs, damages, and expenses, the judge or magistrate shall be authorized to issue any judgment, writ, or order necessary to enforce or enjoin violation of this Code.
- (e) Continuing offense. Each act of violation, and on each day upon which any such violation shall occur, shall constitute a separate offense.
- (f) Remedies not exclusive. In addition to any remedies provided for in this Code, any equitable or other remedies available may be sought.
- (g) The judge or magistrate shall also be authorized to impose costs, damages, and expenses as provided by law.

Sec. 3-5. - Designation of civil infractions.

A violation of the following chapters, provisions, or sections of this Code or any rule, regulation, or order adopted or issued in pursuance thereof shall be deemed to be a municipal civil infraction which shall subject the violator to the civil fines and penalties as provided in this chapter unless specifically stated otherwise therein:

Chapter 6 – Alcoholic Liquors;

Chapter 10 – Amusements and Entertainments;

Chapter 14 - Animals;

Chapter 18 – Buildings and Building Regulations;

Chapter 22 – Businesses;

Chapter 38 – Environment;

Chapter 42 – Fire Prevention and Protection;

Chapter 50 – Offenses and Miscellaneous Provisions;

Chapter 53 – Parking Lots;

Chapter 54 – Parks and Recreation;

Chapter 62 – Solid Waste;

Chapter 66 – Streets, Sidewalks and Other Public Places;

Chapter 71 – Telecommunications;

Chapter 74 – Traffic and Vehicles;

Chapter 78 – Trees

Appendix A - Zoning; and

Any other chapter or section of this Code which specifically provides that a violation thereof is a municipal civil infraction.

SECTION 2. SEVERABILITY – No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park shall be affected by this Ordinance, except as to the above sections, and in the event that any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or the Code of Ordinances, City of Oak Park.

SECTION 3. SAVINGS – All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 4. EFFECTIVE DATE – This Ordinance shall become effective ten (10) days from the date of its passage and shall be published as required by the Charter of the City of Oak Park.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park, on this _____

T. Edwin Norris

City Clerk

Marian McClellan

Mayor

I, T. Edwin Norris, duly authorized Clerk of the City of Oak Park, Michigan do hereby certify that the foregoing Ordinance was adopted by the Council of the City of Oak Park at its Regular meeting held on _____

T. Edwin Norris, City Clerk

**CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN**

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ARTICLE VI, PROPERTY MAINTENANCE CODE, OF CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK BY AMENDING SECTION 18-231 THEREOF.

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Section 18-231, Adoption of property maintenance code by reference; amendments, of Article VI, Property Maintenance Code, of Chapter 18, Buildings and Building Regulations, of the Code of Ordinances of the City of Oak Park is hereby amended to read as follows:

Sec. 18-231. Adoption of property maintenance code by reference; amendments.

- (a) There is hereby adopted that certain code known as the *International Property Maintenance Code*, 2015 Edition, as published by the International Code Council, as the property maintenance code of the city for the purpose of regulating and governing the conditions and maintenance of all property, buildings and structures by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said property maintenance code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, set forth in this section.
- (b) The *International Property Maintenance Code*, adopted by the provisions of this article as the property maintenance code of the city, is hereby amended, changed and altered in the following respects:

Section 101.1. Title: These regulations shall be known as the Property Maintenance Code of the City of Oak Park, Michigan, hereafter referred to as "this code."

Section 102.3. Application of Other Codes: Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the following codes as currently adopted by the Michigan Department of Licensing and Regulatory Affairs: Michigan Building Code, International Fire Code, Michigan Plumbing Code, Michigan Mechanical Code, National Electric Code (with Part 8 State of Michigan Amendments), The International Fuel Gas Code, NFPA 25 (Standard), and ASTM F1346-91 (Standard).

Section 103.1. ***Code official:*** References to the “code official” shall be deemed to refer to the City of Oak Park Director of Technical and Planning Services, or his designee.

Section 103.2. Deleted.

Section 103.5. ***Fees:*** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be determined by resolution of the City Council from time to time adopted.

Section 106.4. ***Violation Penalties:*** Any person, firm or corporation, who shall violate any provision of this code shall, upon conviction thereof, be deemed Responsible for a Municipal Civil Infraction.

Section 110. Deleted. The provisions contained in Section 110, Demolition, of the Property Maintenance Code, shall be and hereby are deleted.

Section 111.2. ***Board of Appeals:*** The City of Oak Park Building Board of Appeals shall serve as the board of appeals required by this Property Maintenance Code. All references herein to the “Board of Appeals” or the “Board”, shall be deemed to refer to the Oak Park Building Board of Appeals.

Section 111.2.1. Deleted.

Section 112.4. ***Failure to Comply:*** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$50.00 dollars or more than \$500.00 dollars.

Section 302.4. ***Weeds:*** All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight inches (254mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Section 304.14. ***Insect screens:*** During the period from April 1 to December 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

Exception. Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

Section 308.2.1. Rubbish Storage Facilities: The owner of every multi-family premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

Section 308.2.2. Deleted.

Section 308.3.1. Garbage Facilities: The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit; or an approved leak-proof, covered, outside garbage container.

Section 602.3. Heat Supply: Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guest room on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 15 to maintain a temperature of not less than 68° Fahrenheit (20° Celsius) in all habitable rooms, bathrooms, and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the Michigan Plumbing Code.
2. In the areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.

Section 602.4. Occupiable Work Spaces: Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to May 15 to maintain a temperature of not less than 65° Fahrenheit (18° Celsius) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

Section 605.2. Receptacles: Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle with ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.

Section 606. Deleted.

Section 704.2. Smoke Alarms: Single or multiple-station smoke alarms shall be installed and maintained in groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:

1. In each sleeping room or ceiling or wall directly outside each sleeping room.
2. In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwelling or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level, provided that the lower level is less than one full story below the upper level.

Single or multiple-station smoke alarms shall be installed in all groups in accordance with the Michigan Building Code.

SECTION 2. Savings Clause.

Nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby amended, or under the former Property Maintenance Code of the City of Oak Park, which is being replaced by the 2015 *International Property Maintenance Code*, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 3. Severability.

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park shall be affected by this ordinance, except as to the above section and in the event any portion, section or subsection of this ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this ordinance or of the Code of Ordinances of the City of Oak Park.

SECTION 4. Effective Date.

This ordinance shall become effective ten (10) days from the date of its passage and shall be published as required by the Charter of the City of Oak Park.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park, on this day of _____, 2017.

T. EDWIN NORRIS
City Clerk

MARIAN McCLELLAN
Mayor

I, T. EDWIN NORRIS, the duly authorized Clerk of the City of Oak Park, Michigan, do hereby certify that the foregoing ordinance was adopted by the Council of the City of Oak Park at its regular meeting held on _____, 2017.

T. EDWIN NORRIS, City Clerk

**CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN**

ORDINANCE NO. O-17-_____

**AN ORDINANCE TO AMEND SECTION 42-37 OF CHAPTER 42, FIRE
PREVENTION AND PROTECTION, OF THE CODE OF ORDINANCES,
CITY OF OAK PARK.**

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Section 42-37, Amendments; Deletions, of Article II, Fire Prevention Code, of Chapter 42, Fire Prevention, of the Code of Ordinances, City of Oak Park, is hereby amended to read as follows:

Section 42-37. Amendments; Deletions

(a) Amendments; Deletions. The Fire Prevention Code adopted by the provisions of this Article is hereby amended, changed and altered in the following respects:

Section 101.1. Title. is amended to read as follows:

These regulations shall be known as the Fire Code of the City of Oak Park, Michigan, hereinafter referred to as ☐this Code☐.

Section 108.1. Board of appeals established. is amended to read as follows:

The City of Oak Park Building Board of Appeals, created by Section 18-126 of the Code of Ordinances of the City of Oak Park, is hereby designated to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this Code. The Board may, as required, adopt rules or procedures for conducting its business and shall render all decisions and findings in writing to the appellant with a copy to the fire code official.

Section 109.4. Violation Penalties. is amended to read as follows:

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be deemed Responsible for a Municipal Civil Infraction. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 111.4. Failure to Comply. is amended to read as follows:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be responsible for a violation of this Code and liable to pay a fine as provided by ordinance. Every day that work shall continue shall constitute a separate and additional offense.

(b) Limits Established. The geographic limits referred to in certain sections of the 2015 *International Fire Code* are hereby established as follows:

Section 5806.2 - (geographic limits in which the storage of flammable cryogenic fluids in stationery containers is prohibited): Prohibited in all areas of the City with the exception of areas zoned as light industrial that are more than 500 feet from any areas zoned residential, and more than 500 feet from the city limits.

Section 5704.2.9.6.1 - (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): Prohibited in all areas of the City with the exception of areas zoned as light industrial that are more than 500 feet from any areas zoned residential, and more than 500 feet from the city limits.

Section 5706.2.4.4 - (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited): Prohibited in all areas of the City with the exception of areas zoned as light industrial that are more than 500 feet from any areas zoned residential, and more than 500 feet from the city limits.

Section 6104.2 - (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): Prohibited in all areas of the City with the exception of areas zoned as light industrial that are more than 500 feet from any areas zoned residential, and more than 500 feet from the city limits.

SECTION 2. Savings Clause.

That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance amended or repealed by this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 3. Severability.

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park shall be affected by this Ordinance, except as to the above sections, and in the event that any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or the Code of Ordinances, City of Oak Park.

SECTION 4. Effective Date.

This Ordinance shall become effective ten (10) days from the date of its passage and shall be published as required by the Charter of the City of Oak Park.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this 18th day of December, 2017.

T. EDWIN NORRIS, City Clerk

MARIAN MCCLELLAN, Mayor

I, **T.EDWIN NORRIS**, duly authorized Clerk of the City of Oak Park, Michigan do hereby certify that the foregoing Ordinance was adopted by the Council of the City of Oak Park at its regular meeting held on _____.

T. EDWIN NORRIS, City Clerk

**CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN**

ORDINANCE NO. O-17-_____

**AN ORDINANCE TO AMEND SECTION 38-99 OF CHAPTER 38,
ENVIRONMENT, OF THE CODE OF ORDINANCES, CITY OF OAK
PARK.**

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Section 38-99, Failure to comply with removal notice deemed misdemeanor, of Article III, Nuisances, of Chapter 38, Environment, of the Code of Ordinances, City of Oak Park, is hereby amended to read as follows:

Section 38-99. Failure to Comply with Removal Notice Deemed Municipal Civil Infraction

Failure to comply with a notice to comply with the provisions of this division by the person upon whom such notice is served within the time allowed by the owner and/or occupant shall constitute a violation of this division.

SECTION 2. Savings Clause.

That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance amended or repealed by this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 3. Severability.

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park shall be affected by this Ordinance, except as to the above sections, and in the event that any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or the Code of Ordinances, City of Oak Park.

SECTION 4. Effective Date.

This Ordinance shall become effective ten (10) days from the date of its passage and shall be published as required by the Charter of the City of Oak Park.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this _____.

T. EDWIN NORRIS, City Clerk

MARIAN MCCLELLAN, Mayor

I, T.EDWIN NORRIS, duly authorized Clerk of the City of Oak Park, Michigan do hereby certify that the foregoing Ordinance was adopted by the Council of the City of Oak Park at its regular meeting held on .

T. EDWIN NORRIS, City Clerk



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: December 18, 2017

AGENDA #

SUBJECT: Recommendation of Planning Commission for Northland Plaza, 21260-21280 Greenfield, Final Site Plan Review.

DEPARTMENT: Community & Economic Development, Planning Division

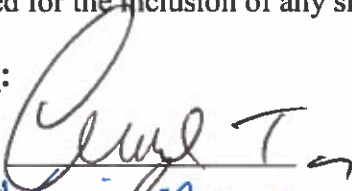
SUMMARY: At the December 11, 2017 meeting, the Planning Commission reviewed a Site Plan for Schostak Brothers, Northland Plaza, 21260-21280 Greenfield to construct an 11,701 square foot shopping center. As noted in the staff report the first phase of development will utilize 1.22 acres of the 5.60 acre property, while storm water detention will be constructed for the entire site. The existing asphalt, light poles, islands and underground utilities for most of the remaining 4.38 acres will be cleared.

The Planning Commission voted to recommend to the City Council approval of the Final Site Plan with conditions.

RECOMMENDED ACTION: The City Council consider accepting the recommendation of the Planning Commission for approval of the Final Site Plan for Northland Plaza, 21260-21280 Greenfield, subject to the following conditions:

- 1) An application for a Land Development Permit is required to be submitted to the Engineering Division for review and approval of the on-site storm water management system.
- 2) All proposed roof top or ground level equipment must be screened as required by the Zoning Ordinance.
- 3) No signs are approved as part of the Site Plan Review. A separate permit must be requested for the inclusion of any signs at this site.

APPROVALS:

City Manager: 

Director: 

Finance Director: 

Budgeted: ☐ N/A

EXHIBITS: Memorandum, Site Plan.



CITY OF OAK PARK

DEPARTMENT OF COMMUNITY &
ECONOMIC DEVELOPMENT

MEMORANDUM

TO: Planning Commission members DATE: December 5, 2017
FROM: Kevin Rulkowski, AICP, City Planner FILE: Planning/Northland
 Plaza Greenfield
 SPR
SUBJECT: Northland Plaza, 21260-21280 Greenfield (proposed), property ID 52-25-
 31-351-039, Final Site Plan Review

Schostak Brothers, Northland Plaza, 21260-21280 Greenfield (proposed), has submitted a Final Site Plan to construct an 11,701 square foot shopping center. As noted in the application the first phase of development will utilize 1.22 acres of the 5.60 acre property, while storm water detention will be constructed for the entire site. The existing asphalt, light poles, islands and underground utilities for most of the remaining 4.38 acres will be cleared.

The property is zoned B-2, General Business District and the proposed use as a retail shopping center is permitted by right. The proposed building meets all the setback and height requirements.

Based on the square footage of the proposed shopping center (11,701 square feet), the use is required to provide 59 parking spaces. The Site Plan indicates 62 parking spaces will be provided. The proposed shopping center utilizes the existing main driveway off of Greenfield Road which leads to the Fed-Ex facility to the east. The shopping center will be accessed by two entryways off of the existing Greenfield driveway as well as a new third entryway directly off of Greenfield Road at the northern end of the shopping center. This new Greenfield Road drive approach will serve the proposed shopping center as well as any future development on the remainder of the property to the north. The Site Plan shows a continuous loading area along the rear of the building.

A storm water management plan is included with the Site Plan information. A storm water detention basin is indicated in the northeast corner of the property and will be designed to accommodate future development on the currently vacant areas of the property. An application for a Land Development Permit is required to be submitted to the Engineering Division for review and approval of the on-site storm water management system.

A landscaping plan is included with the Site Plan information. The Site Plan indicates new landscaping around the perimeter of the shopping center site. The landscaping plans notes interior landscaping of 6,540 square feet (5,311 is required) and parking lot landscaping of 930

square feet. The required minimum number of trees and shrubs are indicated on the landscaping plan and the plan notes that the landscaped areas will be irrigated.

The Site Plan shows a new dumpster enclosure in the southeast corner of the site. The Site Plan includes a construction detail for the dumpster enclosure.

A lighting plan is included with the Site Plan information. Parking lot lighting is provided by downward casting pole light fixtures along the Greenfield Road frontage. Wall luminaires and sconces are attached around the perimeter of the building to provide pedestrian lighting near the building. The photometric plan shows acceptable levels of light at property lines.

The building elevations do not specifically indicate whether there will be any new mechanical equipment on the roof or ground however there is a parapet wall which should properly screen any roof top equipment. The Zoning Ordinance requires all roof top and ground level equipment to be screened.

The Site Plan shows a freestanding sign in the southwest corner of the site near Greenfield Road. A separate sign application will have to be submitted and therefore no signage is approved as part of the site plan review.

Staff Recommendation

It is the recommendation of the Planning Division to approve the Site Plan for Northland Plaza, 21260-21280 Greenfield (property ID 52-25-31-351-039), with the following conditions:

- 4) An application for a Land Development Permit is required to be submitted to the Engineering Division for review and approval of the on-site storm water management system.
- 5) All proposed roof top or ground level equipment must be screened as required by the Zoning Ordinance.
- 6) No signs are approved as part of the Site Plan Review. A separate permit must be requested for the inclusion of any signs at this site.