

Oak Park City Council Agenda

January 22, 2019





AGENDA
REGULAR CITY COUNCIL MEETING
37th CITY COUNCIL
OAK PARK, MICHIGAN
January 22, 2019
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 January 7, 2019
 - B. Planning Commission Meeting Minutes of October 8, 2018 and November 12, 2018
 - C. Arts and Cultural Diversity Commission Meeting Minutes of September 13, 2018, October 11, 2018, and November 11, 2018
 - D. Library Board Meeting Minutes of November 20, 2018
 - E. Parks and Recreation Commission Meeting Minutes of November 14, 2018
 - F. Request to accept the Planning Commission's recommendation to approve a Special Land Use for TCF Auto Body & Wholesale, 13210 Cloverdale
 - G. Request to cancel the January 29, 2019 Zoning Board of Appeals meeting
 - H. Payment request from OHM Advisors for Engineering Consulting Services
 - I. Request authorization to bid the 2019 Landscape Maintenance Contract, M-697
 - J. Request authorization to bid the 2018-2019 Water Main Replacement Project, M-675
 - K. Request to approve Payment Application No. 3 (Final) for the 2017-2018 Miscellaneous Concrete Repair Project, M-672
 - L. Licenses - New and Renewals as submitted for January 22, 2019
6. **RECOGNITION OF VISITING ELECTED OFFICIALS**
 7. **SPECIAL RECOGNITION/PRESENTATIONS:** None
 8. **PUBLIC HEARINGS:** None
 9. **COMMUNICATIONS:** None
 10. **SPECIAL LICENSES:** None
 11. **ACCOUNTING REPORTS:** None
 12. **BIDS:** None
 13. **ORDINANCES:**
 - A. First reading of an ordinance to amend Article XIX, Special Land Uses of the City of Oak Park Code of Ordinances
 - B. First reading of an ordinance to amend Article XVII, General Provisions, Section 1712 of the City of Oak Park Code of Ordinances

- C. First reading of an ordinance to amend Sections 2-353 and 2-354 of Chapter 2, Article III, Division 8 of the City of Oak Park Code of Ordinances

14. CITY ATTORNEY:

15. CITY MANAGER:

Department of Public Works

- A. Approval of the request from Xpert Lawn and Snow, LLC for a contract extension of the 2018 Lawn Maintenance Contract, M-678

Economic Development

- B. Resolution to support the City of Oak Park application for the Community Foundation of Southeast Michigan Ralph C. Wilson Legacy Fund Grant for Seneca Pocket Park
- C. Request to approve the 2019 Michigan Council for Arts and Cultural Affairs (MCACA) grant submission for Seneca Pocket Park Art Installation

Finance

- D. First Quarter FY 2018-19 Investment Report
- E. Second Quarter Budget to Actual Report, General Fund
- F. Approval of resolution to authorize Budget Amendment #2019-1

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**

January 7, 2018

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, City Attorney Duff

APPROVAL OF AGENDA:

CM-01-001-19 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS PRESENTED – APPROVED

Motion by Radner, seconded by Burns, CARRIED UNANIMOUSLY, to approve the agenda as presented.

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-01-002-19 (AGENDA ITEM #5A-C) CONSENT AGENDA - APPROVED

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

- A. Regular City Council Meeting Minutes of December 17, 2018 **CM-01-003-19**
- B. Recycling and Environmental Conservation Commission Meeting Minutes of October 18, 2018 **CM-01-004-19**
- C. Licenses - New and Renewals as submitted for January 7, 2019 **CM-01-005-19**

**MERCHANT'S LICENSES – January 7, 2019
(Subject to All Departmental Approvals)**

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
CLASSIC EXPRESSIONS	10820 NINE MILE	\$150.00	CLOTHING RETAILER
BELLA VAMIER	13825 NINE MILE	\$150.00	WOMENS URBAN AND CONTEMPORARY CLOTHING
<u>2019 RENEWALS</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
IMPRESSIVE STYLE	8575 CAPITAL	\$150.00	CABINET MAKER
ANA WOODWORK STUDIO	8575 CAPITAL	\$150.00	CABINET MAKER
M. BESHARA	10020 CAPITAL	\$150.00	PRINTING
FORMTECH PLASTICS	10030 CAPITAL	\$150.00	MACHINE SHOP
APOLLO HEAT TREATING AND PROCESSING	10400 CAPITAL	\$150.00	HEAT TREATING
STONE FOR YOU	10700 CAPITAL	\$150.00	STONE WORKS
MIDWEST RECYCLING SERVICES	10800 CAPITAL	\$150.00	RECYCLING CENTER
MIDWEST RECYCLING SERVICES	11000 CAPITAL	\$150.00	RECYCLING CENTER
BROWN-DARNELL CO.	12701 CAPITAL	\$150.00	SALES
LECOM	13270 CAPITAL	\$150.00	CONSTRUCT AND MAINTAIN OVERHEAD ELECTRICAL EQUIP.
LG MOTORS	13350 CAPITAL	\$150.00	BODY SHOP
LUXURY HOMES	20830 CAPITAL	\$150.00	FURNITURE RETAIL
AUTOBAHN COLLISION	20850 COOLIDGE	\$150.00	AUTO BODY REPAIR
SB IMPORT & EXPORT	21000 COOLIDGE	\$150.00	TOBACCO WHOLESALE
ORCHARD DISTRIBUTORS LLC	21000 COOLIDGE	\$150.00	WAREHOUSE STORAGE
TOBACCO IMPORT USA	21060 COOLIDGE	\$150.00	TOBACCO IMPORT
SR AUDIO	21070 COOLIDGE	\$150.00	AUDIO, LIGHTING AND PRODUCTION SERVICES
TALK A LOT WAREHOUSE	21150 COOLIDGE	\$150.00	CELLULAR DISTRIBUTOR
OAK PARK PHARMACY	21675 COOLIDGE 1A	\$150.00	PHARMACY
CHIROPRACTIC WORKS	21790 COOLIDGE	\$150.00	HEALTH CLINIC
HANDS OF HOPE INT.	21790 COOLIDGE	\$150.00	NONPROFIT
NINE OAKS GRILL	22110 COOLIDGE	\$150.00	RESTAURANT
GOLDEN BOWL	22120 COOLIDGE	\$150.00	RESTAURANT
VALUE WORLD	22130 COOLIDGE	\$150.00	RESALE SHOP
LEE BEAUTY SUPPLIES DISCOUNT	22136 COOLIDGE	\$150.00	RETAIL BEAUTY PRODUCTS AND WIGS
GLORY SUPERMARKET	22150 COOLIDGE	\$150.00	SUPER MARKET
YAA-CONNECT	23035 COOLIDGE	\$150.00	AUTHORIZED CRICKET WIRELESS RETAILERS
MICHIGAN INTERNATIONAL PREP SCHOOL	23140 COOLIDGE	\$150.00	VIRTUAL PUBLIC SCHOOL
PROFESSIONAL BEAUTY CTR	23150 COOLIDGE	\$150.00	HAIR REPLACEMENT
WALK IN THE PARK COIN LAUNDRY	23170 COOLIDGE	\$150.00	COIN LAUNDRY
SAHARA RESTAURANT	24770 COOLIDGE	\$150.00	RESTAURANT
H O TRERICE CO	12950 EIGHT MILE	\$150.00	MANUFACTURER
OAK LIQUOR & WINE	13700 EIGHT MILE	\$150.00	LIQUOR STORE
C D NAILS	13710 NINE MILE	\$150.00	SALON
MATTRESS WHOLESALE	14510 EIGHT MILE	\$150.00	MATTRESS, FURNITURE AND RUGS WHOLESALE
QUALITY CAR WASH II	14421 ELEVEN MILE	\$150.00	CAR WASH
BARTON MALOW COMPANY	21101 FERN	\$150.00	CONSTRUCTION MANAGEMENT
MONAGHAN'S TOWING	21680 FERN	\$150.00	AUTO & TRUCK TOWING AND ROAD SERVICES

FED EX	21200 GREENFIELD	\$150.00	MAIL AND PACKAGE DISTRIBUTOR
TACO BELL	21350 GREENFIELD	\$150.00	RESTAURANT
GOLD CORP	21600 GREENFIELD 100	\$150.00	JEWELRY SALES
SHEAR DIRECTIONS	21700 GREENFIELD 104	\$150.00	HAIR SALON
HER CHIC APPEAL	21700 GREENFIELD 105	\$150.00	WOMEN CLOTHING
METROPOLITAN REHAB CLINICS	21700 GREENFIELD 130	\$150.00	ADDICTION/REHAB CLINIC
GOLDEN HANDS OF REGINA	21700 GREENFIELD 204	\$150.00	HAIR SALON
LUXOR JEWELRY	21700 GREENFIELD 301	\$150.00	JEWELRY WHOLESALE
SAM'S DIAMONDS/BEST JEWELERS	21700 GREENFIELD 323	\$150.00	JEWELRY SALES
HOLLYWOOD DIAMOND SETTING	21700 GREENFIELD 327	\$150.00	RETAIL, CUSTOM DESIGN JEWELRY, AND REPAIRS
DIAMOND FASHION JEWELERS	21700 GREENFIELD 337	\$150.00	RETAIL JEWELRY AND REPAIR
SPECTRUM JEWELERS	21700 GREENFIELD 355	\$150.00	WATCH AND JEWELRY REPAIR
TRUST JEWELERS	21700 GREENFIELD 361	\$150.00	JEWELRY SALES
MARO JEWELERS	21700 GREENFIELD 365	\$150.00	GOLD-SILVER DIAMONDS REPAIRS AND CUSTOM ORDERS
LEGIT INK	21700 GREENFIELD 489	\$150.00	TATTOO PARLOUR
FORGOTTEN HARVEST	21800 GREENFIELD	\$150.00	NONPROFIT FOOD ORGANIZATION
PINEWOOD DENTAL FINDINGS OUTLET	21950 GREENFIELD	\$150.00	GENERAL DENISTRY
	21990 GREENFIELD 100	\$150.00	WHOLESALE TOOLS, SUPPLIES FOR JEWELERS
FINDINGS OUTLET	21990 GREENFIELD 100	\$150.00	WHOLESALE TOOLS, SUPPLIES FOR JEWELERS
SALON KLS	23300 GREENFIELD 115	\$150.00	HAIR SALON
NAILS BY SLIIM	23300 GREENFIELD 225	\$150.00	SALON
HUTCH'S JEWELRY	23400 GREENFIELD	\$150.00	FINE JEWELRY, RETAIL
EXPRESS PAYDAY & ADVANCE	24800 GREENFIELD	\$150.00	PAYDAY LOAN
RITE AID	24850 GREENFIELD	\$150.00	RETAIL DRUG/VARIETY STORE
OAK PARK DONUTS	25170 GREENFIELD	\$150.00	DONUT SHOP
PREMIER TUXEDO	25234 GREENFIELD	\$150.00	TUXEDO RENTAL
FAMILY DRIVING SCHOOL	25246 GREENFIELD	\$150.00	DRIVERS EDUCATION
SUMMIT DISABILITY	25900 GREENFIELD 111	\$150.00	LEGAL SERVICES
STELLA'S PROFESSIONAL ALTERATIONS	25900 GREENFIELD 114	\$150.00	CLOTHING ALTERATIONS
CROWN SNACK SHOP	25900 GREENFIELD 116	\$150.00	SNACK SHOP
QUALITY HEALTH CARE TRAINING	25900 GREENFIELD 138	\$150.00	HEALTHCARE TRAINING
OXFORD HILL PARTNERS	25900 GREENFIELD 232	\$150.00	MARKETING AND DIGITAL CONSULTING
PROFESSIONAL PREVENTATIVE RESTORATION	25900 GREENFIELD 361	\$150.00	RESTORATION SERVICES
S & S CHARTER & TOURS	25900 GREENFIELD 362	\$150.00	CHARTER BUSES
APERTURE CONTENT MARKETING	25900 GREENFIELD 402	\$150.00	MARKETING SERVICES
JEWISH FAMILY SERVICES	25900 GREENFIELD 405	\$150.00	COUNSELING SERVICES
STITTS PRODUCTIONS	25900 GREENFIELD 511	\$150.00	PRODUCTION COMPANY
HEWSON VAN HELLEMONT PC	25900 GREENFIELD 650	\$150.00	LEGAL SERVICES
THE SUIT DEPOT	26158 GREENFIELD	\$150.00	RETAIL
WHITE CASTLE	26500 GREENFIELD	\$150.00	RESTAURANT
ERIC S. MENDELSON DPM	26106 GREENFIELD A	\$150.00	PODIATRIST
JAX KAR WASH	26641 HARDING	\$150.00	CAR WASH
HERSCH'S LAWN SPRAY	26650 HARDING	\$150.00	LAWN FERTILIZING COMPANY
ALLIANCE A/C & HEATING	20800 HUBBELL	\$150.00	HEATING AND COOLING
ROYAL CONTAINER	21100 HUBBELL	\$150.00	STORAGE FACILITY

LIFE SKILLS RESIDENTIAL	25640 LINCOLN TER.	\$150.00	PROFESSIONAL SERVICES
LM STUDIO	8104 NINE MILE	\$150.00	ART & DESIGN SERVICES
HAIR UNIQUE	8138 NINE MILE	\$150.00	HAIR SALON
GREAT HANDS MASSAGE	8230 NINE MILE	\$150.00	THERAPEUTIC MASSAGE
LEO WEISS PLUMBING	8500 NINE MILE	\$150.00	PLUMBING
FRESH BAKED PRINTS	8670 NINE MILE	\$150.00	PRINTING COMPANY
DR. BENAY DABNEY	10300 NINE MILE	\$150.00	DENISTRY
FERNDALF FRIENDS	10440 NINE MILE	\$150.00	COMMUNITY PUBLISHERS
LISAS LITTLE ANGELS	10460 NINE MILE	\$150.00	DAYCARE
CHRISTIAN CHILDCARE			
COMMUNITY FAMILY	10470 NINE MILE	\$150.00	GENERAL DENISTRY
DENTISTRY			
L N S TOBACCO	10700 NINE MILE	\$150.00	TOBACCO WHOLESALE
ONYX MARKET	10850 NINE MILE	\$150.00	LIQUOR PARTY STORE
NEW GRACE SPINAL REHAB	12706 NINE MILE	\$150.00	CHIROPRACTIC OFFICE
MY PLACE CENTER FOR	12718 NINE MILE	\$150.00	PEER-RUN MENTAL HEALTH
WELLNESS			PROGRAM
QUICK CASH AND MORE	13710 NINE MILE	\$150.00	PAYDAY LOAN
CSL PLASMA	13770 NINE MILE	\$150.00	MANUFACTURER OF HUMAN
			BLOOD PLASMA
PAPA'S PIZZA	15400 NINE MILE	\$150.00	PIZZERIA
DR. ESTER R. SLEUTELBERG	15421 NINE MILE	\$150.00	GENERAL DENISTRY
MARK CABINETRY	8510 NORTHEND	\$150.00	CABINET MAKER
BSD MANAGEMENT	12750 NORTHEND	\$150.00	MANAGEMENT COMPANY
DISCOUNT OFFICE &	12780 NORTHEND	\$150.00	DISCOUNT OFFICE SUPPLIES
EQUIPMENT			AND FURNITURE
C & B MOTORS	13000 NORTHEND 205	\$150.00	WHOLESALE CAR DEALERSHIP
VGAGE	13250 NORTHEND	\$150.00	INDUSTRIAL
J.A GAGING ASSOCIATES	13250 NORTHEND	\$150.00	INDUSTRIAL
HATZALAH OF MICHIGAN	13650 OAK PARK A	\$150.00	VOLUNTEER EMS
MURRAYS WORLDWIDE	21841 WYOMING	\$150.00	MANUFACTURER
MURRAYS WORLDWIDE	21930 WYOMING	\$150.00	MANUFACTURER
UNIQUE FURNITURE	21820 WYOMING	\$150.00	FURNITURE RETAIL

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS:

James Jackson, Regional Director for United States Senator Gary Peters, was present and brought greetings from the Senator.

County Commissioner Helaine Zack provided an update on activities related to Oakland County.

SPECIAL RECOGNITION/PRESENTATIONS:

(AGENDA ITEM #7A) Audit Presentation

Mark Kettner from Rehmann Robson presented the Fiscal Year Ended June 30, 2018 Comprehensive Annual Financial Report and the Independent Auditor's Communication. Complete reports are on file with the City Clerk.

PUBLIC HEARINGS: None

COMMUNICATIONS: None

SPECIAL LICENSES: None

ACCOUNTING REPORTS:

CM-01-006-19 (AGENDA ITEM #11A) APPROVAL FOR PAYMENT OF INVOICES SUBMITTED BY GARAN, LUCOW, MILLER, P.C. FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF \$16,952.49 - APPROVED

Motion by Radner, seconded by Burns, CARRIED UNANIMOUSLY, to approve payment of invoices #506273, #506274, #506275 and #506276 and #506277 submitted by Garan, Lucow, Miller P.C., for legal services rendered through November 30, 2018 in the total amount of \$16,952.49.

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

MOTION DECLARED ADOPTED

BIDS: None

ORDINANCES: None

CITY ATTORNEY: No Report

CITY MANAGER:

Public Safety

CM-01-007-19 (AGENDA ITEM #15A) REQUEST TO APPROVE TRAFFIC CONTROL ORDER #160 SECTION 1.18 THAT WOULD LIMIT OFF STREET PARKING TO TWO HOURS ON THE SOUTH SIDE OF 26045 COOLIDGE - APPROVED

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to approve Traffic Control Order #160 Section 1.18 that limits off street parking to two hours on the south side of 26045 Coolidge.

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

MOTION DECLARED ADOPTED

Public Safety Director Cooper explained that the City built an off street parking area near 26045 Coolidge to relieve parking overflow for customers who frequent the nearby shopping complex. He explained further that the intended use was for short term parking however vehicles are being

parked in the area for an extended period of time. The proposed 2-hour limit would help alleviate the problem.

CALL TO THE AUDIENCE:

Mrs. Thomas, 24001 Kenosha, had concerns about a property on her street that is unkempt.

CALL TO THE COUNCIL:

Mayor Pro Tem Radner wished everyone a good night.

Council Member Burns thanked everyone for coming and reminded them to be aware of the cold weather to come.

Council Member Weiss wished everyone a Happy New Year, reminded them of the upcoming Winterfest events on January 27, and thanked everyone involved in the unveiling of the new children's area at the Library on Sunday.

Council Member Rich wished everyone a good night.

Mayor McClellan, reported that recycling is up 66% in Oak Park. Informed everyone of SOCCRA's new "Waste Wizard" tool and the new book club at the Library, which will meet on the first Wednesday of each month.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 7:37 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor

**CITY OF OAK PARK PLANNING COMMISSION
MONDAY, OCTOBER 8, 2018
MINUTES**

Meeting was called to order at 7:03 p.m., in the City Council Chambers, Oak Park City Hall, 14000 Oak Park Boulevard, Oak Park, MI, by Chairperson Torgow and roll call was made.

PRESENT:

- Chairperson Torgow
- Vice Chairperson Brown
- Commissioner Burns
- Commissioner Eizelman
- Commissioner McClellan
- Commissioner Seligson
- Commissioner Tkatch

ABSENT:

- Commissioner Tungate
- Commissioner Walters-Gill

OTHERS PRESENT:

- Community & Economic Development Director, Kimberly Marrone
- Deputy City Clerk, Lisa Vecchio

3. APPROVAL OF AGENDA OF OCTOBER 8, 2018: APPROVED

4. APPROVAL OF MINUTES OF AUGUST 13, 2018: APPROVED

MOTION by Brown, SECONDED by McClellan, to approve the minutes of August 13, 2018 with no corrections.

VOTE:

Yes:	All
No:	None

MOTION CARRIED

5. COMMUNICATIONS/CORRESPONDENCE: None

6. PUBLIC HEARING: None

7. CONSENT AGENDA: No Items Eligible This Month

8. MATTERS FOR CONSIDERATION

A. OLD BUSINESS – None

B. NEW BUSINESS

- 1) **Spero Housing Group and Southwest Solutions, Planned Multi-Family Development Site Plan, 21111-21435 Coolidge Highway**

Chairperson Torgow referenced City Planner Rulkowski's report, dated October 2, 2018:

Mr. Yousif Kada has submitted a Site Plan for a building addition and renovation of an existing building at 13855 Nine Mile Road. The proposed 800 square foot addition to the existing 1,648 square foot building is designed to create two new retail spaces. The building formerly housed a medical office. Mr. Kada also owns the adjacent K & F International Market at 13911 Nine Mile Road.

The property is zoned B-1, Neighborhood Business District and retail uses are a permitted land use in this district.

The new addition does not meet the setback requirements of the Zoning Ordinance. The Zoning Ordinance requires the rear yard setback to be 20 feet and the Site Plan shows a proposed rear yard building setback of 10 feet. The applicant has applied for a rear yard setback variance and is scheduled before the Zoning Board of Appeals on October 23.

In addition, like most of the properties in the City's Neighborhood Business District, the existing building does not meet the minimum parking requirement because they were constructed prior to minimum parking regulations. In this situation the Zoning Ordinance would require a building of this size with the proposed addition (2,447 square feet total) to provide 12 parking spaces. The proposed Site Plan indicates one parking space would be provided as well as locations for two dumpsters in the rear of the building. To help address this parking shortage, the applicant has agreed to pay the cost to the City to have two concrete islands removed in the adjacent municipal parking area to create two additional parking spaces. This proposal has been reviewed by the City Engineering Division and they found the proposal acceptable. The applicant has applied for a parking space variance and is scheduled before the Zoning Board of Appeals on October 23.

The Site Plan does not provide any information regarding new mechanical equipment or lighting for the proposed building renovation. The Zoning Ordinance requires all roof top and ground level equipment to be screened. The Zoning Ordinance requires all proposed exterior lighting to be shielded downward.

Conceptual signage is provided on the proposed building elevation. 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.

MOTION by Brown, SECONDED by Seligson, to approve the Final Site Plan, with the following conditions:

- 1) All roof top and ground level equipment must be screened as required by the Zoning Ordinance.
- 2) All proposed exterior lighting to be shielded downward.
- 3) Final approval of the proposed Site Plan conditioned on the Zoning Board of Appeals granting the required variances.
- 4) 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.

VOTE: Yes: Brown, Burns, Eizelman, McClellan, Seligson, Tkatch, Torgow
 No: None

MOTION CARRIED

- 2) **Yeshiva Beth Yehudah, 14390 Ten Mile Road, schedule Special Land Use Public Hearing – Educational institution**

Chairperson Torgow and Commissioner Tkatch stated that, due to their connection to Yeshiva Beth Yehudah, they will be excluding themselves from the actual vote on the Special Land Use request.

MOTION by Eizelman, SECONDED by Seligson, to schedule a Special Land Use Public Hearing for November 12, 2018.

VOTE: Yes: Brown, Burns, Eizelman, McClellan, Seligson, Tkatch, Torgow
 No: None

MOTION CARRIED

- 3) Eddie's Gourmet Restaurant, 25920 Greenfield Road, schedule Special Land Use Public Hearing - Restaurant serving alcoholic liquor**

MOTION by McClellan, SECONDED by Burns, to schedule a Special Land Use Public Hearing for November 12, 2018.

VOTE: Yes: Brown, Burns, Eizelman, McClellan, Seligson, Tkatch, Torgow
 No: None

MOTION CARRIED

9. PLANNING COMMISSION MATTERS FOR DISCUSSION – from members only: None

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

11. ADJOURNMENT

There being no further business, Chairperson Torgow adjourned the meeting at 7:14 p.m.

Lisa Vecchio, Deputy City Clerk

**CITY OF OAK PARK PLANNING COMMISSION
MONDAY, NOVEMBER 12, 2018
MINUTES**

Meeting was called to order at 7:03 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 Eizelman
Commissioner McClellan
Commissioner Seligson
Commissioner Tkatch
Commissioner Tungate
Commissioner Walters-Gill

ABSENT: Chairperson Torgow
Commissioner Burns

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

3. APPROVAL OF AGENDA OF NOVEMBER 12, 2018:

MOTION by McClellan, SECONDED by Eizelman, to approve the agenda of November 12, 2018.

VOTE: Yes: All
No: None

MOTION CARRIED

4. APPROVAL OF MINUTES OF OCTOBER 8, 2018:

Adequate time was not given for the Planning Commission to review the minutes of October 8, 2018, they will be re-presented at the following meeting.

5. COMMUNICATIONS/CORRESPONDENCE:

A. 2017-2018 Annual Report of the City of Oak Park Planning Commission

Each Commission member was presented with a copy of the Annual Report, which complies actions made by the Commission, for their reference.

6. PUBLIC HEARING:

A. Public Hearing to consider a request submitted by Yeshiva Beth Yehudah for Special Land Use approval to allow for a kindergarten through eighth grade school to be located at 14390 Ten Mile Road.

Vice Chairperson Brown opened the public hearing at 7:09 p.m.

Barbara Lewis, 14140 Sherwood, inquired how many students would be attending the school. Rabbi Grossbard informed that 500 students are currently enrolled, K-8th grade.

Vice Chairperson Brown closed the public hearing at 7:11 p.m.

B. Planning Commission action regarding a request submitted by Yeshiva Beth Yehudah for Special Land Use approval to allow for a kindergarten through eighth grade school to be located at 14390 Ten Mile Road.

Commissioner Tkatch stated that, due to his position on the Executive Board of Yeshiva Beth Yehudah, he will abstain from voting on the Special Land Use request.

Commissioner Eizelman disclosed that his wife is a teacher who is partially compensated by Yeshiva Beth Yehudah, but he will still be participating in the vote.

Vice Chairperson Brown referenced City Planner Rulkowski's report, dated November 2, 2018:

Special Land Use Standards

The Special Land Use section of the Zoning Ordinance (Article XIX) requires the proposed use to meet a number of general standards (Section 1900) as well as use specific standards for educational institutions (Section 1907).

Section 1900 General Standards:

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

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

Section 1907 Educational Institutions

- A. All ingress and egress from said site shall be directly onto a major or secondary thoroughfare, as designated on the city's adopted master plan.*
- B. No building other than a single-family residential dwelling shall be closer than 50 feet to any property line and/or existing or proposed public right-of-way.*
- C. All service and storage areas shall be screened from view by a masonry wall at least six feet high, approved by the city council after review by the planning commission.*
- D. All areas for student and staff parking shall be set back at least 50 feet from an abutting residential district or residential use.*
- E. No outdoor use areas (playgrounds, athletic facilities) shall take place within 75 feet of an abutting residential use.*
- F. The site plan shall clearly demonstrate that the parcel size has the ability to provide adequate space for buildings, parking, setback, open space, landscaping, and the like.*

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

Site Plan Review

A Site Plan is required as part of the Special Land Use process. The Site Plan has been reviewed to ensure that the proposed use would function properly on the site.

The applicant, Yeshiva Beth Yehudah, is proposing to construct a new kindergarten through eighth grade girl's school on the site of the current school at 14390 Ten Mile Road. The proposal would demolish the existing school building and initially construct a two-story, 90,704 square foot school. The future plan would add a third floor (30,340 square feet) in five to ten years.

The property is zoned R-1 One Family Dwelling District and as noted educational institutions are permitted as Special Land Uses.

To allow for the proposed school to be constructed on the existing site, the applicant requested and were granted variances for front, side and rear yard setbacks. Although the site is 4.2 acres in size there are many required site features (required parking, landscaping, etc.) that necessitated the building be designed in a way that it encroaches into some of the setback areas. The required 50 foot building setback is the maximum setback required in the all of the City's zoning districts and they were designed to provide for adequate open space and buffering distance from adjacent uses. In this case, given the location of the school and the types and proximity of adjacent uses, strict compliance with setback requirements was considered unwarranted by the Zoning Board of Appeals.

Similarly, considering the height restrictions for this zoning district were designed for a single family use (27 feet), applying them to an educational use in this particular location would be difficult to justify. The Zoning Board of Appeals granted a height variance to construct a third floor in the future.

The proposed school building has a modern attractive appearance, as seen on the elevation page, which will blend well with the adjacent High School and State Police Post.

The Site Plan shows an 86 space parking lot on the west side of the building that is accessed off of Church Street. The parking calculation on the Site Plan shows that based on the number of staff and students proposed, the facility meets the minimum parking requirements.

The traffic circulation pattern for the main parking lot, as well as the one-way traffic lane that provides drop-off to the east side of the school, is efficiently designed and should provide good traffic flow throughout the site. When the girl's high school across Church Street was proposed in 2012 a traffic study was developed by consulting engineers Hubbell, Roth and Clark to address access, circulation and the queuing operations of the needs of both facilities. That analysis was incorporated into the design of the proposed Site Plan presented now.

At this time the storm water management plan has yet to be fully developed and will need to be submitted to the Engineering Division for final review and approval. In addition, the design of the entryways into the site and onto Church Street will also need final approval by the Engineering Division.

The landscaping plan for the project shows a combination of new trees and shrubs concentrated in front of the building and along Church Street near the corner. The proposed landscaping plan satisfactorily meets the minimum Zoning Ordinance requirement for landscaping. The landscaping plan notes that "all landscape areas shall be irrigated to maintain proper plant cover".

A dumpster enclosure area is indicated on the site plan in the northeast corner of the property. A dumpster enclosure detail will need to be submitted as part of the building plans that meets the Zoning Ordinance requirements.

The Site Plan does not indicate the location or type of any proposed lighting for the facility. The parking lot lighting as well as any lighting for the building will need to be shielded so it does not create a nuisance for traffic or nearby residential uses.

The Site Plan shows an electrical transformer and generator in the northeast corner of the building with a masonry screening wall. Any additional ground or rooftop equipment will need to be screened as required by the Zoning Ordinance or placed on the roof in a manner that it cannot be seen.

A monument sign is indicated in the southwest corner of the property. 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.

MOTION by McClellan, SECONDED by Eizelman, to approve the Special Land Use and Site Plan for the proposed educational institution with the following conditions:

- 1) Approval by the Engineering Division of an acceptable storm water management plan.
- 2) Approval by the Engineering Division of the design of the entryways into the site and onto Church Street.
- 3) Approval by the Engineering Division and Public Safety Department of the locations of the fire hydrants and fire suppression building connections.
- 4) Dumpster enclosure detail which meets the Zoning Ordinance requirements to be submitted as part of building plans.
- 5) Parking lot and building lighting to be shielded so it does not create a nuisance for traffic or nearby residential uses.
- 6) All ground and rooftop equipment screened as required by the Zoning Ordinance.
- 7) No signs are approved as part of the Site Plan Review process. A separate sign permit application must be submitted.

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

MOTION CARRIED

- C. Public Hearing to consider a request submitted by Eddie's Gourmet Restaurant for Special Land Use approval to allow for a restaurant that serves alcoholic liquor to be located at 25920 Greenfield Road.**

Vice Chairperson Brown opened the public hearing at 7:14 p.m. There were no comments from the public and the hearing was closed at 7:15 p.m.

- D. Planning Commission action regarding a request submitted by Eddie's Gourmet Restaurant for Special Land Use approval to allow for a restaurant that serves alcoholic liquor to be located at 25920 Greenfield Road.**

Vice Chairperson Brown referenced City Planner Rulkowski's report, dated October 31, 2018:

Special Land Use Standards

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

Section 1900 General Standards:

A. The proposed special land use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located.

B. The proposed use shall be of a nature that will make vehicular and pedestrian traffic no

more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location of and access to off-street parking, and provisions for pedestrian safety.

C. The location, size, intensity, site layout and periods of operation of any such proposed use shall be designed to eliminate any possible nuisance emanating therefrom which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.

D. The proposed use shall be such that the proposed location and height of building or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.

E. The proposed use shall relate harmoniously with the physical and economic aspects of adjacent land uses as regards to prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the city.

F. The proposed use is necessary for the public convenience at the proposed location.

G. The proposed use is designed, located, planned and to be operated that the public health, safety and welfare will be protected.

H. The proposed use shall not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.

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

Sec. 1930. - Establishments serving alcoholic liquor for consumption on the premises.

Establishments serving alcoholic liquor for consumption on the premises may be permitted in certain districts specified in this section, subject to the following:

A. All establishments serving alcoholic liquor for consumption on the premises are subject to the following:

- 1. The proposed establishment serving alcoholic liquor for consumption on the premises is not located within 500 feet of a place of worship or school building. The distance between the place of worship or school building and the contemplated location shall be measured along the center line of the street or streets of address between two fixed points on the center line determined by projecting straight lines, at right angles to the center line, from the part of the place of worship or school building nearest to the contemplated location and from the part of the contemplated location nearest to the place of worship or school building. Notwithstanding the stated distance requirements, no proposed establishment serving alcoholic liquor for consumption on the premises will be permitted to serve alcoholic liquor if the*

proposed establishment serving alcoholic liquor for consumption on the premises is located on a parcel of land adjacent to a parcel of land with a place of worship or school building. This provision may be waived by the city council if the affected school(s) or place(s) of worship, through its duly appointed or elected governing body, affirmatively waives, in writing, its right to object to the restaurant and the city council determines that the proposed establishment serving alcoholic liquor for consumption on the premises will not adversely affect the operation of the school or place of worship.

- 2. The layout of the site of the proposed establishment serving alcoholic liquor for consumption on the premises and its relationship to streets serving access to the site shall be in a manner that vehicular and pedestrian traffic to and from the proposed establishment serving alcoholic liquor for consumption on the premises, and the potential assembly of persons connected therewith, will not be hazardous, endangering, or inconvenient to the surrounding neighborhood and commercial district.*
 - 3. The proposed establishment serving alcoholic liquor for consumption on the premises will be compatible with adjacent uses of land, considering the proximity of residential dwellings, places of worship, schools, public structures, and other places of public gatherings.*
 - 4. The proposed establishment serving alcoholic liquor for consumption on the premises will not be contrary to the public interest or injurious to nearby properties.*
 - 5. The proposed establishment serving alcoholic liquor for consumption on the premises will not have the possible effect of downgrading and blighting the surrounding neighborhood.*
 - 6. The proposed establishment serving alcoholic liquor for consumption on the premises will not reasonably be expected to diminish the value of properties in the immediate area.*
- B. For restaurants serving alcoholic liquor for consumption on the premises the following additional requirements:*
- 1. There shall at all times be maintained and provided culinary facilities to cook and prepare food, and tables and seating areas to accommodate dining on the premises by not fewer than 20 patrons at any time.*
 - 2. Not more than 50 percent of the gross floor area open to the general public shall be used for purposes other than seating for diners, consisting of tables, chairs, booths, and necessary aisle ways. Public restroom facilities shall not be considered in this determination.*
 - 3. Not less than 50 percent of the gross sales of the restaurant annually are derived from the sale of food and nonalcoholic beverages prepared for consumption on the premises as required by the Michigan Liquor Control Commission.*
 - 4. All truck well, loading dock and loading/truck service areas shall be located and designed to minimize negative impact on adjoining properties.*

Specific standards findings:

1. *The location of the Eddie's Gourmet restaurant does not meet the specific spacing requirements of Section 1930 C and is located within 500 feet of a school, park, or place of worship. The applicant has received a letter from the adjacent Congregation Ahavas Yisroel, 25952 Greenfield stating they do not object to Eddie's Gourmet restaurant serving alcoholic liquor. City Council has the authority to waive this requirement.*
2. *The interior layout of the Eddie's Gourmet restaurant accommodates over 20 patrons as indicated on the submitted floor plan.*
3. *Not more than 50 percent of the gross floor area open to the general public is used for purposes other than seating for diners, consisting of tables, chairs, booths, and necessary aisle ways.*

The Planning Division finds the submitted information demonstrates the Eddie's Gourmet restaurant, that is proposing to serve alcoholic liquor, satisfactorily meets the specific standards for Restaurants serving Alcoholic Liquor (Section 1930).

Site Plan Review

A Site Plan is required as part of the Special Land Use process and a sketch Site Plan has been submitted. Eddie's Gourmet restaurant operates in a 1,516 square foot building at the northeast corner of Greenfield Road and Lincoln Avenue. The Site Plan shows that the restaurant provides 14 parking spaces on site. There is a dumpster in front of the building with a wooden trash enclosure that is in need of some repair. The restaurant has operated at this location and in this manner for a great number of years. The addition of serving alcohol at the restaurant will most likely not measurably increase the business intensity but only enhance the restaurant experience for its current patrons.

A number of minor site improvements should be required as part of any approval for the restaurant to begin serving alcohol:

- 1) *Repair or replace the screening around the dumpster enclosure to the satisfaction of the Building Division in accordance with the Property Maintenance Code and applicable Zoning Ordinance provisions.*
- 2) *Patch and repair the parking lot surface to the satisfaction of the Building Division in accordance with the Property Maintenance Code and applicable Zoning Ordinance provisions.*
- 3) *Re-set the damaged parking lot bumper blocks and replace damaged parking lot bumper blocks.*
- 4) *Paint, repair, replace or remove damaged guard rail on the north and east property lines.*
- 5) *Ensure the existing parking lot lighting is downward casting and not a nuisance to adjacent traffic.*

MOTION by McClellan, SECONDED by Walters-Gill, to approve the Special Land Use and Site Plan for Eddie's Gourmet Restaurant, 25920 Greenfield, as a restaurant serving alcoholic liquor with the following conditions:

- 1) **There shall at all times be maintained and provided culinary facilities to cook and prepare food, and tables and seating areas to accommodate dining on the premises by not fewer than 20 patrons at any time.**

- 2) Not more than 50 percent of the gross floor area open to the general public shall be used for purposes other than seating for diners, consisting of tables, chairs, booths, and necessary aisle ways. Public restroom facilities shall not be considered in this determination.
- 3) Not less than 50 percent of the gross sales of the restaurant annually are derived from the sale of food and nonalcoholic beverages prepared for consumption on the premises as required by the Michigan Liquor Control Commission.
- 4) Repair or replace the screening around the dumpster enclosure to the satisfaction of the Building Division in accordance with the Property Maintenance Code and applicable Zoning Ordinance provisions.
- 5) Patch and repair the parking lot surface to the satisfaction of the Building Division in accordance with the Property Maintenance Code and applicable Zoning Ordinance provisions.
- 6) Re-set the damaged parking lot bumper blocks and replace damaged parking lot bumper blocks.
- 7) Paint, repair, replace or remove damaged guard rail on the north and east property lines.
- 8) Ensure the existing parking lot lighting is downward casting and not a nuisance to adjacent traffic.

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

MOTION CARRIED

- E. Public Hearing to consider a request submitted by Henderson Automotive for Special Land Use approval for a Vehicle Dealer and Towing Service to be located at 14600 and 14650 Eight Mile Road.**

Vice Chairperson Brown opened the public hearing at 7:20 p.m. There were no comments from the public and the hearing was closed at 7:21 p.m.

- F. Planning Commission action regarding a request submitted by Henderson Automotive for Special Land Use approval for a Vehicle Dealer and Towing Service to be located at 14600 and 14650 Eight Mile Road.**

Vice Chairperson Brown referenced City Planner Rulkowski's report, dated November 6, 2018:

Special Land Use Standards

The Special Land Use section of the Zoning Ordinance (Article XIX) requires the proposed use for a towing service with vehicle dealer and repair to meet a number of general standards (Section 1900) as well as use specific standards for Vehicle Dealers (Section 1917) and Repair Garages (Section 1904).

Section 1900 General Standards:

- A. The proposed special land use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to*

be located.

B. The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location of and access to off-street parking, and provisions for pedestrian safety.

C. The location, size, intensity, site layout and periods of operation of any such proposed use shall be designed to eliminate any possible nuisance emanating therefrom which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.

D. The proposed use shall be such that the proposed location and height of building or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.

E. The proposed use shall relate harmoniously with the physical and economic aspects of adjacent land uses as regards to prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the city.

F. The proposed use is necessary for the public convenience at the proposed location.

G. The proposed use is designed, located, planned and to be operated that the public health, safety and welfare will be protected.

H. The proposed use shall not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.

General Special Land Use findings:

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

Sec. 1904. - Vehicle repair garages.

Vehicle repair garages including body repair, body painting, engine rebuilding, rust-proofing, and similar activities, may be permitted in certain districts specified in this ordinance, subject to the following:

- A. No vehicles awaiting service shall remain on-site for more than 36 hours.
- B. All repair services shall be conducted within a completely enclosed building.
- C. All trash storage areas shall be screened from view by a six-foot high enclosure approved by the city council, after review by the planning commission. The trash containers shall be emptied at least once each week. All discarded vehicle parts shall be kept inside the enclosure and shall not be permitted to accumulate for periods longer than one week unless stored within the building.

- D. *A six-foot high masonry face brick wall or poured concrete wall with brick pattern on both sides, shall be located on all property lines which abut any residential district. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:*
 - a. *One three-inch caliper deciduous tree per 30 feet of wall length.*
 - b. *Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.*
 - c. *Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.*
- E. *Management plans shall be submitted for the collection, storage, and recycling or proper disposal of all new, used or waste automotive fluids resulting from repair or service operations.*

Sec. 1917. - Vehicle dealers (classes A, B, W).

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

- A. *General provisions. In B-2, general business districts, and LI, light industrial districts, the following minimum standards apply:*
 - 1. *All vehicle dealers shall have a solely dedicated permanent structure containing not less than 500 square feet of interior floor space to be used as business or sales office, in which customers may enter and transact business, and in which heating, plumbing, and restrooms are provided. Such building shall also include a bay in which vehicles can be brought in for minor servicing, cleaning, and preparation for sales.*
 - 2. *All cleaning and refurbishing of vehicles must be performed within an enclosed permanent building. No repair or refinishing shall be done outside on the lot.*
 - 3. *Outdoor loudspeakers or public address systems shall not be permitted.*
 - 4. *The required vehicle display area shall conform to the following requirements:*
 - a. *Access to each individual vehicle shall be provided. Vehicles shall not be positioned in a stacked or packed formation.*
 - b. *There shall be no storage or display of vehicles in the public right-of-way.*
 - c. *Vehicles for sale shall be prohibited from parking within any maneuvering lane or driveway.*
 - d. *Outdoor storage of inoperable or part-stripped vehicles shall be prohibited from the site.*
 - 5. *The setback areas along street frontages shall not be used for the parking or for the storage/display of vehicles. Separate off-street parking shall be provided in compliance with the regulations contained in section 1726 and the following provision:*

- a. *The minimum number of parking spaces to be provided shall be calculated based on the formula of five spaces plus one space per each 15 used car storage/display spaces.*
6. *Grounds shall meet, or be improved to comply with, the following site design requirements:*
 - a. *The site shall be hard-surfaced, graded and drained in accordance with the regulations of section 1726. Concrete curbing shall be provided along the perimeter of the parking area.*
 - b. *Maneuvering lanes for the storage/display area shall be a minimum of 20 feet in width.*
 - c. *The setback areas along street frontages shall be a landscaped greenbelt measuring minimum of ten feet in width. Landscape plans must be included in application for review. See landscape provisions in section 1716 of the ordinance.*
 - d. *Overhead service doors shall not face or open toward residentially zoned property.*
7. *A six-foot-high masonry wall of face brick, six-foot-high simulated brick pattern poured concrete wall, or a six-foot-high pressure-treated wood or vinyl obscuring fence. The plan shall detail the location, height and type of wall/fence proposed, shall be located on all property lines which abut any residential district.*
 - a. *Where the storage yard abuts residentially zoned property there shall be a ten-foot wide landscaped greenbelt, between the property line and the fence/wall. Said greenbelt shall be planted in accordance with section 1716.*
8. *All lighting on the site shall be shielded. All glare shall be eliminated from all light fixtures and not encroach upon abutting properties. Lighting shall otherwise not direct illumination upon abutting properties, or emit illumination upon abutting properties in a manner that or of such magnitude that encroaches upon their peace. The light poles shall be no higher than 20 feet. Upward-directed lighting, searchlights, moving beams, and spotlights shall not be permitted.*
9. *A vehicle dealer licensed business shall be issued only for use on the premises named in the license application and such location shall not be changed without the approval of the city clerk. The clerk shall not approve such a transfer unless the new location conforms with all applicable ordinances.*
- B. *LI, light industrial districts. Classes B and W vehicle dealer licenses permitted only in combination with a towing, body shop (collision-related mechanical repair and unitized body structural repair only) or custom utility vehicle manufacturer subject to the following:*
 1. *The minimum lot area for a class B vehicle dealer shall be a solely dedicated 5,000 square feet and for class W licenses a solely dedicated 2,500 square feet.*
 2. *There shall be provided a minimum of ten storage/display spaces for class B licenses and five storage/display spaces for class W licenses.*

Specific Special Land Use findings:

4. *The Site Plan notes "vehicles awaiting repairs shall remain on site no more than 36 hours".*
5. *The Site Plan notes "repairs and maintenance to be done in specified area inside*

- building".
6. The Site Plan notes "walled six foot high dumpster enclosure that is to be emptied weekly". A dumpster enclosure detail will need to be submitted as part of the building plans that meets the Zoning Ordinance requirements.
 7. The Site Plan notes "refurbish existing lighting maintaining/providing shielding to keep light off adjacent ROW and neighboring properties."
 8. The Site Plan notes "sound systems are not permitted".
 9. The Site Plan shows vehicle display area meets the Zoning Ordinance requirements.
 10. The Site Plan shows the vehicle display and customer parking areas meet the Zoning Ordinance requirements.

The Planning Division finds the submitted information demonstrates Henderson Automotive, 14600 Eight Mile Road, satisfactorily meets the specific standards for Vehicle Dealers (Section 1917) and Repair Garages (Section 1904).

Site Plan Review

A Site Plan is required as part of the Special Land Use process and a Site Plan has been submitted.

Henderson Automotive, currently operates a Towing Service with a Class B used auto sales at 13390 Capital. The business is proposing to move into an existing and vacant building at 14600 Eight Mile Road. The submitted Site Plan indicates the 11,707 square foot building will be used to house the offices of the towing service as well as the used car business. In addition, automotive repair facilities will also be operating within the building.

The property is zoned LI, Light Industrial District and the Zoning Ordinance permits the proposed Vehicle Dealers and Repair Garages as a Special Land Use as discussed above.

The proposed Site Plan shows that a large vehicle display area will be created on a new asphalt parking lot to the west of the building and along Eight Mile Boulevard. A large stormwater retention pond is shown to the north of this hard surface area to provide stormwater management for the site. An application for a Land Improvement Permit will have to be submitted to the Engineering Division for the site improvements (drive approaches and stormwater management). An existing drive off of Hubbell Avenue will allow for access to the business as well as the existing drive off of Eight Mile Boulevard. The existing parking lot in front of the building as well as the drive along the east side of the building is in need of repair or replacement. Along the back property line there is a driveway that is currently unusable. This driveway will have to be replaced or removed.

A dumpster enclosure is shown along the back portion of the vehicle display area. A general notation describes the dumpster enclosure. A better location for the dumpster enclosure would be in the back of the building or near the driveway apron in the northwest corner of the site. The applicant has agreed to locate the dumpster enclosure in a less conspicuous location on the site. A dumpster enclosure detail to be submitted as part of the application for a Building Permit.

A notation on the Site Plan describes the requirement for landscaping and an automated irrigation system. A detailed landscape plan will need to be submitted as part of the application for a Building Permit.

In addition to the Zoning Ordinance regulations the State of Michigan has created established place of business requirements that must be met to receive a Vehicle Dealer License (Class "A" (new) and "B" (used) licenses). The applicant will be applying for a Class "B" Used Vehicle Dealer License. As part of the Site Plan Review process the site is reviewed to ensure that the State land use requirements are met before Zoning Approval is granted. The State established place of business requirements for new and used vehicles dealers' state:

- *The premises must contain a permanently enclosed building or structure either owned, leased, or rented by a dealer, which is not a residence, tent temporary stand, or any temporary quarters;*
- *The building or structure is required to be continuously occupied in good faith for the purpose of selling, buying, trading, leasing, or otherwise dealing in motor vehicles;*
- *All books, records, and files necessary to conduct the business of a Class "A" or "B" dealer must be maintained in the building or structure;*
- *A building or structure housing an office of at least 150 square feet in size, equipped with standard office furniture, working utilities, a working restroom, and a working telephone listed in the name of the business on the dealer's license;*
- *Land space of no less than 1,300 square feet to accommodate the display of a minimum of 10 vehicles of the kind and type that the dealer is licensed to sell and an additional 650 square feet for customer parking. The display and customer parking areas must be adequately surfaced and well lit during business hours;*
- *An exterior sign displaying the name of the dealership that is permanently affixed to the building or land with letters clearly visible from a highway identifies the premises;*
- *Conspicuous posting of the dealer's regular hours of operation. The posted hours must be not less than 30 hours per week.*
- *The premises must contain a registered repair facility on site for the repair and servicing of motor vehicles of a type sold at the established place of business, unless the dealer has entered into a written servicing agreement with a registered repair facility at a location not to exceed 10 miles distance from the established place of business. If repairs are conducted pursuant to a servicing agreement, the servicing agreement must be conspicuously posted in the office;*
- *The premises meet all applicable zoning and municipal requirements;*

After reviewing the State land use requirements, the proposed Site Plan meets the minimum standards, specifically the ten space display area (37 identified as parking and display spaces on the Site Plan). In addition, the Site Plan shows the location of the dealership office and repair/maintenance area.

No general areas have been identified to store vehicles as part of the Towing Service. The Zoning Ordinance requires outdoor storage areas to be screened. The applicant has indicated there will not be vehicles stored on site as part of the Towing Service and a notation on the Site Plan states this condition.

A notation on the Site Plan states "vehicles awaiting repairs shall remain on-site for no more than 36 hours" and "inoperable vehicles and stripped parts are prohibited from the site".

The Site Plan does not indicate any new signs for the business. A separate application will need to be submitted for any proposed signs.

MOTION by Walters-Gill, SECONDED by McClellan, to approve the Special Land Use and Site Plan for Henderson Automotive, 14600 Eight Mile Road, for a towing service with vehicle dealer and repair with the following conditions:

- 1) An application for a Land Improvement Permit to be submitted to the Engineering Division for the site improvements (drive approaches and stormwater management).
- 2) Determine a new location for the dumpster enclosure to the rear of the property to the satisfaction of the City Planner. A dumpster enclosure detail to be submitted as part of the application for a Building Permit.
- 3) A detailed landscape plan to be submitted as part of the application for a Building Permit.
- 4) Repair or replace the existing parking lot surface to the satisfaction of the Building Division in accordance with the Property Maintenance Code and applicable Zoning Ordinance provisions.
- 5) Repair, replace or remove the existing driveway on the northern boundary of the property.
- 6) Repair and make functional existing parking lot lighting and ensure the parking lot lighting is downward casting and not a nuisance to adjacent traffic.

VOTE: Yes: Brown, 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) Kroger grocery store and fuel center, 26200 & 26155 Greenfield, Final Site Plan Review.

Vice Chairperson Brown referenced City Planner Rulkowski's report, dated November 1, 2018:

The Kroger Company has submitted a Site Plan to renovate the long vacant Kmart store at 26200 Greenfield into an 88,536 square foot grocery store. The proposed grocery store will have a pharmacy with a drive-thru and an online grocery ordering service (identified as Clicklist on the plan). In addition, a 14 pump Kroger Fuel Station (26155 Greenfield Road) is proposed to be located in an outlot area of the Lincoln Shopping Center. The operating hours of this Kroger store will be the same as all Kroger's – 6:00 a.m. to 12 midnight.

The physical modifications to the existing buildings in the Lincoln Shopping Center include:

- *The removal of 21,563 square feet of shopping center tenant space to the south of the building to accommodate a new parking area.*
- *The removal of the former Kmart Garden Center and associated building appendage on the north portion of the building.*
- *The removal of the truck docks and associated building appendage in the rear of the building to the east.*
- *The addition of a new 2,406 square foot front entrance vestibule.*
- *The addition of a 3,200 square foot three bay truck dock in the rear of the building.*

The property is zoned B-2, General Business District and the proposed use is permitted by right in this district. The proposed building meets all the minimum requirements of the Zoning Ordinance for setbacks, bulk and height.

Based on the information provided, the applicant is required to provide 459 parking spaces for the grocery store and 22 parking spaces for the fuel center. The Site Plan indicates that 433 spaces will be provided adjacent to the grocery store and 20 at the fuel center. The applicant has applied for a variance for the 28 parking space shortage. It should be noted that the Zoning Ordinance requires parking space dimensions to have a width of 9 feet and a length of 20 feet. The applicant's practice at their grocery stores is to provide wider parking spaces with a width of 10 feet and a length of 20 feet. Staff believes that the wider spaces for this use at this location will lead to a greater efficiency in traffic circulation and not create a problem.

The applicant is proposing to remove existing parking lot curbed islands, bollards and some sidewalks adjacent to the grocery store building. They will be replaced with new landscaped islands and pedestrian walkways that will create a more efficient traffic circulation pattern around the proposed grocery store and to the shopping center to the south. In addition, all site lighting will be replaced with new poles, bases and LED light fixtures.

Currently there is no landscaping on the site of the former Kmart store. The applicant is proposing to install 18,890 square feet of interior landscaping (6% of site), which although does not meet the required minimum amount of 10%, is a significant improvement. The applicant has applied for a variance from the required amount. The Site Plan indicates the landscaped areas will be automatically irrigated as required by the Zoning Ordinance.

Because the proposed expansion will not increase the amount of impervious surface area, no new review of storm water management is necessary.

The Site Plan indicates the screen wall at the rear of the property will be replaced. Some of the screen wall in this area has already been recently replaced by the shopping center owner.

The new 3,200 square foot truck dock will include a below grade truckwell. Loading areas for trucks are generally a concern due to the potential for nuisance noise. To help minimize any negative noise impacts from the truck dock, the applicant has agreed to construct a concrete wall next to the truckwell (the provided Site Plan shows this as a screen fence). In addition, in discussions with representatives of Kroger they have also agreed to include signs in the area behind the building stating "No Truck Idling".

The Site Plan does indicate some ground level screened mechanical equipment in the rear of the building. No new rooftop mechanical equipment is indicated on the Site Plans. If new rooftop or ground level equipment is planned it will need to be screened as required by the Zoning Ordinance.

The Site Plan shows a proposed 14 pump Kroger Fuel Station in an area south of the McDonalds in the Lincoln Shopping Center. The Fuel Station will have a small one attendant building and gas pumps protected with a canopy. The location of the Fuel Center and orientation of the gas pumps should provide an efficient traffic circulation pattern within the shopping center. A new landscape area is proposed on the Greenfield side of the site and it will help to provide a more attractive appearance to this area of the shopping center.

Although the locations of some signs are indicated on the Site Plan, 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.

Kroger Representatives, Mike McFarland and David Copenhagen, were present for questions.

Commissioner Tungate inquired on garbage pickup times, and where on the property garage will be picked up.

Mr. McFarland explained that a garbage compactor, fed from the inside of the building, and on depressed ground, would be picked up once per day or every other day during typical work hours.

Vice Chairperson Brown inquired on how many trucks would be on the property for deliveries.

Kroger representatives expect around four Kroger grocery trucks per week, and 10-15 other brand delivery trucks per day, at all hours.

Commissioner Tkatch inquired about storm water control. Kroger plans include more green space in the landscaping, reducing impervious surface by 18,000 sq. ft.

Commissioner McClellan expressed concern about noise from the daily operations. Kroger plans include the construction of an 8-foot masonry wall to separate the back of the store and loading docks from the properties behind it.

Vice Chairperson Brown opened the floor for comments from the public.

Tom McPhillips, 26100 Harding, expressed concern about the tax break that Kroger would be given. Director Marrone clarified that the incentive would freeze any tax increase as a result of the improvements to the property, so Kroger would pay based on the current assessed value for the first 12 years, and thereafter pay on the new value.

Multiple residents who live directly behind the property on Harding expressed concern for current noise issues, and foresee these worsening once Kroger is there. City Administration responded that any noise falls under a nuisance ordinance and that the City should be called in the event that there is a concern or violation to this ordinance. The City Manager informed

residents that if their concerns are not being properly responded to that they could contact his office.

Carol Udman, 26201 Harding, insisted that the wall should be made higher or require that it include some type of sound proofing, claiming that trucks that currently deliver on that property can see into her kitchen window.

Murray Gula, 26411 Harding, expressed concern about vehicles speeding behind the property and suggested that speed bumps be installed.

Commissioner Eizelman explained that Kroger's site plan is in accordance with the City code. If there is a problem with any of the code itself, related to the privacy wall or noise nuisance, then those concerns will need to be addressed with City Council who has the power to amend City code.

MOTION by Walters-Gill, SECONDED by Seligson, to approve the Final Site Plan, with the following conditions:

- 1) Any new rooftop or ground level equipment not indicated on the Site Plan to be screened as required by the Zoning Ordinance.
- 2) 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.
- 3) Final approval of the proposed Site Plan conditioned on the Zoning Board of Appeals granting the required variances.

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

MOTION CARRIED

9. PLANNING COMMISSION MATTERS FOR DISCUSSION – from members only:

A Public Hearing was scheduled for December 10, 2018 on the Special Land Use request of TCF Auto Body & Wholesale for a collision shop with vehicle sales.

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

11. ADJOURNMENT

There being no further business, Vice Chairperson Brown adjourned the meeting at 8:25 p.m.

Lisa Vecchio, Deputy City Clerk



CITY OF OAK PARK

COMMUNITY ENGAGEMENT
DEPARTMENT OF PUBLIC INFORMATION

5C

Mayor
Marian McClellan
Mayor Pro Tem
Solomon Radner

Council Members
Carolyn Burns
Ken Rich
Regina Weiss
City Manager
Erik Tungate

MEETING MINUTES
CITY OF OAK PARK REGULAR MEETING
ARTS AND CULTURAL DIVERSITY COMMISSION
THURSDAY, SEPTEMBER 13, 2018, 7:00 P.M.
SHEPARD PARK

1. CALL TO ORDER

a. Time: 7:06P.M. ____

2. ROLL CALL

a. City Council:

Mayor Pro Tem Solomon Radner _A_ Council member Regina Weiss _L

b. Commissioners:

Heidi Bisson _A_	Leona Burns _A_	Stephanie Crawford X
Sarah Davidson _A_	Nathan Izydorek X	Rosetta Kincaid _A
Terri McQueen __X	Sudha Chandra Sekhar A	Abraham Snider X_
Michele Stevenson _X_	Lonnie K. Tabb-Upshaw X	
Carla Wallace _X_	Anita Warner _A_	

c. City Liaisons:

Director Kimberly Marrone X

d. Guest(s):

3. APPROVAL OF AGENDA

a. Date September 13, 2018

b. Agenda was found to have errors/typos

Motion by Commissioner Crawford

Seconded by Commissioner Tabb-Upshaw__

Amended and corrected agenda Approved by All

4. APPROVAL OF MINUTES

a. Date August 9, 2018

Tabled till next meeting when Commissioner Crawford submits meeting minutes

5. MATTERS FOR CONSIDERATION

a. New Business:

- i. Sub committee for Cement flowerpot project was formed
Commissioner Izydorek made a motion that we create a sub committee for the Cement flowerpot project and Commissioner Stevenson seconded it. The sub committee will consist of: Commissioners Izydorek, Tabb-Upshaw, Snider, Stevenson, and Council member Weiss. Commissioner Snider will contact Commissioner Bisson via email to see if she is interested. Director Marrone shared with us that it is up to our Commission to come up with ideas to decorate the flowerpots and it is 20 of them throughout Oak Park and they are 8x3 in size. She also shared that an artist, Robert Mirek offered to help. Discussions included having a contest to get ideas, the City Logo does not have to be included. Possibly having a decorative vinyl cover or having city businesses purchase sponsorships but Director Marrone shared that city ordinance does not allow for businesses to advertise that way and would be considered an off premise sign. We will plan over winter and open discussion with the sub committee in the early Spring whether we will have a contest or bring in an artist. Once a budget is set Director Marrone can take this project to the Corridor Improvement Authority for finances/approval.
- ii. ACDC Commission currently has 13 members and it should be 11 members. Commissioner Snider asked Director Marrone to inform City Council that Anita Warner as not been in attendance for over a year.
- iii. Sara Jones is the new library Director and she gave Commissioner Stevenson permission to have the You Create event for 3 hours on 9/20/2018 4:30pm to 7:30pm.
- iv. Boo Bash will be tabled till next meeting but Director Marronne will let the Recreation Dept. know that we want at table.

b. Old Business:

- i. Autumn Fest is Saturday 9/22/2018
- ii. Art Gallery- No new updates. Commissioner Snider has not had time to contact Miriam Mazumcough although she is up for October 1 or a.s.a.p.
- iii. Fundraising- Tabled till next meeting

6. COMMISSIONER REPORTS

Council member Weiss shared information on Underground Railroad Trip for Saturday 11/10/2018 the flyer is in the library. Commissioner Snider shared his upcoming holiday rituals with us.

7. UPCOMING EVENTS

**You Create Halloween Mask- October 18, 4:30 to 5:15 p.m.-
Council member Weiss**

1. ADJOURNMENT

a. **Next Meeting:** Thursday October 11, 2018

b. **Time of Adjournment:** 8:03p.m.



CITY OF OAK PARK

COMMUNITY ENGAGEMENT
DEPARTMENT OF PUBLIC INFORMATION

Mayor
Marian McClellan
Mayor Pro Tem
Solomon Radner
Council Members
Regina Weiss
Ken Rich
Carolyn Burns
City Manager
Erik Tungate

MEETING MINUTES CITY OF OAK PARK REGULAR MEETING ARTS AND CULTURAL DIVERSITY COMMISSION THURSDAY, OCTOBER 11, 2018, 7:00 P.M. COMMUNITY CENTER

1. CALL TO ORDER

a. Time: 7:05 P.M.

2. ROLL CALL

a. City Council:

Mayor Pro Tem Solomon Radner A Council Member Regina Weiss X

b. Commissioners:

Heidi Bisson <u>X</u>	Leona Burns <u>A</u>	Stephanie Crawford <u>X</u>
Sarah Davidson <u>X</u>	Nathan Izydorek <u>X</u>	Rosetta Kincaid <u>X</u>
Terri McQueen <u>A</u>	Sudha Chandra Sekhar <u>A</u>	Avi Snider <u>X</u>
Michele Stevenson <u>X</u>	Lonnie K. Tabb-Upshaw <u>A</u>	Carla Wallace <u>X</u>
Anita Warner <u>A</u>		

c. City Liaisons:

Director Crystal McLain X

d. Guests:

3. APPROVAL OF AGENDA

a. Date October 11, 2018 Motion Commissioner Bisson
Seconded Commissioner Crawford Approved All

4. APPROVAL OF MINUTES

a. Date August 9, 2018 Motion _____ Forthcoming from Commissioner Crawford
b. Date September 13, 2018 Motion Commissioner Crawford
Seconded Commissioner Kincaid Approved All

5. MATTERS FOR CONSIDERATION

a. Old Business:

- i. Commissioner Stevenson moved to motion an amendment to the agenda to add a recap of the September "You Create" Event, Commissioner Bisson seconded and we discussed the event. Commissioner Stevenson shared with us that the Water Color Painting went well and that it was a positive event.
- ii. City Council decided not to remove Anita Warner from the Commission until they reach out to her and see if she would like to resign.
- iii. Autumn Fest-Commissioners Crawford and Stevenson and Council Member Weiss shared that they had plenty of pumpkins and paint for the kids and that the music was great and a great event over all.
- iv. Art Gallery- Update from Commissioner Snider; Miriam Mazumcough will not be able to get the Art up early and he will be seeking applicants for January and he has 2 leads.
- v. Cement Flowerpot- The sub committee for this project will have a proposal prepared for the City in the 1st quarter. The subcommittee consists of Commissioners Snider, Izydorek, Bisson, Tabb-Upshaw, Stevenson and Council Member Weiss. They will meet 10/23/2018 to discuss proposals.
- vi. Boo Bash- Commissioners Snider, Wallace, Davidson, Sekhar, Stevenson and Council Member Weiss will volunteer to support the ACDC table and pass out candy for this event. We need to provide 2,000 pieces of candy. All Commissioners should donate candy to support this effort. Commissioner Snider shared that the Commission has no funds to provide candy due to us having no more funds in our budget.

b. New Business:

- i. Commissioner Snider took a vote for us to excuse Commissioner Tabb-Upshaw for medical reasons for this meeting and we all voted in favor.
- ii. Commissioner Davidson asked about changing the start time of the meeting to 6 p.m. Commissioner Snider shared that our meetings have to be public information and it is posted in the City Charter. Liaison McLain said she would check on it and Commissioner Snider will put it on the Agenda for next month. We took an unofficial vote for the 6 p.m. start time and 2 were indifferent, 3 were yes and 4 were no.

6. UPCOMING EVENTS/ANNOUNCEMENTS

a. ACDC EVENTS

- i. You Create Masks – October 18, at 4:30 to 5:15 p.m.
Commissioner Bisson and Council Member Weiss will have templates for masks and the participants can decorate them.
- ii. Boo Bash-October 31, 5 p.m.-8 p.m. Community Center
- iii. You Create – November 15, at 4:30 to 5:15 p.m. Commissioner Bisson and Wallace will volunteer to prepare an activity.

7. COMMISSIONER REPORTS

- a. Birthdays- Commissioner Sekhar shared that her birthday was October 5th and she was with all of her daughters in Oregon at Canon Beach. Commissioner Bisson shared that for her birthday September 19th she had a 3-day camp out and got married at her birthday party. Commissioner Wallace will celebrate her birthday on October 22nd.

8. ITEMS FOR NEXT MONTH'S AGENDA

- a. World Dance Day Planning (Have it on Monday)
- b. Art Gallery
- c. Budget
- d. Report from subcommittee on Cement Flowerpot project
- e. Meeting start time

9. ADJOURNMENT

- a. **Next Meeting:** Thursday, November 8, 2018
- b. **Time of Adjournment:** _____ 8:00 p.m. _____



CITY OF OAK PARK

COMMUNITY ENGAGEMENT DEPARTMENT OF PUBLIC INFORMATION

Mayor
Marian McClellan
Mayor Pro Tem
Solomon Radner
Council Members
Regina Weiss
Ken Rich
Carolyn Burns
City Manager
Erik Tungate

MEETING MINUTES

CITY OF OAK PARK REGULAR MEETING ARTS AND CULTURAL DIVERSITY COMMISSION THURSDAY, NOVEMBER 8, 2018, 7:00 P.M. COMMUNITY CENTER

1. **CALL TO ORDER**

a. Time: 7:17 P.M.

2. **ROLL CALL**

a. **City Council:**

Mayor Pro Tem Solomon Radner X Council Member Regina Weiss A

b. **Commissioners:**

Heidi Bisson <u>X</u>	Leona Burns <u>A</u>	Stephanie Crawford <u>X</u>
Sarah Davidson <u>A</u>	Nathan Izydorek <u>A</u>	Rosetta Kincaid <u>A</u>
Terri McQueen <u>X</u>	Sudha Chandra Sekhar <u>X</u>	Avi Snider <u>X</u>
Michele Stevenson <u>X</u>	Lonnie K. Tabb-Upshaw <u>X</u>	Carla Wallace <u>X</u>
Anita Warner <u>A</u>		

c. **City Liaisons:**

Director Crystal McLain A

d. **Guests:**

Reatha Richmond Aliza Klein Director Vicky Brooks

3. **APPROVAL OF AGENDA**

a. Date November 8, 2018 Motion

4. **APPROVAL OF MINUTES**

a. Date October 11, 2018 Motion

5. **MATTERS FOR CONSIDERATION**

a. **Old Business:**

- i. Commissioner Snider reported that we still need applicants for the Art Gallery for Q1 2019 and that Miriam Mazumcoughs' work is still up.
- ii. Commissioner Snider updated us on the Cement Flowerpot project saying that we could attach bike racks to him and that they are working with the city to see what is acceptable, also maybe call out to residents and businesses.

b. New Business:

- i. We started discussion for World Dance Day and completed the tasks sheet with the members that were present. Director Brooks will provide us with information for sponsors at our next meeting. Commissioner Snider will contact the school board to get Oak Park High secured for our event.
- ii. We discussed the meeting time change and we voted to submit the idea to City Council to amend the ordinance from 7 p.m. to 6:30 p.m.

6. UPCOMING EVENTS/ANNOUNCEMENTS**a. ACDC EVENTS**

- i. You Create Etching Leaves– November 14, at 4:30 to 5:15 p.m.
- ii. You Create –December 20. ...will be tabled until next meeting

7. COMMISSIONER REPORTS

- a. We discussed Boo Bash commenting on this year's attendance vs. last year's.
- b. Commissioners Crawford and Sekhar reported out on the Festival of Lights (Diwali)

8. ITEMS FOR NEXT MONTH'S AGENDA

- a. World Dance Day Planning (Have it on Monday)
- b. Art Gallery
- c. Budget
- d. Report from subcommittee on Cement Flowerpot project
- e. MLK Peace Walk...Commissioner Crawford will provide information

9. ADJOURNMENT

- a. **Next Meeting:** Thursday December 13, 2018
- b. **Time of Adjournment:** _____ 7:59 p.m. _____

Oak Park Public Library Board of Directors

Commissioners:

Matt McCall, Linda Francisco, Nancy Rice, Regina Weiss, Sharon Chudnow

Library Director:

Sarah Jones

Minutes for Library Board of Directors Meeting

Date:

November 20th, 2018

Time of Meeting Start:

6:40 P.M.

Roll Call, Attendance:

Matt McCall, Linda Francisco, Nancy Rice, Regina Weiss, Sarah Jones

Absent:

Sharon Chudnow

Approval of Agenda:

(N. Rice Motion, L. Francisco Second. Approved)

Approval of Board Minutes (9/18/2018)

(R. Weiss Motion, N. Rice Second, Approved)

Director Jones discussed the donations from a Donor who would prefer to remain anonymous; Furniture, toys, and various items donated for youth area totaling around \$10,000. Discussed possible Donor sponsored event, speculative timeframe around January 6th, 2019.

Director Jones expressed desire to revise library policy starting with next meeting. Topics include services, internet usage, and library usage.

Continuing research into Library needs and essential services provided by city, ongoing research by Director Jones.

Director Jones and the Board discussed the topic of weekly hours of work Library Director is expected to work.

Oak Park Public Library Board of Directors

Commissioners:

Matt McCall, Linda Francisco, Nancy Rice, Regina Weiss, Sharon Chudnow

Library Director:

Sarah Jones

Board drafted a motion as such:

Motion:

Effective November 20th, 2018 Director Sarah Jones will work a maximum 72 hours per pay period to be consistent with other department directors, as well as the previous library director.

(L. Francisco Motion, M. McCall Second, Approved)

Adjournment:

(R. Weiss Motion, L. Francisco Second. Approved)

Time of Meeting End:

8:02 P.M.

CITY OF OAK PARK, MICHIGAN
DEPARTMENT OF PARKS AND RECREATION COMMISSION MEETING
November 14, 2018

The meeting was called to order by Alexander Simpson, Chairperson, at 7:01 pm.

Present: Alexander Simpson, Mickey Alderman, Juanita Bell, Beverly Wiggins, Patrick North, Dwight Thomas, Diane Spiller, Jim Weiskopf

Member Absent: Barb Weiskopf

Council Member Present: Regina Weiss

Recreation Staff Present: Laurie Stasiak

Approval of minutes of Parks and Recreation Commission Meeting for September 12, 2018.
Motion to accept by Dwight Thomas/Seconded by Diane Spiller

Council Comments:

Grant Opportunity was shared in the amount of \$15,000 from KABOOM. This is a community built and involvement project that would be a good fit for Lessenger Park.

Recreation Updates:

Pocket Parks – This is a separate funding. Crystal McClain/Kimberly Marrone/committee is spearheading linear parks and is waiting for funding to come through. Larger areas will have activities/hammocks/park benches/bicycle stations and creative playgrounds.

Focus is on DNR and Sponsorships

Envision repaving sidewalks on the southside of 9 Mile Rd and adding more decorative fences. Emphasis is also being placed on recreation with MOGO starting soon.

Sports Youths and Adults:

Adult kickball ended with success. Three more teams than last year were added.

Youth basketball teams will be utilizing two OP Gyms with games at Ferndale HS/Hazel Park Schools/Southfield Parks and Rec Beechwood Gym

Plans are being put in place to utilize OPHS for activities. Rec. Staff had a positive meeting with Coach Carter from OPHS.

Looking into partnering with SOCS (Travel and recreational soccer league) possible soccer clinics and camps to expand soccer opportunities in Oak Park.

OP Senior Softball might be returning.

Special Events:

Boo Bash - 3 hours of continuous movement with 6,000 – 6,500 attendees. More outside scenes and were added around the building as anxious ghouls and goblins waited outside to get into the decorated hallways. Boo Bash had a smooth flow with a thank you from Laurie to all volunteers, vendors and sponsors.

BOO BASH NEW DATE FOR NEXT YEAR:

It was moved by Beverly Wiggins and seconded by Dwight Thomas that the Parks and Recreation Commission recommended that Boo Bash be moved to the Saturday before Halloween.

Winter Fest:

Scheduled for the last Sunday in January - January 27 from 1:00 – 4:00 pm.

A variety of family friendly activities are being planned along with refreshments, ice skating, indoor crafts and activities and outside activities (weather permitting)

Volunteers are needed.

City Festivals:

No date for Summer Blast has been set yet, waiting on our partner Oakland County Parks for their schedule.

Time/Money/Efforts are needed.

Anticipating a complete makeover for Summer Blast after 2020. More to come!

Commission Project:

Oak Park Got Talent – Possibility of being incorporated with Summer Blast.

It was moved by Patrick North and seconded by Beverly Wiggins that the commission project be tabled.

Juanita Bell encouraged members to continue searching for grants and topics that were shared at the October 17th roundtable discussion and to forward all information to Laurie Stasiak for review.

Next scheduled meeting date: December 19, 2018 at 7:00 pm in Room 1.

It was motioned by Mickey Alderman and seconded by Alexander Simpson to adjourn the meeting at 8:12 pm.

Respectfully submitted by Juanita Bell, Recording Secretary.



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: January 22, 2019

AGENDA #

SUBJECT: Recommendation of Planning Commission for Special Land Use, TCF Auto Body & Wholesale, 13210 Cloverdale.

DEPARTMENT: Economic Development & Communications, Planning Division

SUMMARY: At the January 14, 2019 meeting, the Planning Commission conducted a Public Hearing on a Special Land use request for TCF Auto Body & Wholesale, 13210 Cloverdale, for a vehicle dealer facility and auto repair/auto body shop. The Planning Commission voted to recommend to the City Council approval of the Special Land Use with conditions.

RECOMMENDED ACTION: The City Council consider accepting the recommendation of the Planning Commission for approval of the Special Land Use for TCF Auto Body & Wholesale, 13210 Cloverdale, for a vehicle dealer facility and auto repair/auto body shop with the following conditions:

- 1) The installation of an in-ground water irrigation system as required in Section 1716, A, 2 of the Zoning Ordinance.
- 2) No vehicles awaiting service shall remain on-site for more than 36 hours.
- 3) All repair services shall be conducted within a completely enclosed building.
- 4) All cleaning and refurbishing of vehicles must be performed within the building. No repair or refinishing shall be done outside on the lot.

APPROVALS:

City Manager: _____

Director: _____

Finance Director: _____

EXHIBITS: Memorandum.



TO: Planning Commission members DATE: January 3, 2019
FROM: Kevin Rulkowski, AICP, City Planner FILE: Planning/TCF Auto
SLURPT1901
SUBJECT: Special Land Use Public Hearing, TCF Auto Body & Wholesale, 13210
Cloverdale

14300 Oak Park Blvd. Oak Park, MI 48237 Telephone (248) 691-7450 Fax (248) 691-7165 TDD (248) 691-7174

structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.

E. The proposed use shall relate harmoniously with the physical and economic aspects of adjacent land uses as regards to prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the city.

F. The proposed use is necessary for the public convenience at the proposed location.

G. The proposed use is designed, located, planned and to be operated that the public health, safety and welfare will be protected.

H. The proposed use shall not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.

General Special Land Use findings:

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

Sec. 1904. - Vehicle repair garages.

Vehicle repair garages including body repair, body painting, engine rebuilding, rust-proofing, and similar activities, may be permitted in certain districts specified in this ordinance, subject to the following:

- A. No vehicles awaiting service shall remain on-site for more than 36 hours.
- B. All repair services shall be conducted within a completely enclosed building.
- C. All trash storage areas shall be screened from view by a six-foot high enclosure approved by the city council, after review by the planning commission. The trash containers shall be emptied at least once each week. All discarded vehicle parts shall be kept inside the enclosure and shall not be permitted to accumulate for periods longer than one week unless stored within the building.
- D. A six-foot high masonry face brick wall or poured concrete wall with brick pattern on both sides, shall be located on all property lines which abut any residential district. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - a. One three-inch caliper deciduous tree per 30 feet of wall length.
 - b. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
 - c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.

- E. Management plans shall be submitted for the collection, storage, and recycling or proper disposal of all new, used or waste automotive fluids resulting from repair or service operations.

Sec. 1917. - Vehicle dealers (classes A, B, W).

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

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

- d. Overhead service doors shall not face or open toward residentially zoned property.
 7. A six-foot-high masonry wall of face brick, six-foot-high simulated brick pattern poured concrete wall, or a six-foot-high pressure-treated wood or vinyl obscuring fence. The plan shall detail the location, height and type of wall/fence proposed, shall be located on all property lines which abut any residential district.
 - a. Where the storage yard abuts residentially zoned property there shall be a ten-foot wide landscaped greenbelt, between the property line and the fence/wall. Said greenbelt shall be planted in accordance with section 1716.
 8. All lighting on the site shall be shielded. All glare shall be eliminated from all light fixtures and not encroach upon abutting properties. Lighting shall otherwise not direct illumination upon abutting properties, or emit illumination upon abutting properties in a manner that or of such magnitude that encroaches upon their peace. The light poles shall be no higher than 20 feet. Upward-directed lighting, searchlights, moving beams, and spotlights shall not be permitted.
 9. A vehicle dealer licensed business shall be issued only for use on the premises named in the license application and such location shall not be changed without the approval of the city clerk. The clerk shall not approve such a transfer unless the new location conforms with all applicable ordinances.
- B. LI, light industrial districts. Classes B and W vehicle dealer licenses permitted only in combination with a towing, body shop (collision-related mechanical repair and unitized body structural repair only) or custom utility vehicle manufacturer subject to the following:
1. The minimum lot area for a class B vehicle dealer shall be a solely dedicated 5,000 square feet and for class W licenses a solely dedicated 2,500 square feet.
 2. There shall be provided a minimum of ten storage/display spaces for class B licenses and five storage/display spaces for class W licenses.

Specific Special Land Use findings:

1. An attachment to the Site Plan notes "vehicles awaiting repairs shall remain on site no more than 36 hours".
2. An attachment to the Site Plan notes Site Plan notes "repairs and maintenance to be done in specified area inside building".
3. The Site Plan notes indicates the dumpster enclosure will be located in a below grade loading area.
4. The Site Plan indicates the location of downward casting LED shoeboxes on building. A lighting specification sheet is included with the application.
5. An attachment to the Site Plan notes the sales lot will not have a sound system.
6. The Site Plan shows the vehicle display and customer parking areas meet the Zoning Ordinance requirements.

The Planning Division finds the submitted information demonstrates TCF Auto Body & Wholesale, 13210 Cloverdale, satisfactorily meets the specific standards for Vehicle Dealers (Section 1917) and Repair Garages (Section 1904).

Site Plan Review

A Site Plan is required as part of the Special Land Use process and a Site Plan has been submitted.

In 2014, TCF Auto Body & Wholesale (at the time named Behy Motors) was approved to operate at 13000 Northend. The business is proposing to move into an existing building at 13210 Cloverdale. The submitted Site Plan indicates the 10,539 square foot building will be used to house the offices of the auto repair/auto body shop as well as the used vehicle business. In addition, auto repair/auto body facilities will also be operating within the building.

The property is zoned LI, Light Industrial District and the Zoning Ordinance permits the proposed Vehicle Dealers and Auto Body Shops as a Special Land Use as discussed above.

The proposed Site Plan shows that a large vehicle display area will be created on an existing asphalt parking lot to the east and north of the building. Existing stormwater drains are indicated on the Site Plan.

The Site Plan notes indicates the dumpster enclosure will be located in a below grade loading area which should provide adequate screening.

The Site Plan indicates that the grass area in the front of the building will be "irrigated by rainwater". This method of irrigation to landscaped areas does not meet the minimum Zoning Ordinance requirement. A condition of Site Plan approval should require the applicant to install an in-ground water irrigation system as required in Section 1716, A, 2 of the Zoning Ordinance.

In addition to the Zoning Ordinance regulations the State of Michigan has created *established place of business* requirements that must be met to receive a Vehicle Dealer License (Class "A" (new) and "B" (used) licenses). The applicant will be applying for a Class "B" Used Vehicle Dealer License. As part of the Site Plan Review process the site is reviewed to ensure that the State land use requirements are met before Zoning Approval is granted. The State established *place of business requirements* for new and used vehicles dealers' state:

- The premises must contain a permanently enclosed building or structure either owned, leased, or rented by a dealer, which is not a residence, tent temporary stand, or any temporary quarters;
- The building or structure is required to be continuously occupied in good faith for the purpose of selling, buying, trading, leasing, or otherwise dealing in motor vehicles;
- All books, records, and files necessary to conduct the business of a Class "A" or "B" dealer must be maintained in the building or structure;
- A building or structure housing an office of at least 150 square feet in size, equipped with standard office furniture, working utilities, a working restroom, and a working telephone listed in the name of the business on the dealer's license;
- Land space of no less than 1,300 square feet to accommodate the display of a minimum of 10 vehicles of the kind and type that the dealer is licensed to sell and an additional 650 square feet for customer parking. The display and customer parking areas must be adequately surfaced and well lit during business hours;

- An exterior sign displaying the name of the dealership that is permanently affixed to the building or land with letters clearly visible from a highway identifies the premises;
- Conspicuous posting of the dealer's regular hours of operation. The posted hours must be not less than 30 hours per week.
- The premises must contain a registered repair facility on site for the repair and servicing of motor vehicles of a type sold at the established place of business, unless the dealer has entered into a written servicing agreement with a registered repair facility at a location not to exceed 10 miles distance from the established place of business. If repairs are conducted pursuant to a servicing agreement, the servicing agreement must be conspicuously posted in the office;
- The premises meet all applicable zoning and municipal requirements;

After reviewing the State land use requirements, the proposed Site Plan meets the minimum standards, specifically the ten space display area (119 identified as parking and display spaces on the Site Plan). In addition, the Site Plan shows the location of the dealership office and repair/maintenance area.

No general areas have been identified to store vehicles as part of the Auto Body Shop. The Zoning Ordinance requires outdoor storage areas to be screened. An attachment to the Site Plan notes "Vehicles on site for repair will not remain on site for more than 36 hours. All repairs will be conducted inside the building and all discarded vehicle parts will be stored inside the building."

The Site Plan does not indicate any new signs for the business. A separate application will need to be submitted for any proposed signs.

Staff Recommendation

It is the recommendation of the Planning Division to approve the Special Land Use and Site Plan for TCF Auto Body & Wholesale, 13210 Cloverdale, for a vehicle dealer facility and auto repair/auto body shop with the following conditions:

- 1) The installation of an in-ground water irrigation system as required in Section 1716, A, 2 of the Zoning Ordinance.
- 2) No vehicles awaiting service shall remain on-site for more than 36 hours.
- 3) All repair services shall be conducted within a completely enclosed building.
- 4) All cleaning and refurbishing of vehicles must be performed within the building. No repair or refinishing shall be done outside on the lot.



5G

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: January 22, 2019

AGENDA #

SUBJECT: Request to cancel the January 29, 2019 Zoning Board of Appeals meeting.

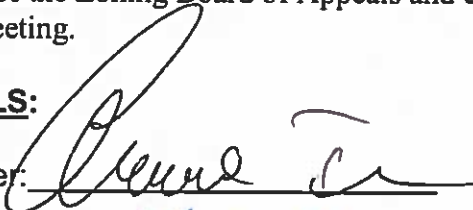
DEPARTMENT: Economic Development & Communications, Planning Division

SUMMARY: The Chairperson of the Zoning Board of Appeals is requesting the January 29, 2019 meeting be cancelled. There is no business scheduled before Appeals is requesting 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 January 29, 2019 regularly scheduled meeting.

APPROVALS:

City Manager: 

Department Director: 

Director of Finance: _____

Budgeted: ☐

EXHIBITS:

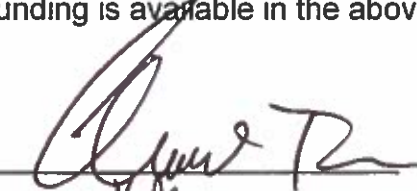
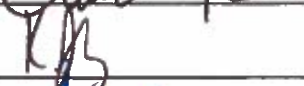


5H

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN**AGENDA OF:** January 22, 2019**AGENDA #****SUBJECT:** Payment request from OHM Advisors for Engineering Consulting Services.**DEPARTMENT:** DPW/Technical & Planning – Engineering GWS**SUMMARY:** Attached are invoices from OHM Advisors for the projects listed below:

Project	This Period	Prior Billings	To Date	Current Contract	Account Number
SAW Grant Support	\$5,971.25	\$201,412.33	\$207,383.58	\$216,000.00	592-16-619-818
Architectural and Engineering for Court – Design Development	\$3,496.25	\$52,211.25	\$55,707.50	\$61,425.00	470-70-900-801 970
Technology Design for the Court Project	\$13,350.00	\$11,328.75	\$24,678.75	\$28,026.00	256-50-136-956
Bridge Enhancement	\$1,945.00	\$54,225.75	\$56,170.75	\$90,700.00	202-18-479-801
Seneca and Sherman Pocket Parks	\$3,890.00	\$60,092.00	\$63,982.00	\$64,000.00	202-18-479-801
Totals	\$28,652.50	\$379,270.08	\$407,922.58	\$458,151.00	

RECOMMENDED ACTION: It is recommended that the invoices from OHM Advisors for the above listed projects be approved for the total amount of \$28,652.50. Funding is available in the above listed account.

APPROVALS:City Manager: Department Director: Finance Director: Budgeted ☒**EXHIBITS:** Invoices



CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 12/19/2018
Invoice #: 200210
Project: 0037-15-0091

Project Name: Oak Park Wastewater AMP SAW Support

For Professional Services Rendered through: 11/30/2018

<i>Description</i>	<i>Fee</i>	<i>Prior Billed</i>	<i>Total Available</i>	<i>Current Billing</i>
Task 1 - System Inventory	4,000.00	3,997.25	2.75	0.00
Task 2 - Condition Assessment	75,000.00	74,981.23	18.77	0.00
Task 3 - GIS Integration of System Data	37,000.00	36,935.75	64.25	56.25
Task 4 - Level of Service Determination	2,000.00	1,976.25	23.75	0.00
Task 5 - AMP/CIP Report	50,000.00	46,994.35	3,005.65	2,990.00
Task 6 - Cost/Revenues	2,000.00	1,881.25	118.75	0.00
Work Order System	10,000.00	4,635.25	5,364.75	1,710.00
Operations Dashboard	2,000.00	116.00	1,884.00	330.00
Mobile Application	4,000.00	780.00	3,220.00	0.00
Amount Due This Invoice **	186,000.00	172,297.33	13,702.67	5,086.25

REMIT TO:

OHM Advisors
34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

OHM-Advisors.com



CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 12/19/2018
Invoice #: 200210
Project: 0037-15-0091

Task 3 - GIS Integration of System Data**Fixed Rates Labor**

<i>Classification</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Technician I	0.75	75.0000	56.25
Total Task 3 - GIS Integration of System Data			56.25

Task 5 - AMP/CIP Report**Fixed Rates Labor**

<i>Classification</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Graduate Engineer I	20.75	110.0000	2,282.50
Graduate Engineer II	2.00	120.0000	240.00
Technician III	4.25	110.0000	467.50
Fixed Rates Labor subtotal			2,990.00
Total Task 5 - AMP/CIP Report			2,990.00

Work Order System**Fixed Rates Labor**

<i>Classification</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Technician III	12.00	110.0000	1,320.00
Technician IV	3.00	130.0000	390.00
Fixed Rates Labor subtotal			1,710.00
Total Work Order System			1,710.00

Operations Dashboard**Fixed Rates Labor**

<i>Classification</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Technician III	3.00	110.0000	330.00
Total Operations Dashboard			330.00

Total Project: 0037150091 - Oak Park Wastewater AMP SAW Support	5,086.25
--	-----------------

REMIT TO:

OHM Advisors
34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

OHM-Advisors.com



CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 11/14/2018
Invoice #: 199285
Project: 0037-15-0091

Project Name: Oak Park Wastewater AMP SAW Support

For Professional Services Rendered through: 11/3/2018

<i>Description</i>	<i>Fee</i>	<i>Prior Billed</i>	<i>Total Available</i>	<i>Current Billing</i>
Task 1 - System Inventory	4,000.00	3,997.25	2.75	0.00
Task 2 - Condition Assessment	75,000.00	74,981.23	18.77	0.00
Task 3 - GIS Integration of System Data	37,000.00	36,935.75	64.25	0.00
Task 4 - Level of Service Determination	2,000.00	1,976.25	23.75	0.00
Task 5 - AMP/CIP Report	50,000.00	46,994.35	3,005.65	0.00
Task 6 - Cost/Revenues	2,000.00	1,881.25	118.75	0.00
Work Order System	10,000.00	3,880.25	6,119.75	755.00
Operations Dashboard	2,000.00	116.00	1,884.00	0.00
Mobile Application	4,000.00	650.00	3,350.00	130.00
Amount Due This Invoice **	186,000.00	171,412.33	14,587.67	885.00

REMIT TO:

OHM Advisors
34000 PLYMOUTH RD
LIVONIA MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

OHM-Advisors.com



CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 11/14/2018
Invoice #: 199285
Project: 0037-15-0091

Work Order System

Fixed Rates Labor

Classification	Hours	Rate	Amount
Technician III	4.50	110.0000	495.00
Technician IV	2.00	130.0000	260.00
Fixed Rates Labor subtotal	6.50		755.00
Total Work Order System			755.00

Mobile Application

Fixed Rates Labor

Classification	Hours	Rate	Amount
Technician IV	1.00	130.0000	130.00
Total Mobile Application			130.00

Total Project: 0037150091 - Oak Park Wastewater AMP SAW Support	885.00
--	---------------

REMIT TO:

OHM Advisors
34000 PLYMOUTH RD
TROY, MI 48065-1512

T 734.522.6711
F 734.522.6427

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CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 11/14/2018
Invoice #: 199287
Project: 0037-18-0041

Project Name: Architectural and Engineering for 45th District Court Renovations - Part 2 and 3

For Professional Services Rendered through: 11/3/2018

<i>Construction Amount</i>	<i>Construction Percent</i>	<i>Contract Amount</i>	<i>Percent Complete</i>	<i>Amount Earned to Date</i>
910,000.00	6.75	61,425.00	90.00	3,496.25
		Amount Due This Invoice **		3,496.25

REMIT TO:

OHM Advisors
34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6127

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CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 11/14/2018
Invoice #: 199289
Project: 0037-18-0060

Project Name: 45th District Court Technology Design

For Professional Services Rendered through: 11/3/2018

<i>Description</i>	<i>Fee Amount</i>	<i>Percent Complete</i>	<i>Fee Earned</i>	<i>Previous Billings</i>	<i>Current Billing</i>
0037180060 Professional Services	9,800.00	90.00	8,820.00	8,330.00	490.00
Amount Due This Invoice **					490.00

REMIT TO:

OHM Advisors
34000 PLYMOUTH RD
PLYMOUTH, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

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CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 12/19/2018
Invoice #: 200213
Project: 0037-18-0050

Project Name: 45th District Court - A/MEP to support Technology Improvements

For Professional Services Rendered through: 12/8/2018

0037180050 Professional Services

4,237.50

Amount Due This Invoice ** 4,237.50

REMIT TO:

OHM Advisors
34000 PLYMOUTH RD

T 734.522.6711
F 734.522.6427

OHM-Advisors.com



CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 12/19/2018
Invoice #: 200213
Project: 0037-18-0050

0037180050 Professional Services

Fixed Rates Labor

Classification

	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Graduate Engineer III	8.50	125.0000	1,062.50
Professional Engineer/Architect III	16.50	155.0000	2,557.50
Technician II	6.50	95.0000	617.50
Fixed Rates Labor subtotal	31.50		4,237.50
Total Professional Services			4,237.50

Total Project: 0037180050 - 45th District Court - A/MEP to support Technology Improvements **4,237.50**

REMIT TO:

OHM Advisors
34000 PLYMOUTH RD

T 734.522.6711



CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 11/14/2018
Invoice #: 199288
Project: 0037-18-0050

Project Name: 45th District Court - A/MEP to support Technology Improvements

For Professional Services Rendered through: 11/3/2018

0037180050 Professional Services

8,622.50

Amount Due This Invoice ** 8,622.50

REMIT TO:

OHM Advisors
34000 PLYMOUTH RD
TIVONIA MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6127

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CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 11/14/2018
Invoice #: 199288
Project: 0037-18-0050

0037180050 Professional Services

Fixed Rates Labor

Classification	Hours	Rate	Amount
Associate	0.50	175.0000	87.50
Grad. Arch./Landscape Arch. I	26.50	90.0000	2,385.00
Graduate Engineer III	12.00	125.0000	1,500.00
Professional Engineer/Architect III	24.00	155.0000	3,720.00
Professional Engineer/Architect IV	1.00	170.0000	170.00
Technician II	8.00	95.0000	760.00
	Fixed Rates Labor subtotal	72.00	8,622.50
	Total Professional Services		8,622.50

Total Project: 0037180050 - 45th District Court - A/MEP to support Technology Improvements	8,622.50
---	-----------------

REMIT TO:

OHM Advisors

34000 PLYMOUTH RD

T 734.522.6711

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CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 12/19/2018
Invoice #: 200211
Project: 0037-16-0021

Project Name: Bridge Enhancements

For Professional Services Rendered through: 12/8/2018

TASK 1: Bridge Construction Documents & Bid Materials	0.00
TASK 2: Bidding & CA/CE	1,945.00
TASK 3: Water Tower Branding	0.00
TASK 4: Redesign	0.00
Amount Due This Invoice **	1,945.00

REMIT TO:

OHM Advisors
34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

OHM Advisors.com



CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 12/19/2018
Invoice #: 200211
Project: 0037-16-0021

TASK 2: Bidding & CA/CE

Fixed Rates Labor

Classification

	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Associate	1.00	175.0000	175.00
Professional Engineer/Architect I	11.00	130.0000	1,430.00
Professional Engineer/Architect IV	2.00	170.0000	340.00
Fixed Rates Labor subtotal	14.00		1,945.00
Total TASK 2: Bidding & CA/CE			1,945.00

Total Project: 0037160021 - Bridge Enhancements

1,945.00

REMIT TO:

OHM Advisors
34000 PLYMOUTH RD

T 734.522.6711



CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 12/19/2018
Invoice #: 200212
Project: 0037-18-0010

Project Name: Nine Mile Pocket Parks

For Professional Services Rendered through: 12/8/2018

Design Development	0.00
Const Documents	1,962.50
Bidding	1,927.50
Survey	0.00
Amount Due This Invoice **	3,890.00

REMIT TO:

OHM Advisors
34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

OHM Advisors



CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 12/19/2018
Invoice #: 200212
Project: 0037-18-0010

Const Documents**Fixed Rates Labor****Classification**

	Hours	Rate	Amount
Grad. Arch./Landscape Arch. I	9.75	90.0000	877.50
Professional Engineer/Architect I	6.50	130.0000	845.00
Fixed Rates Labor subtotal	16.25		1,722.50
Total Const Documents			1,722.50

Bidding**Fixed Rates Labor****Classification**

	Hours	Rate	Amount
Grad. Arch./Landscape Arch. I	12.00	90.0000	1,080.00
Grad. Arch./Landscape Arch. III	2.00	120.0000	240.00
Professional Engineer/Architect I	4.00	130.0000	520.00
Fixed Rates Labor subtotal	18.00		1,840.00
Total Bidding			1,840.00

Const Documents**Fixed Rates Labor****Classification**

	Hours	Rate	Amount
Graduate Engineer II	2.00	120.0000	240.00
Total Const Documents			240.00

Bidding**Fixed Rates Labor****Classification**

	Hours	Rate	Amount
Associate	0.50	175.0000	87.50
Total Bidding			87.50

Total Project: 0037180010 - Nine Mile Pocket Parks**3,890.00****REMIT TO:**

OHM Advisors
34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** January 22, 2019**AGENDA #****SUBJECT:** Request authorization to bid the 2019 Landscape Maintenance Contract, M-697.**DEPARTMENT:** DPW – KJY**SUMMARY:** Bid documents are being prepared for the City's 2019 Landscape Maintenance Contract, M-697. This project will maintain the lawns and flower beds in the City's parks, grounds, and rights of way.**FINANCIAL STATEMENT:** There is funding available in the Major Street Fund, Public Works Shepherd Park Fund, and Public Works Other Parks Fund for these expenditures.**RECOMMENDED ACTION:** It is recommended that the request to advertise for bids for 2019 Landscape Maintenance Contract, M-697 be approved. Funding is available in the Major Street Fund and Public Works budget.**APPROVALS:**

City Manager:

Department Director:

Finance Director:

Budgeted ☒**EXHIBITS:** none



5J

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: January 22, 2019 **AGENDA #**

SUBJECT: Request authorization to bid the 2018-2019 Water Main Replacement Project, M-675.

DEPARTMENT: Technical & Planning-Engineering/DPW KJY/GWS

SUMMARY: Plans and specifications are nearly complete for the 2018-2019 Water Main Replacement Project, M-675. This project will replace the water mains along Kenosha St. (W. 10 Mile Rd. to Northfield Blvd.) and on Northfield Blvd. (Kenosha St. to Gardner St.).

FINANCIAL STATEMENT: Funding is available in the FY 2018-19 Water and Sewer Fund for this expenditure.

RECOMMENDED ACTION: It is recommended that the request to advertise for bids for the 2018-2019 Water Main Replacement Project, M-675 be approved. Funding is available in the Water and Sewer Fund for this expenditure.

APPROVALS:

City Manager: _____

Department Director: _____

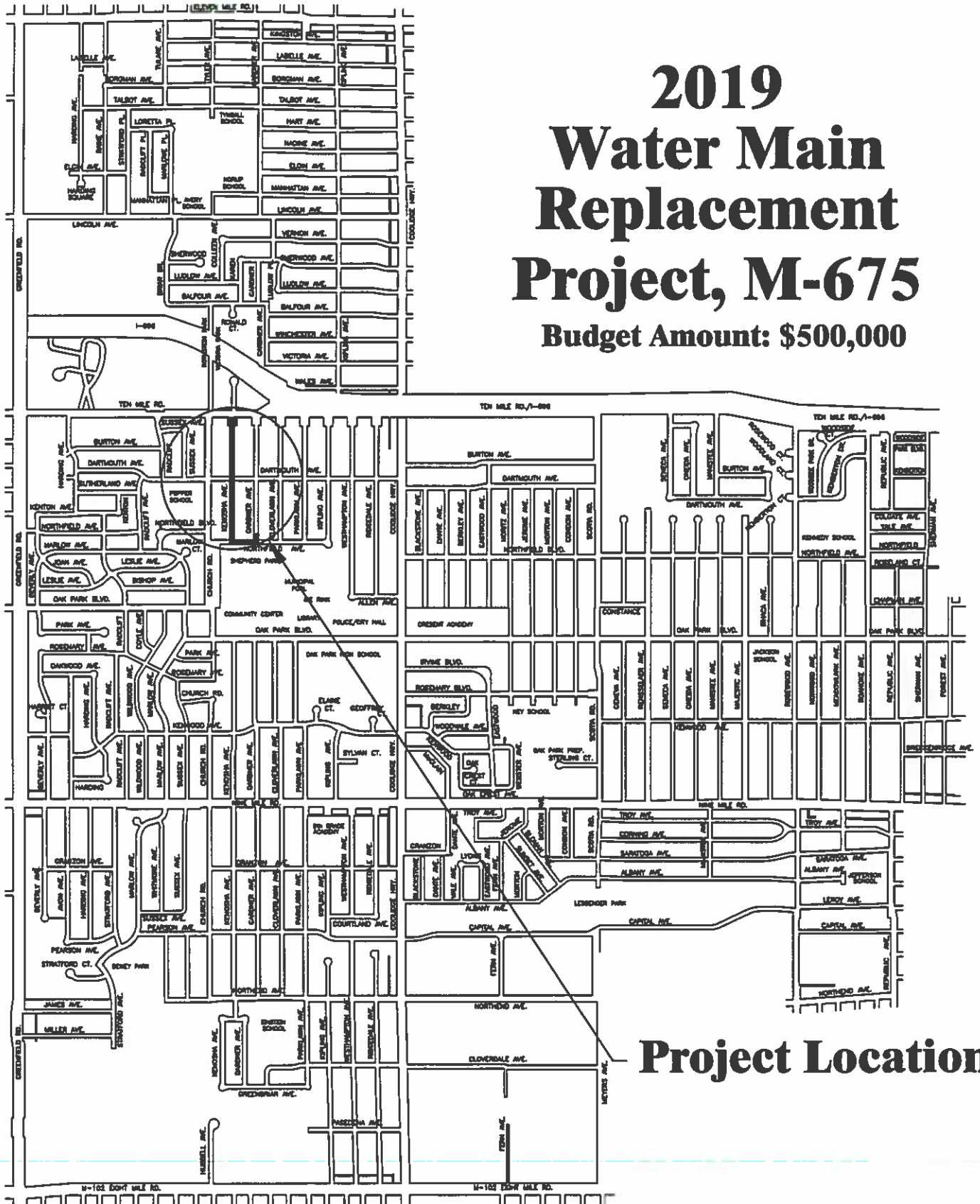
Finance Director: _____

Budgeted ☒

EXHIBITS: Map of Project Area

City of Oak Park

2019 Water Main Replacement Project, M-675 Budget Amount: \$500,000





5K

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: January 22, 2019 **AGENDA #**

SUBJECT: Payment Application No. 3 (FINAL) for the 2017-2018 Miscellaneous Concrete Repair Project, M-672.

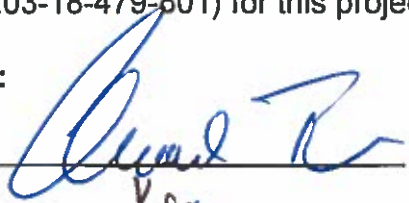
DEPARTMENT: DPW/Technical & Planning – Engineering GWS

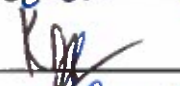
SUMMARY: Attached is Payment Application No. 3 (FINAL) for the 2017-2018 Miscellaneous Concrete Repair Project, M-672. This project replaced road, alley and sidewalk ramp pavement at various locations throughout the City. This project is currently 100% complete.

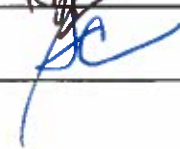
<u>FINANCIAL STATEMENT:</u>	Original Contract Amount:	\$183,409.40
	Change Order No. 1:	\$ 76,182.76
	Current Contract Amount:	\$259,592.16
	Total Completed to Date:	\$259,592.16
	Less Retainage:	\$ 0.00
	Net Earned:	\$259,592.16
	Deductions:	\$ 0.00
	Balance:	\$259,592.16
	Payments to Date:	\$254,592.16
	Amount Due Mattioli Cement Company, LLC.:	\$ 5,000.00

RECOMMENDED ACTION: It is recommended that Payment Application No. 3 (FINAL) for the 2017-2018 Miscellaneous Concrete Repair Project, M-672 to Mattioli Cement Company, LLC be approved for the amount of \$5,000.00. Funding is available in the Water & Sewer Fund (592-18-538-930) and Local Street Fund (203-18-479-801) for this project.

APPROVALS:

City Manager: 

Department Director: 

Director of Finance: 

Budgeted: ☒

EXHIBITS: Payment Application No. 3 (FINAL),

PAYMENT APPLICATION

PROJECT: 2017-2018 MISCELLANEOUS CONCRETE PROJECT

OWNER: CITY OF OAK PARK, MICHIGAN

CONTRACTOR: MATTIOLI CEMENT COMPANY
6085 MCGUIRE ROAD
FENTON, MI 48430

JOB NUMBER: M-672

APPLICATION NO.: 3 (FINAL)

PERIOD ENDING: 1/4/2019

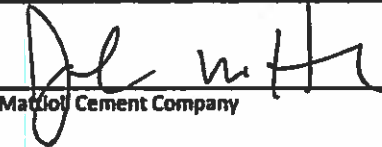
ITEM	DESCRIPTION	ORIGINAL BID QUANTITY	UNIT	UNIT PRICE	PERIOD QUANTITY	PERIOD AMOUNT	QUANTITY TO DATE	AMOUNT TO DATE
1	REMOVE CONCRETE PAVEMENT	2,680	SYD	\$10.00	0.00	\$0.00	4,108.20	\$41,082.00
2	CONCRETE PVMT W/INT CURB & GUTTER, 9" CONC.	2,350	SYD	\$47.00	0.00	\$0.00	3,376.95	\$158,716.65
3	SIDEWALK CONC. NON-REINF 6" SIDEWALK/DRIVE APPROACH	870	SFT	\$4.80	0.00	\$0.00	3,499.21	\$16,796.21
4	SIDEWALK CONC. NON-REINF 4" SIDEWALK	2,100	SFT	\$4.45	0.00	\$0.00	2,938.04	\$13,074.28
5	CONC. PVMT 24" CURB & GUTTER SECTION NON REINF 9" CONC.	20	LFT	\$33.00	0.00	\$0.00	13.00	\$429.00
6	ADJUSTING DRAINAGE STRUCTURES	10	EA	\$295.00	0.00	\$0.00	5.00	\$1,475.00
7	CAST IN PLACE DETECTABLE/TACTILE WARNING SURFACE	50	SFT	\$12.00	0.00	\$0.00	90.00	\$1,080.00
8	AGGREGATE BASE UNDER 9" CONC. (6" 21AA CR LIMESTONE)	330	SYD	\$4.60	0.00	\$0.00	0.00	\$0.00
9	AGGREGATE BASE UNDER 4" & 6" & 9" CONC. (3" 21AA CR LIMESTONE)	2,350	SYD	\$7.00	0.00	\$0.00	3,279.86	\$22,959.02
10	DRAINAGE STRUCTURE COVER	760	LBS	\$1.79	0.00	\$0.00	0.00	\$0.00
11	MINOR TRAFFIC DEVICES	1	LSUM	\$3,000.00	0.00	\$0.00	1.00	\$3,000.00
12	PROJECT CLEAN UP	1	LSUM	\$980.00	0.00	\$0.00	1.00	\$980.00
13	INSPECTION CREW DAYS	16	DAY	\$320.00	0.00	\$0.00	0.00	\$0.00

Period Total Amount:	\$0.00	Amount to Date:	\$259,592.16
Earnings This Period:	\$0.00		
Total Earnings to Date:	\$259,592.16		
Less Retainage:	\$0.00		
Net Earned:	\$259,592.16		
Deductions:	\$0.00		
Balance:	\$259,592.16		
Payments to Date:	\$254,592.16		
AMOUNT DUE MATTIOLI CEMENT COMPANY:	\$5,000.00		

Original Contract Amount: \$183,409.40

Change Order No. 1 \$76,182.76

\$259,592.16

Accepted By: 
Mattioli Cement Company

Approved By: 
Gerrajh Surles, Assistant City Engineer
City of Oak Park, Michigan

Date: 1-7-19

Date: 1/9/2019

MERCHANT'S LICENSES - JANUARY 22, 2019

(Subject to All Departmental Approvals)

NEW MERCHANT	ADDRESS	FEES	BUSINESS TYPE
2018 RENEWALS	ADDRESS	FEES	BUSINESS TYPE
DISCOVERED OPERATING WITHOUT A BL	ADDRESS	FEES	BUSINESS TYPE
2019 RENEWALS	ADDRESS	FEES	BUSINESS TYPE
SAUNDERS LAND COMPANY	8564 CAPITAL	\$150.00	FUNERAL TRANSPORTATION
PRONTO PEST MANAGEMENT	10130 CAPITAL	\$150.00	PEST CONTROL
AUTO METAL CRAFT	10230 CAPITAL, 10240 CAPITAL, 12721 CAPITAL, 12741 CAPITAL	\$600.00	SHEET METAL FABRICATOR
EZ GROOM	10411 CAPITAL	\$150.00	MANUFACTURING
UPI REAL ESTATE	12900 CAPITAL, 12930 CAPITAL	\$300.00	PIPING MANUFACTURER
US ICE CORP	12950 CAPITAL	\$150.00	ICE MANUFACTURER
BENSTON D. HARRIS	13040 CAPITAL	\$150.00	HVAC CONTRACTOR
IGOR'S AUTO REPAIR	13350 CAPITAL	\$150.00	AUTO REPAIR
FEDERAL AUTOCAT	13425 CAPITAL	\$150.00	AUTO PARTS WAREHOUSE
KERR PUMP AND SUPPLY	12880 CLOVERDALE	\$150.00	MANUFACTURER OF PUMPS AND PROCESS EQUIP.
ACCEPTANCE NOW #08308	20830 COOLIDGE	\$150.00	HOUSEHOLD FURNITURE
RESALE WAREHOUSE FURNITURE	21050 COOLIDGE	\$150.00	RESALE OF FURNITURE AND HOMEGOODS
HERSCH'S	21100 COOLIDGE	\$150.00	WHOLESALE LANDSCAPE SUPPLIES
LASHELLE'S SCHOOL OF DANCE	21330 COOLIDGE	\$187.50	DANCE INSTRUCTION
RCH CABLE	21340 COOLIDGE	\$150.00	CABLE DISTRIBUTOR
SELECT RESTAURANT EQUIPMENT	21380 COOLIDGE A	\$150.00	WHOLESALE RESTAURANT SUPPLIES
HONORE HOLDINGS	21400 COOLIDGE	\$150.00	EXCAVATION, DEMO, TRUCKING & GRADING
INTEGRA CONTRACTORS	21410 COOLIDGE	\$150.00	METAL DISTRIBUTOR
MECO METALS	21430 COOLIDGE	\$150.00	EQUIPMENT SUPPLIER
MOPEC	21750 COOLIDGE	\$150.00	NAIL SALON
LOVE NAIL & SPA	22118 COOLIDGE	\$150.00	PAYDAY ADVANCE
ADVANCE AMERICA #1328	22140 COOLIDGE	\$150.00	PHARMACY
MERCURY DRUGS	22150 COOLIDGE	\$150.00	CELL PHONE DISTRIBUTOR
JST WIRELESS	22150 COOLIDGE	\$150.00	DOLLAR STORE
DOLLAR TREE #3039	23090 COOLIDGE	\$150.00	APPAREL AND ACCESSORIES FOR WOMEN
DESIGNER SUITE	23130 COOLIDGE	\$150.00	GENERAL MEDICAL PRACTICE
ELIE R. KHOURY M.D	24611 COOLIDGE	\$150.00	GENERAL DENTISTRY
DR. SALWAN FRANCIS DDS	24621 COOLIDGE	\$150.00	NAIL SALON
SASSY NAILS	24750 COOLIDGE	\$150.00	PIZZA RESTAURANT
LITTLE CAESARS	24756 COOLIDGE	\$150.00	MANUFACTURER OF PRESSURE GAUGES, ETC.
H O TRERICE CO	12950 EIGHT MILE	\$150.00	PURCHASER OF GOLD, SILVER & DIAMONDS, JEWELRY REPAIR
GOLDIES	13630 EIGHT MILE	\$150.00	VOCAL TRAINING FOR AGES 7 TO ADULT
STAR FACTORY	13650 EIGHT MILE	\$150.00	PAYDAY ADVANCE
CASH NOW X	13720 EIGHT MILE	\$150.00	PAYDAY ADVANCE
ADVANTAGE CASH ADVANCE	13730 EIGHT MILE	\$150.00	RESTAURANT
TUBBY'S	13740 EIGHT MILE	\$187.50	USED AUTO SALES
SOUTHFIELD QUALITY CARS II	13900 EIGHT MILE	\$150.00	RUG CLEANING, CARPET CLEANING, REPAIRS
HAGOPIAN	14000 EIGHT MILE	\$150.00	WINDOW DISTRIBUTOR
WEATHERGARD WINDOW FACTORY	14350 EIGHT MILE	\$150.00	SELF-STORAGE
15160 EIGHT MILE VENTURES	15160 EIGHT MILE	\$150.00	SELF-STORAGE
ZEUNE MICHIGAN STORAGE CENTER	15300 EIGHT MILE	\$150.00	ADVISORS
F.I.R.M	13691 ELEVEN MILE 103	\$150.00	WINE, BEER & SPIRITS DISTRIBUTOR
REGAL WINES	147421 ELEVEN MILE	\$150.00	CEMENT CONTRACTOR
HARTWELL CEMENT COMPANY	21650 FERN	\$150.00	SELF-STORAGE
PUBLIC STORAGE	20700 GREENFIELD	\$150.00	FOOT AND ANKLE SPECIALISTS
FAMILY FOOT & ANKLE	20770 GREENFIELD 100A	\$150.00	PRIMARY & SPECIALTY HEALTHCARE
THE WELLNESS PLAN MEDICAL CENTER	21040 GREENFIELD	\$150.00	JEWELRY RETAILER
RAM JEWELRY	21600 GREENFIELD 105A	\$150.00	FINE JEWELRY
GEM CORPORATION	21600 GREENFIELD 106	\$150.00	DISCOUNTED JEWELRY
MAGIC DISCOUNT JEWELRY	21600 GREENFIELD 108	\$150.00	CONEY ISLAND
KABOB CONEY ISLAND	21700 GREENFIELD 120	\$150.00	RESTAURANT
TO GO CAFE	21700 GREENFIELD 132	\$150.00	JEWELRY RETAILER
AL'S JEWELRY	21700 GREENFIELD 306	\$187.50	JEWELER/ WATCH REPAIR
RENAISSANCE JEWELERS	21700 GREENFIELD 325	\$150.00	JEWELER
STEVE'S CREATIONS JEWELERS	21700 GREENFIELD 329	\$187.50	RETAIL JEWELRY & REPAIR
DIAMOND FASHION JEWELERS	21700 GREENFIELD 337	\$150.00	RETAIL JEWELRY & REPAIR
AURA DIAMOND AND JEWELRY CORP	21700 GREENFIELD 347	\$150.00	RETAIL JEWELRY & REPAIR
ARMANI/GOLD SPOT JEWELERS	21700 GREENFIELD 354	\$150.00	JEWELRY RETAILER
JKC JEWELRY & REPAIRS	21700 GREENFIELD 357	\$187.50	JEWELRY RETAILER
A 1 CUSTOM DIAMONDS	21700 GREENFIELD 359	\$150.00	RETAIL JEWELRY & REPAIR
OSKA JEWELERS & REPAIR	21700 GREENFIELD 362	\$187.50	RETAIL JEWELRY & REPAIR
AZAR JEWELRY	21700 GREENFIELD 368	\$187.50	RETAIL JEWELRY & REPAIR
DIAMOND ISLAND OF GREENFIELD	21700 GREENFIELD 390	\$150.00	RETAIL JEWELRY & REPAIR
B-1 JEWELRY	21700 GREENFIELD 415	\$150.00	RETAIL JEWELRY & REPAIR
PRINCE JEWELERS	21700 GREENFIELD 447	\$150.00	RETAIL JEWELRY & REPAIR
K & S DESIGN JEWELRY	21700 GREENFIELD 477	\$150.00	CUSTOM JEWELRY DESIGN
ANOTHER LEVEL UNISEX SALON	21700 GREENFIELD LL17	\$187.50	SALON
METRO PCS	21830 GREENFIELD 101	\$150.00	RETAIL CELL PHONES
MICHIGAN AMBULATORY SURGICAL	22000 GREENFIELD	\$150.00	OUTPATIENT SURGERY CENTER
AUTOZONE #4365	22150 GREENFIELD	\$150.00	AUTO PARTS WAREHOUSE

MICHIGAN CHIROPRACTIC & MEDICAL MASSAGE
 SPEEDY AUTO CLAIM CENTER
 LA MARRA
 FRONT PAGE DELI
 T-MOBILE CENTRAL
 SUNOCO
 DIAMOND NAILS
 BORENSTEINS
 ZEMAN'S NEW YORK BAKERY
 STEPPING OUT HAIR & NAIL SALON
 KRAVINGS
 PITA CAFE
 EXPRESS CARE MEDICAL SUPPLY
 MODERN STAMPS
 ROCK WELL MUSIC THERAPY
 PRUDENTIAL VIRTUAL GUARD SERVICES
 AUTO PRO TECHNICAL RECRUITING
 SIGNS OF RECOVERY CASE MANAGEMENT
 INTERNATIONAL CYBERGRAPHIX
 THEMES OF HARMONY COUNSELING
 BLUE REALTY
 LTC CONSULTING SERVICES
 TEAM REHABILITATION FUNCTIONAL
 REMEDY INVEST & FINANCE
 POPEYES CHICKEN & BISCUITS
 EDDIE'S GOURMET
 TOP THAT
 BOOK BEAT
 STREET CORNER MUSIC
 T. NAILS
 ADVANCE AMERICA #1398
 DANIEL S. LAZAR DPM
 LEE BEAUTY SUPPLY
 BLING BLING GG
 PAYLESS SHOE SOURCE
 LINCOLN TAILOR
 MCDONALDS
 RAINBOW
 DOLLAR CASTLE
 ALDI
 1-800-MINI STORAGE
 LARA STOP & SHOP
 GLR OF OAK PARK
 AVIS MANAGEMENT
 B.C. & F TOOL COMPANY
 K & M LEASING
 PAPER GOODS PLUS
 7-11 FOOD STORE
 SANDLER CHIROPRACTIC
 MBUSH
 HANSENS AUTO SERVICE CENTER
 JAMES TAILORING AND ALTERATIONS
 BEST FRIENDS CHILD CARE
 OAK-FERN GALLERIA
 BASEMENTCUTS BARBERSHOP
 TREND EXPRESS MARKET
 MARGARET HEPKER DO PC
 WIRELESS U NOW
 PRIMO'S PIZZA
 BUENA FE
 SPEEDY GREASY
 DON'S DONE-RITE AUTO WASH
 TOUCH OF CLASS CATERING
 ASCENSION BIBLES & BOOKS
 PIZZA SQUARE
 EVOLVE SALON
 WILLIAM L. JORDAN MD
 CAPTAIN JAYS
 E Z PETROLEUM 4
 HAPPY'S PIZZA
 MODERN NAILS
 PRIME FASHIONS
 ATTISHA FOOD MARKET
 SADIA ENTERPRISES
 AMERICAN DATA SECURITY
 MOONLINK STUDIOS
 FELLERS
 MOTOR WORKS
 C & J GENERAL CONTRACTORS
 SAMARITAN HOMES
 JADE PALACE
 JEWISH SENIOR LIFE SERVICES
 U WASH DEVELOPMENT
 GREENTECH RECYCLERS
 NATIONAL TIME & SIGNAL CORP
 CAR STOP AUTOMOTIVE

23300 GREENFIELD 104 \$150.00
 23300 GREENFIELD 104 \$150.00
 24700 GREENFIELD \$150.00
 24810 GREENFIELD \$150.00
 24830 GREENFIELD \$150.00
 25000 GREENFIELD \$150.00
 25238 GREENFIELD \$150.00
 25242 GREENFIELD \$187.50
 25258 GREENFIELD \$150.00
 25266 GREENFIELD \$150.00
 25270 GREENFIELD \$150.00
 25282 GREENFIELD \$150.00
 25900 GREENFIELD 121 \$150.00
 25900 GREENFIELD 136 \$150.00
 25900 GREENFIELD 142 \$150.00
 25900 GREENFIELD 144 \$150.00
 25900 GREENFIELD 232 \$150.00
 25900 GREENFIELD 236 \$150.00
 25900 GREENFIELD 256 \$150.00
 25900 GREENFIELD 320 \$150.00
 25900 GREENFIELD 403 \$150.00
 25900 GREENFIELD 412 \$150.00
 25900 GREENFIELD 502 \$150.00
 25900 GREENFIELD 507 \$150.00
 25910 GREENFIELD \$150.00
 25920 GREENFIELD \$150.00
 25950 GREENFIELD \$150.00
 26010 GREENFIELD \$187.50
 26020 GREENFIELD \$150.00
 26028 GREENFIELD \$150.00
 26038 GREENFIELD \$150.00
 26106 GREENFIELD A \$150.00
 26118 GREENFIELD \$150.00
 26122 GREENFIELD \$187.50
 26142 GREENFIELD \$150.00
 26158 GREENFIELD \$150.00
 26160 GREENFIELD \$150.00
 26170 GREENFIELD \$150.00
 26186 GREENFIELD \$150.00
 26300 GREENFIELD \$150.00
 26660 GREENFIELD \$187.50
 26700 GREENFIELD \$150.00
 26500 HARDING \$150.00
 26640 HARDING \$187.50
 26670 HARDING \$150.00
 20900 HUBBELL \$150.00
 15310 LINCOLN \$150.00
 15350 LINCOLN \$150.00
 15400 LINCOLN 3 \$150.00
 8100 NINE MILE \$150.00
 8210 NINE MILE \$150.00
 8236 NINE MILE \$150.00
 8440 NINE MILE \$150.00
 8520 NINE MILE \$150.00
 8560 NINE MILE \$150.00
 8580 NINE MILE \$150.00
 8750 NINE MILE \$150.00
 8980 NINE MILE \$150.00
 10100 NINE MILE \$150.00
 10116 NINE MILE \$150.00
 10200 NINE MILE \$150.00
 10250 NINE MILE \$150.00
 10612 NINE MILE \$150.00
 10720 NINE MILE \$150.00
 10770 NINE MILE \$150.00
 12712 NINE MILE \$150.00
 12900 NINE MILE \$150.00
 13500 NINE MILE \$150.00
 13551 NINE MILE \$150.00
 13700 NINE MILE \$150.00
 13720 NINE MILE \$150.00
 13740 NINE MILE \$150.00
 15450 NINE MILE \$150.00
 13000 NORTHEND \$150.00
 13070 NORTHEND \$150.00
 13320 NORTHEND 3000 \$150.00
 13341 NORTHEND \$150.00
 13350 NORTHEND \$150.00
 22610 ROSEWOOD \$150.00
 22610 ROSEWOOD \$150.00
 13351 TEN MILE \$150.00
 15000 TEN MILE \$150.00
 15450 TEN MILE \$150.00
 21770 WYOMING PL. \$150.00
 21800 WYOMING \$150.00
 21006 COOLIDGE \$150.00

CHIROPRACTIC SERVICES
 AUTO CLAIM ADJUSTOR
 RESTAURANT
 DELI
 RETAIL CELL PHONES
 GAS STATION
 NAIL SALON
 HEBREW BOOK & MUSIC STORE
 BAKERY
 HAIR & NAIL SALON
 CARRYOUT, DELI, SUSHI
 RESTAURANT
 DURABLE MEDICAL EQUIPMENT, ORTHOTIC/PROSTHETIC SUPPLIER
 BUY & SELL STAMPS FOR COLLECTORS
 MUSIC THERAPY STUDIO
 ALARM SYSTEMS, ACCESS CONTROL, CAMERAS, LOCKSMITH
 RECRUITING
 CASE MANAGEMENT
 WEB DESIGN
 OUTPATIENT MENTAL HEALTH PRACTICE
 REAL ESTATE
 CONSULTING SERVICES
 REHAB FACILITY
 REAL ESTATE & FINANCIAL SERVICES
 RESTAURANT
 RESTAURANT
 HAIR ACCESSORIES, HATS AND HOSIERY
 BOOKSTORE
 RETAIL RECORD ALBUMS & COMPACT DISCS
 HAIR SALON
 PAYDAY ADVANCE
 FOOT AND ANKLE SPECIALISTS
 BEAUTY SUPPLY RETAIL
 JEWELRY RETAILER
 SHOE RETAILER
 ALTERATIONS FOR CLOTHING
 RESTAURANT
 CLOTHING AND ACCESSORIES
 DOLLAR STORE
 GROCERY STORE
 PUBLIC STORAGE
 GAS STATION
 RECYCLING ELECTRONIC SCRAP
 PROPERTY MANAGEMENT OF RENTAL PROP AND STORAGE FAC.
 TOOL AND DIE MANUFACTURER
 LEASING COMPANY
 PARTY AND KITCHEN DISPOSABLES
 STORE
 CHIROPRACTIC SERVICES
 AUTO SERVICE CENTER
 TAILORING AND ALTERATIONS
 NURSERY/PRESCHOOL
 ART GALLERY
 BARBERSHOP
 RETAIL
 MEDICAL PRACTICE
 CELL PHONE DISTRIBUTOR
 PIZZA RESTAURANT
 MEXICAN & SALVADORIAN FOOD
 AUTO REPAIR
 CAR WASH
 CATERING
 RELIGIOUS MATERIAL
 PIZZA RESTAURANT
 SALON
 MEDICAL PRACTICE
 FRESH FISH & CHICKEN MARKET
 GAS STATION
 PIZZA RESTAURANT
 NAIL SALON
 LADIES CLOTHING & ACCESSORIES
 MARKET
 PAPER SHREDDING
 VIDEO PRODUCTION SERVICES
 WHOLE DISTRIB. OF WRAP/SIGNAGE SUPPLIES AND EQUIP.
 AUTO REPAIR
 GENERAL CONTRACTORS
 CONTRACTING
 RESTAURANT
 SENIOR LIFE SERVICES
 CAR WASH
 ELECTRONIC RECYCLING
 MANUFACTURER OF CLOCKS
 AUTO REPAIR



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: January 22, 2019

AGENDA #

SUBJECT: Recommendation of the Planning Commission for Zoning Ordinance text amendment to Article XIX, Special Land Uses.

DEPARTMENT: Economic Development & Communications, Planning Division

SUMMARY: At the January 14, 2019 meeting, the Planning Commission conducted a Public Hearing regarding proposed changes to the City of Oak Park Zoning Ordinance. The proposed text amendments would remove references to City Council approval for Special Land Uses.

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

RECOMMENDED ACTION: The City Council consider accepting the recommendation of the Planning Commission and conduct the first reading of the proposed text amendment to the City of Oak Park Zoning Ordinance, Article XIX, Special Land Uses.

APPROVALS:

City Manager:

Director:

Finance Director: _____

Budgeted: ☐

EXHIBITS: Memorandum, proposed marked-up ordinance and final ordinance for adoption.



CITY OF OAK PARK

DEPARTMENT OF COMMUNITY &
ECONOMIC DEVELOPMENT

MEMORANDUM

TO: Planning Commission members DATE: January 3, 2019
FROM: Kevin Rulkowski, AICP, City Planner FILE: Planning/Special
Land Uses Amend
memo
SUBJECT: Amendment to Special Land Uses section of Zoning Ordinance.

As described in a memo to the Planning Commission in December, a Public Hearing was scheduled for the January meeting to address proposed changes to the Special Land Use section of the Zoning Ordinance. The proposed text amendments would remove references to City Council approval for Special Land Uses. The City Council approval requirements should have been removed when the Planning Commission was given sole authority for approval of Site Plans. The attached proposed Zoning Ordinance text amendment would correct this oversight.

CITY OF OAK PARK, MICHIGAN

ORDINANCE NO.

AN ORDINANCE TO AMEND ARTICLE XIX – SPECIAL LAND USES, 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 XIX, SPECIAL LAND USES, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to the following:

ARTICLE XIX. - SPECIAL LAND USES

Sec. 1900. - General standards.

Special land uses are uses which would be appropriate in a particular district at certain locations, provided they are compatible with other uses in the district. Approval shall be subject to meeting special standards and any specific conditions imposed by the planning commission that are designed to ensure their compatibility with neighboring uses.

For all special land uses, a site plan shall be submitted for **review and** approval by the ~~city council~~ **planning commission**, after **a** public hearing by the planning commission, and shall conform to the requirements and procedures for site plan review set forth in section 1725. If the plans meet the required standards of this ordinance and indicate no adverse effects, which in the opinion of the planning commission ~~and city council~~, cause injury to the residents, users, or owners of adjoining property, or the city as a whole, the ~~council~~ planning commission shall approve the use. In consideration of all applications for special land use approval, the planning commission ~~and city council~~ shall review each case individually as to its applicability and must find affirmatively to each of the following standards of the proposed special land use if it is to be approved. Such uses shall be subject to conditions, restrictions and safeguards deemed necessary within the scope of the law as set forth below.

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

patrons, continuity of development, and need for particular services and facilities in specific areas of the city.

- F. The proposed use is necessary for the public convenience at the proposed location.
- G. The proposed use is designed, located, planned and to be operated that the public health, safety and welfare will be protected.
- H. The proposed use shall not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.

Sec. 1901. - Procedures.

- A. *Approval.* If the ~~city council~~ **planning commission** determines that the particular special land use(s) should be allowed, it shall clearly set forth in a special land use permit the particular use(s) which have been allowed. Thereafter, the building official may issue a building permit in conformity with the particular special land use so approved. In all cases where a particular special land use has been granted as provided herein, application for a building permit in pursuance thereof must be made and received by the city not later than six months thereafter, or such approval shall automatically be revoked, provided, however, the ~~city council~~ **planning commission** may grant an extension thereof for good cause shown under such terms and conditions and for such period of time not exceeding six months as it shall determine to be necessary and appropriate. In addition, construction shall commence within one year of receiving a building permit, or approval shall be automatically revoked, provided, however, that the ~~city council~~ **planning commission** may grant a six-month extension for good cause.
- B. *Denial.* If the ~~city council~~ **planning commission** determines that the particular special land use(s) requested does not meet the standards of this ordinance or otherwise will tend to be injurious to the public health, safety, welfare or orderly development of the city, it shall deny the application by a written endorsement thereon which clearly sets forth the reason for such denial.
- C. *Record.* The decision on a special land use shall be incorporated in the minutes of the ~~city council~~ **planning commission** meeting at which it was considered. The minutes shall specify any conditions imposed.
- D. *Hearings.* The planning commission shall investigate the circumstances of each such case and give notice of the time and place of any hearing, meeting or review which may be held relative thereto by publishing one notice in a newspaper which circulates in the city, and sent by mail or personal delivery to the owners of property and occupants of structures **as required by law** within 300 feet of the boundary of the property in question. ~~The notice shall be given not less than 5 nor more than 15 days before the date the application will be considered. The minutes of the public hearing shall be forwarded to the city council.~~
- E. *Conditions.* The ~~city council~~ **planning commission** may impose such conditions or limitations in granting approval as may be permitted by state law and this ordinance which it deems necessary to fulfill the spirit and purpose of this ordinance. The conditions may include, conditions necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land and to promote the use of the land in a socially and economically desirable manner. Conditions imposed shall:
 - 1. Be designed to protect natural resources, the health, safety, welfare and the social and economic well-being of those who will use the land use or activity, those adjacent to the proposed land use or activity, and the community as a whole.
 - 2. Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.

3. Be necessary to meet the intent and purpose of the zoning regulations; be related to the standards established in this ordinance for the land use or activity under consideration; and be necessary to ensure compliance with those standards.

The conditions imposed with respect to the approval of a land use or activity shall be recorded in the record of the approval action (special land use permit) and shall remain unchanged except upon the mutual consent of the approving authority and the landowner. The planning commission shall maintain a record of changes granted in conditions.

Sec. 1902. - Vehicle convenience stations.

Vehicle convenience stations may be permitted in certain districts specified in this ordinance subject to the following:

- A. Retail gasoline sales and convenience commercial facilities (no vehicle repair).
 1. All structures, including canopies, shall conform to the setback provisions in section 1600, Schedule of district regulations.
 2. All retail sales activity, other than gasoline sales, shall be conducted entirely within a completely enclosed structure. No outside storage of any product or material is permitted.
 3. All lighting shall be noted on the site plan and shielded downward and away from adjacent properties and rights-of-way. All lighting shall be designed to prevent glare from negatively impacting adjacent properties or rights-of-way.
 4. There shall be no storage of vehicles on the site, including wreckers or other service vehicles.
 5. A six-foot high masonry wall of face brick or poured concrete with brick pattern on both sides, shall be located on all property lines which abut any Residential district. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - a. One three-inch caliper deciduous tree per 30 feet of wall length.
 - b. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
 - c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.
 6. There shall be no loudspeaker or public address system other than individual intercom systems for each pump.
 7. No vehicle wash facilities, whether roll-over, self-serve, or drive-thru, are permitted unless approved by ~~city council~~ **the planning commission** under section 1927.
 8. Primary ingress/egress shall be off of a major or secondary thoroughfare as designated on the city's adopted master plan. Secondary ingress/egress on all residential streets shall be designed to reduce negative impact on adjacent residential areas.
 9. All trash storage areas shall be screened from view by a six-foot high masonry enclosure approved by the ~~city council~~, ~~after review by the~~ planning commission.
 10. The location, size and type of all above-ground and underground storage tanks and piping shall be noted on the site plan. All tanks shall have appropriate secondary containment and leak detection which shall be noted on the site plan. All tanks shall be registered and otherwise comply with all state and local codes.
- B. Retail gasoline sales with limited repair facilities.
 1. Compliance with the provisions outlined in section 1902.A.1—10 and 1903.A—E.
 2. No outdoor storage or parking of wreckers or other service vehicles is permitted.

Sec. 1903. - Vehicle service centers.

Vehicle service centers such as muffler and brake shops, new tire sales, tune-up shops, quick oil change shops, and similar establishments for minor repairs, routine maintenance and auto accessories, may be permitted in certain districts specified in this ordinance subject to the following:

- A. The use shall be completely enclosed within a building.
- B. No vehicles awaiting repair shall remain on-site for more than 36 hours.
- C. A six-foot high masonry wall of face brick or poured concrete with brick pattern on both sides, shall be located on all property lines which abut any Residential district. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - a. One three-inch caliper deciduous tree per 30 feet of wall length.
 - b. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
 - c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.
- D. All trash storage areas shall be screened from view by a six-foot high enclosure approved by ~~the city council, after review~~ by the planning commission. Old parts such as tires, mufflers, pipes, and the like, shall be kept inside the enclosure and shall not be permitted to accumulate for periods longer than one week unless stored within the building.
- E. Management plans shall be submitted for the collection, storage, and recycling or proper disposal of all new, used or waste automotive fluids resulting from repair or service operations.

Sec. 1904. - Vehicle repair garages.

Vehicle repair garages including body repair, body painting, engine rebuilding, rust-proofing, and similar activities, may be permitted in certain districts specified in this ordinance, subject to the following:

- A. No vehicles awaiting service shall remain on-site for more than 36 hours.
- B. All repair services shall be conducted within a completely enclosed building.
- C. All trash storage areas shall be screened from view by a six-foot high enclosure approved by ~~the city council, after review~~ by the planning commission. The trash containers shall be emptied at least once each week. All discarded vehicle parts shall be kept inside the enclosure and shall not be permitted to accumulate for periods longer than one week unless stored within the building.
- D. A six-foot high masonry face brick wall or poured concrete wall with brick pattern on both sides, shall be located on all property lines which abut any residential district. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - a. One three-inch caliper deciduous tree per 30 feet of wall length.
 - b. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
 - c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.
- E. Management plans shall be submitted for the collection, storage, and recycling or proper disposal of all new, used or waste automotive fluids resulting from repair or service operations.

Sec. 1905. - Cemeteries.

Cemeteries may be permitted in all residential districts, subject to the following:

- A. Minimum site size shall be 20 acres with a minimum lot width of 330 feet.
- B. There shall be no burial plots within 50 feet of any property line.
- C. No service building shall be located closer than 100 feet to any property line and all service and storage yards shall be screened from view by an obscuring wall or pressure-treated wood fence at least six feet high.
- D. On all sides abutting property in a zoning district that permits residential uses, there shall be a landscaped greenbelt at least 25 feet wide.

Sec. 1906. - Places of worship.

Churches, synagogues and other places of worship may be permitted in certain districts specified in this ordinance, subject to the following:

- A. The site shall have direct access to a major or secondary thoroughfare as designated on the city's adopted master plan.
- B. All parking areas shall be screened from adjoining properties by a minimum four-foot, six-inch high masonry wall or similar material suitable to the ~~city council~~ **planning commission**. The ~~city council~~ **planning commission** may permit the substitution of a landscaped greenbelt or earth berm after submission and review of a landscape plan.
- C. The principal building shall comply with all setback requirements of the district in which it is located provided, however, that in no case shall the principal building be located closer than twice its height to any property line.
- D. The site plan shall include a floor plan of the proposed structure(s) for use in determining required parking etc. based on proposed uses within the structure.
- E. The site plan shall detail any proposed outdoor use areas (playgrounds, shrines, etc.), including means of pedestrian and vehicular access, if applicable.

Sec. 1907. - Educational institutions.

Educational institutions including pre-schools, elementary, middle, and high schools, colleges, universities and other such institutions of higher learning for profit and nonprofit, offering courses in general, technical, or religious education may be permitted in certain districts specified in this ordinance, subject to the following:

- A. All ingress and egress from said site shall be directly onto a major or secondary thoroughfare, as designated on the city's adopted master plan.
- B. No building other than a single-family residential dwelling shall be closer than 50 feet to any property line and/or existing or proposed public right-of-way.
- C. All service and storage areas shall be screened from view by a masonry wall at least six feet high, ~~approved by the city council after review~~ by the planning commission.
- D. All areas for student and staff parking shall be set back at least 50 feet from an abutting residential district or residential use.
- E. No outdoor use areas (playgrounds, athletic facilities) shall take place within 75 feet of an abutting residential use.
- F. The site plan shall clearly demonstrate that the parcel size has the ability to provide adequate space for buildings, parking, setback, open space, landscaping, and the like.

Sec. 1908. - Reserved for future use.

Sec. 1909. - Commercial outdoor recreation.

Commercial outdoor recreation such as, golf driving ranges, miniature golf, batting practice cages, water slide parks, tourist-oriented outdoor amusements, and similar uses, may be permitted in certain districts as specified in the ordinance, subject to the following:

- A. No activities shall take place within 100 feet of an abutting residential district.
- B. Use of loudspeaker or public address systems for broadcasting music or continuous announcements shall be prohibited.
- C. An outdoor lighting plan shall specify the type of fixtures to be used, light intensity, and method of shielding the fixtures so that light does not project onto adjoining properties or interfere with driver visibility on any public or private street or public right-of-way.
- D. Hours of operation may be restricted by the ~~city council~~ **planning commission** in order to reduce the impact of the proposed use on abutting residential areas.
- E. All protective fencing/netting locations shall be detailed on the site plan. The planning commission ~~and city council~~ may regulate type, size and location, of said fencing/netting for aesthetic, visibility and safety purposes.

Sec. 1910. - Convalescent or rest home.

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

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

Sec. 1911. - Drive-in restaurant.

Because of the auto-oriented character of drive-in restaurants and similar establishments, they shall be permitted in certain districts specified in this ordinance, provided the following conditions are met:

- A. A building setback of at least 60 feet from the proposed future street right-of-way lines, as shown on the city's adopted thoroughfare plan, shall be maintained.
- B. Ingress and egress points shall be located at least 50 feet from the intersection of any two street right-of-way lines or abutting residential district.
- C. Lighting shall be shielded so that it does not project onto abutting property or streets, nor shall it interfere with driver visibility.
- D. A six-foot high masonry wall of face brick or poured concrete with brick pattern on both sides, shall be located on all property lines which abut any residential district. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - a. One three-inch caliper deciduous tree per 30 feet of wall length.
 - b. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.

- c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.

Sec. 1912. - Kennels, commercial.

Commercial kennels and animal hospitals may be permitted in certain districts specified in this Ordinance, subject to the following:

- A. The site shall abut a public road shown as a major or secondary thoroughfare on the city's adopted master plan.
- B. All pens and runs shall be completely enclosed within a building.
- C. All breeding areas shall be completely enclosed.
- D. All animals shall be adequately housed, fenced and maintained so as not to be or become a public or private nuisance. The premises shall be maintained in such a manner so as not to be harmful to surrounding properties, or create any hazard or detriment to public health, safety or general welfare.
- E. Kennels housing more than ten dogs shall provide one off-street parking space for each five kennel runs. Other uses shall provide parking to accommodate the maximum number of patrons using the facility at any one time in accordance with section 1726, Off-street parking.
- F. A six-foot high masonry face brick wall or poured concrete wall with brick pattern on both sides, shall be located on all property lines which abut any residential district. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - a. One three-inch caliper deciduous tree per 30 feet of wall length.
 - b. Four, 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
 - c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.
- G. Any use permitted by the city under this section shall terminate immediately when the lot area requirements herein set forth are decreased in any manner or the provisions of this ordinance violated.

Sec. 1913. - Group child care facilities.

Group child care facilities may be located in certain districts specified in this ordinance, subject to all of the following:

- A. No such use may be located closer than 1,500 feet to another such use;
- B. All outdoor use areas shall be enclosed by a four-foot high chain link fence to insure child safety;
- C. The property shall be maintained consistently with the visible characteristics of the neighborhood;
- D. Shall provide adequate drop-off and waiting spaces so parents' cars are not required to stand in a public right-of-way or block ingress to the site;
- E. The site layout shall ensure pedestrian safety by designating play areas, separated from parking and driveways; and
- F. Upon approval of a group day care home or group child care facility by the ~~city council~~ **planning commission**, the owner or occupant of such home or facility shall register with the city clerk as a group day care home or group child care facility, showing proof of certification as such by the State of Michigan Family Independence Agency.

Sec. 1914. - Outdoor sales lots.

Outdoor sales lots for automobiles, trucks, trailers, boats, mobile homes, and similar uses may be permitted in certain districts specified in this Ordinance, subject to the following:

- A. All outdoor lighting shall be shielded from projecting onto adjacent property or rights-of-way and shall not interfere with driver visibility.
- B. No vehicles or merchandise for sale shall be displayed within any required greenbelts.
- C. Loudspeakers or public address systems may be permitted subject to the following criteria:
 - 1. Any proposed sound system shall be clearly detailed on the site plan.
 - 2. The facility and proposed sound system shall be designed so as to minimize the level of noise generated. Such design alternatives include, but are not limited to, sound deadening construction materials, time/volume limitations on use of sound systems, directional/location limitations on speaker/public address system locations, and landscaping.
 - 3. The planning commission shall review the special approval in one year to determine if there are any noise-related problems regarding the approved sound system. In reviewing the special approval, the planning commission shall consult the police department and code assistance. Reports from these departments, along with any public comment at the review hearing, shall be the basis for any subsequent decision(s) by the planning commission.
 - 4. If the planning commission finds a noise-related problem(s), based upon police, code assistance and public comment as noted above, the planning commission may ~~recommend to the city council~~ require that additional measures be taken by the owner to reduce or eliminate the noise-related problem in accord with D.2 above. ~~City council will make the final determination.~~
- D. A six-foot high masonry wall of face brick or poured concrete with brick pattern on both sides, shall be located on all property lines which abut any residential district. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - a. One three-inch caliper deciduous tree per 30 feet of wall length.
 - b. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
 - c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.

Sec. 1915. - Public recreation uses.

Public recreation uses such as parks, playgrounds, golf courses, ball fields, and stadiums may be permitted in certain districts specified in this ordinance, subject to the following:

- A. No activities shall take place within 30 feet of an abutting residential use or district.
- B. Use of loudspeaker or public address systems shall be limited in terms of number of events per year and hours of events, so as to minimize impacts on adjacent residential areas. Said limitation shall be clearly set forth in the special land use permit.
- C. Outdoor lighting shall be restricted in terms of hours or operation. All lights shall be shielded so as to not project onto adjoining properties, rights-of-way, or impair driver visibility.

Sec. 1916. - Public buildings without storage yards.

Public buildings such as libraries, fire stations, recreation centers, and similar uses, may be permitted in certain district specified in this ordinance, subject to the following:

- A. There shall be no outdoor storage yard or uses like a public works garage. (See section 1925 for regulations regarding outdoor storage yards).
- B. The site shall have all access from a major or secondary thoroughfare as designated on the city's adopted master plan.
- C. All off-street parking shall be screened from abutting residential property by a six-foot high masonry wall of face brick or poured concrete with brick pattern on both sides. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - a. One three-inch caliper deciduous tree per 30 feet of wall length.
 - b. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
 - c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.

A three-foot high landscaped berm within a greenbelt of at least 20 feet in width may be substituted for the required masonry wall.

Sec. 1917. - Vehicle dealers (classes A, B, W).

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

- A. *General provisions.* In B-2, general business districts, and LI, light industrial districts, the following minimum standards apply:
 - 1. All vehicle dealers shall have a solely dedicated permanent structure containing not less than 500 square feet of interior floor space to be used as business or sales office, in which customers may enter and transact business, and in which heating, plumbing, and restrooms are provided. Such building shall also include a bay in which vehicles can be brought in for minor servicing, cleaning, and preparation for sales.
 - 2. All cleaning and refurbishing of vehicles must be performed within an enclosed permanent building. No repair or refinishing shall be done outside on the lot.
 - 3. Outdoor loudspeakers or public address systems shall not be permitted.
 - 4. The required vehicle display area shall conform to the following requirements:
 - a. Access to each individual vehicle shall be provided. Vehicles shall not be positioned in a stacked or packed formation.
 - b. There shall be no storage or display of vehicles in the public right-of-way.
 - c. Vehicles for sale shall be prohibited from parking within any maneuvering lane or driveway.
 - d. Outdoor storage of inoperable or part-stripped vehicles shall be prohibited from the site.
 - 5. The setback areas along street frontages shall not be used for the parking or for the storage/display of vehicles. Separate off-street parking shall be provided in compliance with the regulations contained in section 1726 and the following provision:
 - a. The minimum number of parking spaces to be provided shall be calculated based on the formula of five spaces plus one space per each 15 used car storage/display spaces.
 - 6. Grounds shall meet, or be improved to comply with, the following site design requirements:

- a. The site shall be hard-surfaced, graded and drained in accordance with the regulations of section 1726. Concrete curbing shall be provided along the perimeter of the parking area.
- b. Maneuvering lanes for the storage/display area shall be a minimum of 20 feet in width.
- c. The setback areas along street frontages shall be a landscaped greenbelt measuring minimum of ten feet in width. Landscape plans must be included in application for review. See landscape provisions in section 1716 of the ordinance.
- d. Overhead service doors shall not face or open toward residentially zoned property.
 - 7. A six-foot-high masonry wall of face brick, six-foot-high simulated brick pattern poured concrete wall, or a six-foot-high pressure-treated wood or vinyl obscuring fence. The plan shall detail the location, height and type of wall/fence proposed, shall be located on all property lines which abut any residential district.
- a. Where the storage yard abuts residentially zoned property there shall be a ten-foot wide landscaped greenbelt, between the property line and the fence/wall. Said greenbelt shall be planted in accordance with section 1716.
- 8. All lighting on the site shall be shielded. All glare shall be eliminated from all light fixtures and not encroach upon abutting properties. Lighting shall otherwise not direct illumination upon abutting properties, or emit illumination upon abutting properties in a manner that or of such magnitude that encroaches upon their peace. The light poles shall be no higher than 20 feet. Upward-directed lighting, searchlights, moving beams, and spotlights shall not be permitted.
- 9. A vehicle dealer licensed business shall be issued only for use on the premises named in the license application and such location shall not be changed without the approval of the city clerk. The clerk shall not approve such a transfer unless the new location conforms with all applicable ordinances.
- B. *LI, light industrial districts.* Classes B and W vehicle dealer licenses permitted only in combination with a towing, body shop (collision-related mechanical repair and unitized body structural repair only) or custom utility vehicle manufacturer subject to the following:
 - 1. The minimum lot area for a class B vehicle dealer shall be a solely dedicated 5,000 square feet and for class W licenses a solely dedicated 2,500 square feet.
 - 2. There shall be provided a minimum of ten storage/display spaces for class B licenses and five storage/display spaces for class W licenses.
- C. *B-2, general business districts.* Classes A and B vehicle dealer licenses permitted for automobile dealerships, showrooms and used car lots subject to the following:
 - 1. The minimum lot area for a class A or B vehicle dealer shall be a solely dedicated 10,000 square feet.
 - 1. There shall be provided a minimum of ten storage/display spaces.

Sec. 1918. - Utility structures, utility transmission systems, utility transmission structures, (wireless transmission/reception/relay towers).

- A. *Local utility structures.* Utility structures, such as but not limited to, electric transformer stations and substations, gas regulator stations, sewer lift stations, and the like, may be permitted in all districts subject to site plan approval and the following standards:
 - 1. Operating requirements necessitate the proposed location in order to serve the residents of the city.
 - 2. All such uses shall be completely enclosed and without storage yards.
 - 3. No structure shall exceed the height limit of the district in which it is to be located.

4. All buildings shall be designed to be compatible in style and materials with other uses permitted in the district.
5. No building shall be located closer than 50 feet to any property line abutting land zoned for residential use.
6. A minimum 15-foot landscaped greenbelt shall be provided around the entire perimeter of the utility building site.
7. Adequate off-street parking shall be provided for any service personnel and all drives and parking areas shall be paved with asphalt or concrete.

B. *Utility transmission systems.* Utility transmission systems, such as but not limited to, high voltage electric transmission lines, high pressure gas pipelines, and oil pipelines shall require special land use approval by the ~~city-council~~ **planning commission**, subject to the following requirements and standards:

1. All such utility lines shall follow existing utility corridors where possible, and reasonable, as determined by the planning commission.
2. Selective clearing techniques shall be used throughout a utility corridor or property for installation of towers, lines, pipelines, service roads, drainage facilities, and similar facilities. Existing vegetation shall be maintained, whenever possible, throughout the remainder of the corridor not affected by the actual installation of approved facilities.
3. Any area destroyed by necessity in the construction of such approved facilities, may be subject to conditions imposed by the planning commission for its immediate restoration by replanting or similar techniques.
4. During construction or repair of any facilities approved hereunder, the following shall be required:
 - a. All internal roads shall be kept dust-free.
 - b. Any damage to public or private roads, fences, structures, or facilities shall be repaired immediately.
 - c. No wastes or spoils of any kind, such as tree stumps, construction wastes, trash and the like, shall be left after construction or repair operations are complete.
 - d. All construction operations shall be confined to daylight hours, Monday through Saturday, unless permitted in writing by the planning commission.
5. The existence of one line or facility approved hereunder does not imply permission to erect any other lines or facilities other than those originally permitted.

C. *Utility transmission structures.* Utility transmission structures, such as but not limited to, high voltage electric stations, gas compressor stations, oil storage facility, and wireless communications, receiving or transmitting towers, shall require special land use approval by the ~~city-council~~ **planning commission** subject to the following requirements and standards:

1. The following types of utility transmission structures shall be permitted after special land use approval, only in the listed districts:

Use	District
Electric stations	All districts
Telephone exchange buildings	All districts
Gas compressor stations	LI
Oil storage facility	LI

2. In order to provide a pleasing community appearance and to prevent noise levels, odors, dust, and similar external physical effects from adversely affecting adjoining properties, all equipment shall be completely enclosed within a building, unless the setback and screening guidelines specified in subsection 3 below are followed, as approved by the ~~city-council~~ **planning commission**.
3. If the equipment proposed will not be enclosed within a building, a setback of 300 feet from all property lines shall be required. In addition, an obscuring, landscaped buffer shall be provided, based on the following guidelines, as determined by the ~~city-council~~ **planning commission** after considering the type, size, height, and anticipated noise levels of all equipment being proposed:
 - a. A landscaped earthen berm at least six feet high with a 3:1 side slope, along all sides of the equipment.
 - b. An obscuring fence or a masonry wall at least six feet high, completely surrounding the equipment.
 - c. Any combination of the above requirements approved by the planning commission and ~~city council~~.
4. All buildings permitted under this section shall be setback at least 100 feet from all adjoining property lines. Expansions of transmission facilities, which facilities existed prior to the effective date of this amendment, may be placed within 100 feet of an adjoining property line only after approval of the ~~city-council~~ **planning commission** and only when fully enclosed within a building.
5. Where there will be employees stationed at the utility building on a permanent or intermittent basis, adequate off-street parking shall be constructed with an asphalt or concrete surface.
6. There shall be no outdoor storage of equipment and/or materials which are not necessary for daily operations of any utility building site, except those which are necessary for safety or emergency repairs at that particular utility transmission structure site.
7. Where the utility transmission structure proposed is a wireless transmission, receiving or relay tower, it shall comply with the following special standards:
 - a. *Standards and conditions applicable to all wireless communication facilities.*
 1. The applicant shall demonstrate the need for the proposed facility to be located as proposed based upon the presence of one or more of the following factors:
 - a. Proximity to major thoroughfares;
 - b. Population concentrations;
 - c. Business centers;
 - d. Signal interference;
 - e. Topography;
 - f. Other specifically identified reason(s) creating facility need.
 2. The proposal shall be reviewed in conformity with the colocation requirements of this section below.
 3. Facilities shall not be demonstrably injurious or otherwise detrimental to the public safety and welfare.
 4. Facilities shall be located and designed to be harmonious with the surrounding areas. The use of monopole towers shall be required unless the applicant demonstrates that monopole towers are not feasible for the proposed use.

5. Wireless communication facilities shall comply with applicable federal and state standards relative to the environmental effects of radio frequency emissions.
6. Applicants shall demonstrate a justification for the proposed height of the structures and an evaluation of alternative designs which might result in lower height.
7. The following additional standards shall be met:
 - a. The maximum height of the support structure and antenna shall be the minimum height demonstrated to be necessary for reasonable communication by the applicant (and by other entities to colocate on the structure). No wireless transmission tower in excess of 100 feet in height shall be located closer than 2,000 feet to any other such tower. Accessory buildings shall be limited to the maximum height for accessory structures within the respective district.
 - b. The setback of the support structure from any property line and existing or proposed road right of way line shall be at least the height of the highest point of the support structure. Multiple towers on the same parcel or adjoining parcels shall each meet the above criteria and be separated from any other tower for a distance at least equal to the height of the tallest tower.
 - c. There shall be unobstructed access to the facility for operation, maintenance, repair and inspection (may be provided by an easement).
 - d. The division of property for the purpose of locating a wireless communication facility is prohibited unless all zoning requirements and conditions are met.
 - e. Rooftop wireless communication facilities shall be architecturally compatible with the principal building.
 - f. The planning commission may regulate the color of the support structure and all accessory buildings to minimize distraction, maximize aesthetic appearance, and ensure compatibility with surroundings, subject to regulations of the Federal Aviation Administration. In addition, the planning commission may require additional landscaping and/or screening where the planning commission determines such screening and or landscaping is necessary to mitigate the negative visual and aesthetic impacts of the facility on the surrounding land uses.
 - g. Support structures shall be constructed in accordance with applicable building codes. A soils report from a geotechnical engineer, licensed in the State of Michigan shall be submitted. This report shall include soil borings and confirmation of the suitability of soils for the proposed use. Federal Aviation Administration, Federal Communication Commission, and Michigan Aeronautics Commission requirements shall be noted.
 - h. A maintenance plan, and any applicable maintenance agreement, shall be presented and approved as part of the site plan for the proposed facility.
 - i. There shall be no outdoor storage of equipment and/or materials, except those which are necessary for emergency repairs at that particular site (which may be temporarily stored during the emergency).
 - j. The application shall include a certification by a State of Michigan licensed Professional Engineer regarding the manner in which the proposed structure will fall.
 - k. The application shall include a description of security to be posted at the time of receiving a building permit to ensure removal of the facility when it has been abandoned or is no longer needed. The security shall be in the form of cash, surety bond, letter of credit, or an agreement in a form approved by the City

attorney and recordable at the Register of Deeds, establishing a promise of the applicant and owner of the property to remove the facility in a timely manner as required under this section of the ordinance. The applicant and owner shall be responsible for the payment of any costs and attorneys fees incurred by the city in securing removal.

- l. The application shall include a map showing existing and known proposed wireless communication facilities within the city and areas within three miles surrounding the city. If the information is on file with the city, the applicant shall update as needed. Any such information which is trade secret and/or other confidential commercial information may be submitted with a request for confidentiality in connection with the development of governmental policy. This ordinance shall serve as the promise to maintain confidentiality to the extent permitted by law. The request for confidentiality must be made in writing.
- m. The applicant shall provide the name, address and phone number of the person to contact for all engineering, maintenance and other notice purposes. This information shall be continuously updated while the facility is on the premises.
- b. *Special requirements for wireless communication facilities proposed outside districts where they are permitted after special land use approval.* Applications for facilities which are proposed to be located outside of a district where they are permitted as a special land use, shall conform with the following standards, along with those in subsections A above:
 1. The applicant shall demonstrate that a location within a district where the facility is permitted as a special land use cannot reasonably meet the coverage and/or capacity needs of the applicant.
 2. Wireless communication facilities shall be of a design such as (without limitation) a steeple, bell tower, or other form which is compatible with the existing character of the proposed site, neighborhood and general area, as approved by the city.
 3. The applicant shall seek to locate the facility at one of the following sites (not in any priority), subject to application of all other standards contained in this section:
 - a. Municipally owned site.
 - b. Other governmentally owned site.
 - c. Religious or other institutional site.
 - d. Public park and other permanent open space areas.
 - e. Other locations if none of the above is available.
 - c. *Requirements for colocation.*
 1. A special land use permit for the construction and use of a new wireless communication facility shall not be granted unless and until the applicant demonstrates that colocation is not feasible.
 2. All new and modified wireless communication facilities shall be designed and constructed so as to accommodate colocation.
 3. The policy of the city is "pro colocation." Thus, if a party who owns or otherwise controls a wireless communication facility shall fail or refuse to alter a structure so as to accommodate a proposed and otherwise feasible colocation, such facility shall be deemed to be a nonconforming structure and use.
 4. If a party who owns or otherwise controls a wireless communication facility shall fail or refuse to permit a feasible colocation, and this requires the construction and/or use of a new wireless communication facility, the party failing or refusing to permit a feasible colocation shall be deemed to be in direct violation and contradiction of the policy, intent

and purpose of the city and consequently such party shall take responsibility for the violation, and shall be prohibited from receiving approval for a new wireless communication support structure within the City for a period of five years from the date of the failure or refusal to permit the colocation. Applicants to the zoning board of appeals regarding this provision must demonstrate that enforcement of the five year prohibition would unreasonably discriminate among providers of functionally equivalent wireless communication services, or would have the effect of prohibiting the provision of personal wireless communication services.

d. *Incentive.*

1. Review of an application for colocation shall be expedited by the city through administrative review and approval of proposed colocation of wireless communication facilities where the application involves the colocation of a new wireless communication facility antenna on an existing wireless communication facility support structure which is in conformance with the provisions of this section.
2. Where the application involves the colocation of a new wireless communication facility antenna on a building, water tower, church steeple, stadium light pole, or similar structure, as determined by the planning commission, the required 300-foot setback shall not apply.
3. Review of an application for colocation shall be expedited by the city.

e. *Removal.*

1. A condition of every approval of a wireless communication facility shall be adequate provision for removal of all or part of the facility by users and owners upon the occurrence of one or more of the following events:
 - a. When the facility has not been used for 180 days or more. For purposes of this section, the removal of antennas or other equipment from the facility, or the cessation of operations (transmission and/or reception of radio signals) shall be considered as the beginning of a period of nonuse.
 - b. Six months after new technology is available at reasonable cost, as determined by the planning commission, which permits the operation of the communication system without the requirement of the support structure.
2. The situations in which removal of a facility is required, as set forth in paragraph 1 above, may be applied and limited to portions of a facility.
3. Upon the occurrence of one or more of the events requiring removal, the property owner or persons who had used the facility shall immediately apply for any required demolition or removal permits, proceed with, and complete the demolition/removal.
4. If the required removal of a facility or a portion thereof has not been lawfully completed within 60 days of the applicable deadline, and after at least 30 days written notice, the city may remove or secure the removal of the facility or required portions thereof, with its actual cost and reasonable administrative charge to be drawn, collected and/or enforced from or under the security posted at the time of application.

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, 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~~ **planning commission**. In deciding what type of screening to require, the ~~council~~ **planning commission** 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 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 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 acres.

Sec. 1920. - Commercial indoor recreation.

Commercial indoor recreation uses, such as a bowling alley, roller rink, or similar use, may be permitted in certain districts, as specified in this ordinance, subject to the following:

- A. All off-street parking shall be screened from abutting residential property by a six-foot high masonry wall of face brick or poured concrete with brick pattern on both sides. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - 1. One three-inch caliper deciduous tree per 30 feet of wall length.
 - 2. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
 - 3. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.

A three-foot high landscaped berm within a greenbelt of at least 20 feet in width may be substituted for the required masonry wall.

- B. The site shall have direct access to a major or secondary thoroughfare as designated in the city's adopted master plan.
- C. The planning commission may regulate the hours of operation, as necessary, when the project is abutting less-intensive or residential uses, as a part of the special land use permit.

Sec. 1921. - Home center stores.

- A. The site shall be designed to minimize negative impact on adjacent properties with regard to noise, glare, dust or fumes.
- B. Outdoor trash storage areas shall be screened from view by a six-inch high enclosure constructed of the same masonry finish material as the principal building. All trash and refuse shall be stored within said enclosure. Compactors which are accessed directly from the store interior do not require screening.
- C. All loading/truck service areas shall be located in compliance with section 1726M and shall be designed to minimize negative impact on adjoining properties. All vehicular use areas shall be paved with asphalt or concrete.
- D. The site plan shall detail the location of all outdoor material storage areas including storage rack location and height (with material on rack). All outdoor storage areas shall be screened in accordance with the following:

A six-foot high masonry wall of face brick or poured concrete with brick pattern on both sides, shall be located on all property lines which abut any residential district. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:

- a. One three-inch caliper deciduous tree per 30 feet of wall length.
 - b. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
 - c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.
- E. All lighting shall be shielded downward and away from adjacent properties.
- F. Loudspeakers or public address systems may be permitted subject to the following criteria:
 - 1. Any proposed sound system shall be clearly detailed on the site plan.
 - 2. The facility and proposed sound system shall be designed so as to minimize the level of noise generated. Such design alternatives include, but are not limited to, sound deadening construction materials, time/volume limitations on use of sound systems, directional/location limitations on speaker/public address system locations, and landscaping.
 - 3. The planning commission shall review the special approval in one year to determine if there are any noise-related problems regarding the approved sound system. In reviewing the special approval, the planning commission shall consult the police department and code assistance. Reports from these departments, along with any public comment at the review hearing, shall be the basis for any subsequent decision(s) by the planning commission.
 - 4. If the planning commission finds a noise-related problem(s), based upon police, code assistance and public comment as noted above, the planning commission may ~~recommend to the city council that~~ **require** additional measures be taken by the owner to reduce or eliminate

the noise-related problem in accord with F.2 above. ~~City council will make the final determination.~~

Sec. 1922. - Motor freight terminals and trucking facilities.

Motor freight terminals and trucking facilities may be permitted in certain districts, as specified in this ordinance, subject to the following:

- A. The site shall be designed to minimize negative impact on adjacent properties with regard to noise, glare, dust or fumes.
- B. All loading/truck service areas shall be located in compliance with section 1726M and shall be designed to minimize negative impacts on adjoining properties.
- C. Site lighting shall be designed and regulated in accordance with sections 1715 and 1725. All site lighting shall be designed to minimize glare on adjacent properties.
- D. Any proposed maintenance/service facility, including fueling stations, shall be noted on the site plan. The site plan shall detail the location of all underground or above ground storage tanks and storage areas for new or used/waste materials of a hazardous or toxic nature. Method of secondary containment and leak detection, where applicable, shall also be noted on the site plan.
- E. Loudspeakers or public address systems may be permitted subject to the following criteria:
 - 1. Any proposed sound system shall be detailed on the site plan.
 - 2. The facility and proposed sound system shall be designed so as to minimize the level of noise generated and the impact on adjacent properties. Such design alternatives include, but are not limited to, time/volume limitations on the use of sound systems, directional/location limitations, sound deadening construction materials and landscaping.
 - 3. The planning commission shall review the special approval in one year to determine if there are any noise-related problems regarding the approved sound system. In reviewing the special approval, the planning commission shall consult the police department and code assistance whose reports, along with any public comments at the review hearing, shall be the basis for any subsequent decisions by the planning commission.
 - 4. If the planning commission finds a noise-related problem, the planning commission may ~~recommend to the city council that~~ **require** additional measures be taken by the owner to reduce or eliminate the problem(s) in accordance with E.2 above. ~~City council will make the final determination as to need for any changes to the special approval.~~
- F. A six-foot high masonry wall of face brick or poured concrete with brick pattern on both sides, shall be located on all property lines which abut any residential district. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - a. One three-inch caliper deciduous tree per 30 feet of wall length.
 - b. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
 - c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.

Sec. 1923. - Commercial television and radio broadcast towers and studios.

Commercial television and radio broadcast towers and studios may be permitted in certain districts, as specified in this Ordinance, subject to the following:

- A. Office buildings and broadcasting studios of radio and television stations shall be subject to the provisions of section 1600, Schedule of district regulations.

- B. Commercial television and radio broadcasting towers shall be located on a continuous parcel having a dimension at least equal to the height of the tower measured from the base of said tower to all points on each property line. Multiple towers on the same parcel or adjoining parcels shall be so situated as to meet the above criteria and be separated from any other tower for a distance of at least equal to the height of the tallest tower. The use of monopole towers shall be required unless the applicant demonstrates that monopole towers are not feasible for the proposed use.

Sec. 1924. - Student dormitory rooms.

Student dormitory rooms, when constructed as a part of an educational institution or campus, may be permitted in certain districts, as specified in this ordinance, subject to the following:

- A. The site plan shall conform with section 1600, Schedule of regulations, and section 1725, Site plan review and approval.
- B. The minimum site size for an educational campus which includes a dormitory shall be three acres.
- C. An educational campus which includes a dormitory shall be located on a major or secondary thoroughfare as designated in the city's adopted master plan.
- D. 80 square feet of useable floor area shall be provided in each dormitory room for each one bed. This required space shall be exclusive of common lounge areas, kitchens, dining rooms, halls, bathrooms or similar use areas.
- E. 300 square feet of outdoor open space shall be provided for each one bed. This outdoor area shall be available for open space/recreation purposes and shall be exclusive of parking areas, service drives and similar uses.
- F. Bathroom facilities shall be constructed according to the city building code. Showers or similar bathing facilities shall be provided in the ratio of not less than one shower for each seven persons housed.
- G. All school dormitories shall be inspected at least once each year by the city building department to guarantee compliance with all preceding standards.

Sec. 1925. - Outdoor storage yards.

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

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

- F. Where the storage yard abuts residentially zoned property, there shall be a ten-foot wide landscaped greenbelt between the property line and the fence/wall. Said greenbelt shall be planted in accordance with section 1716.
- G. The planning commission and ~~city council~~ may request review and comment on the proposed outdoor storage yard from the fire marshal and MDEQ where the materials proposed to be stored may pose an environmental or safety hazard.

Sec. 1926. - Central dry cleaning plants.

Central dry cleaning plants may be permitted in certain districts, as specified in this ordinance, subject to the following:

- A. The site plan submittal shall include a floor plan which details the location of all storage areas for hazardous/toxic materials and the method of secondary containment proposed.

Sec. 1927. - Automobile wash facilities.

Self-service and automatic automobile wash facilities may be permitted in certain districts, as specified in this ordinance, subject to the following:

- A. The site plan shall detail all required parking and vehicular standing areas as required in section 1726, Off-street parking.
- B. The site shall be designed to minimize the deposition of excess water from clean vehicles onto adjacent roads. In complying with this subsection, a combination of alternatives may be used including, but not limited to, blowers, hand-drying, length of exit drive and general site design.
- C. The site plan shall detail the location of all proposed vacuum stations. These areas shall be located so as not to conflict with any required parking, drive or automobile standing areas. Self-contained, covered waste receptacles shall be provided at each proposed vacuum station to provide convenient disposal of customer refuse.
- D. The site shall be screened from abutting residential property by a six-foot high masonry wall of face brick or poured concrete with brick pattern on both sides. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - a. One three-inch caliper deciduous tree per 30 feet of wall length.
 - b. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
 - c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.

A three-foot high landscaped berm within a greenbelt of at least 20 feet in width may be substituted for the required masonry wall.

- E. All lighting shall be noted on the site plan and shall be shielded downward and away from adjacent properties and rights-of-way.

Sec. 1928. - Restaurants in O office building districts.

Restaurants may be permitted in the O office building district subject to the following:

- A. All proposed restaurants shall be within an office building. No freestanding restaurants are permitted. Outdoor dining as an accessory area to a restaurant and subject to the provisions in section 1709.

- B. Parking shall be calculated for the site based on the individual uses, including the restaurant area, in accordance with the parking standards in section 1726.
- C. No drive-thru or drive-in facilities are permitted.

Sec. 1929. - Regulated uses.

It is recognized that there are some uses that, because of their very nature, have serious objectionable operational characteristics, particularly when concentrated in one area, and recognizing that such uses may have a deleterious effect upon adjacent areas, special regulation of these uses is necessary to prevent crime, protect the city's retail trade, maintain property values, and generally protect and preserve the quality of the city's neighborhoods and commercial districts. These special regulations are itemized in this section.

- A. *Types of regulated uses.* The establishment of the following types of uses are declared to be potentially detrimental and to have the possible effect of downgrading and blighting the surrounding neighborhood, particularly when concentrated in one area:
 - 1. Pawnbrokers or pawnshops.
 - 2. Establishments with SDD and SDM licenses from the Michigan Liquor Control Commission.
- B. *Requirements.* All proposed regulated uses shall conform to the following requirements:
 - 1. The proposed regulated use is not located within 1,000 feet of any other regulated use, regardless of community boundaries. Establishments with SDD and SDM licenses from the Michigan Liquor Control Commission, greater than 10,000 square feet of gross floor area, and devoting less than ten percent of the gross floor area to sales regulated by the SDD and SDM license, are exempt from the spacing requirement between regulated uses. Brew pubs, breweries, wineries and distilleries serving alcoholic liquor with SDD and SDM licenses from the Michigan Liquor Control Commission, are exempt from the spacing requirement between regulated uses.
 - 2. The proposed regulated use is not located within 500 feet of a school, park, or place of worship, regardless of community boundaries. Establishments with SDM licenses from the Michigan Liquor Control Commission, greater than 10,000 square feet of gross floor area, and devoting less than ten percent of the gross floor area to sales regulated by the SDM license, are exempt from this spacing requirement.
 - 3. The layout of the site of the proposed regulated use and its relationship to streets providing access to the site shall be in a manner that vehicular and pedestrian traffic to and from such proposed regulated use and the potential assembly of persons connected therewith, will not be hazardous, endangering, or inconvenient to the surrounding neighborhood and commercial district.
 - 4. The proposed regulated use will be compatible with adjacent uses of land, considering the proximity of residential dwellings, churches, schools, public structures, and other places of public gatherings.
 - 5. The proposed regulated use will not be contrary to the public interest or injurious to nearby properties.
 - 6. The proposed regulated use will not have the possible effect of downgrading and blighting the surrounding neighborhood.
 - 7. The proposed regulated use will not be contrary to any program of neighborhood conservation, nor will it interfere with any redevelopment projects.
 - 8. The proposed regulated use will not reasonably be expected to diminish the value of properties in the immediate area.
 - 9. The proposed regulated use will be in compliance with all other applicable regulations, city codes and state and federal laws.
- C. *Pawnbroker and pawnshops and residential areas.* No pawnbroker or pawnshop use shall be located on a parcel of land which is located such that a radius of 1,000 feet drawn from any

point on that parcel contains at least 30 percent residential buildings, dwellings or rooming units of the total number of structures within such radius. This provision may be waived by the zoning board of appeals upon receiving a petition filed by the appellant which indicated approval of the proposed regulated use by 51 percent of all the adults residing within a radius of 1,000 feet of the location of the proposed use.

1. *Petition preparation.* The petitioner shall attempt to contact all adult residents within this radius and shall maintain a list of all addresses at which no contact was made or only a verbal response received. Signatures of a minimum of 51 percent of all the adult residents of the area are required for approval.
 2. *Regulations of board.* The zoning board of appeals shall adopt rules and regulations governing the procedure for securing the petition of consent as provided for in this section. The rules shall provide that the circulator of the petition shall subscribe to an affidavit to the fact that the petition was circulated in accordance with the rules of the zoning board of appeals and that the circulator personally witnessed the signatures on the petition by the person whose name appeared therein.
 3. *Filing and verification.* The zoning board of appeals shall not consider the waiver of location requirements until the above-described petition shall have been filed and verified.
- D. *Measurement.* Measurement of distances between regulated uses and any other regulated or protected use shall be from the outermost boundaries of the parcel or lot of each use. In the case of a regulated use within a shopping center with a minimum of at least 5,000 square feet of tenant space, the distance from the outermost boundaries of the tenant space proposed to contain the regulated use, shall be used as one measurement point

Sec. 1930. - Establishments serving alcoholic liquor for consumption on the premises.

Establishments serving alcoholic liquor for consumption on the premises may be permitted in certain districts specified in this section, subject to the following:

- A. All establishments serving alcoholic liquor for consumption on the premises are subject to the following:
 1. The proposed establishment serving alcoholic liquor for consumption on the premises is not located within 500 feet of a place of worship or school building. The distance between the place of worship or school building and the contemplated location shall be measured along the center line of the street or streets of address between two fixed points on the center line determined by projecting straight lines, at right angles to the center line, from the part of the place of worship or school building nearest to the contemplated location and from the part of the contemplated location nearest to the place of worship or school building. Notwithstanding the stated distance requirements, no proposed establishment serving alcoholic liquor for consumption on the premises will be permitted to serve alcoholic liquor if the proposed establishment serving alcoholic liquor for consumption on the premises is located on a parcel of land adjacent to a parcel of land with a place of worship or school building. This provision may be waived by the ~~city council~~ **planning commission** if the affected school(s) or place(s) of worship, through its duly appointed or elected governing body, affirmatively waives, in writing, its right to object to the restaurant and the ~~city council~~ **planning commission** determines that the proposed establishment serving alcoholic liquor for consumption on the premises will not adversely affect the operation of the school or place of worship.
 2. The layout of the site of the proposed establishment serving alcoholic liquor for consumption on the premises and its relationship to streets serving access to the site shall be in a manner that vehicular and pedestrian traffic to and from the proposed establishment serving alcoholic liquor for consumption on the premises, and the potential assembly of persons connected therewith, will not be hazardous, endangering, or inconvenient to the surrounding neighborhood and commercial district.

3. The proposed establishment serving alcoholic liquor for consumption on the premises will be compatible with adjacent uses of land, considering the proximity of residential dwellings, places of worship, schools, public structures, and other places of public gatherings.
 4. The proposed establishment serving alcoholic liquor for consumption on the premises will not be contrary to the public interest or injurious to nearby properties.
 5. The proposed establishment serving alcoholic liquor for consumption on the premises will not have the possible effect of downgrading and blighting the surrounding neighborhood.
 6. The proposed establishment serving alcoholic liquor for consumption on the premises will not reasonably be expected to diminish the value of properties in the immediate area.
- B. For restaurants serving alcoholic liquor for consumption on the premises the following additional requirements:
1. There shall at all times be maintained and provided culinary facilities to cook and prepare food, and tables and seating areas to accommodate dining on the premises by not fewer than 20 patrons at any time.
 2. Not more than 50 percent of the gross floor area open to the general public shall be used for purposes other than seating for diners, consisting of tables, chairs, booths, and necessary aisle ways. Public restroom facilities shall not be considered in this determination.
 3. Not less than 50 percent of the gross sales of the restaurant annually are derived from the sale of food and nonalcoholic beverages prepared for consumption on the premises as required by the Michigan Liquor Control Commission.
 4. All truck well, loading dock and loading/truck service areas shall be located and designed to minimize negative impact on adjoining properties.
- C. For brewpubs serving alcoholic liquor for consumption on the premises the following additional requirements:
1. There shall at all times be maintained and provided culinary facilities to cook and prepare food, and tables and seating areas to accommodate dining on the premises by not fewer than 20 patrons at any time.
 2. Not less than 25 percent of the gross sales of the restaurant annually are derived from the sale of food and nonalcoholic beverages prepared for consumption on the premises as required by the Michigan Liquor Control Commission.
 3. Except as otherwise provided in this article, all operations of the facility shall be conducted within a completely enclosed building, except for off-street parking or loading.
 4. All truck well, loading dock and loading/truck service areas shall be located and designed to minimize negative impact on adjoining properties.
- D. For breweries, wineries and distilleries serving alcoholic liquor for consumption on the premises the following additional requirements:
1. Not more than 40 percent of the gross floor area of the facility shall be used for purposes other than the manufacturing of alcoholic liquor. The area not devoted to manufacturing may be used for the serving of alcohol, food preparation, seating for diners, entertainment, and retail sales. Public restroom facilities shall not be considered in this determination.
 2. Except as otherwise provided in this article, all operations of the facility shall be conducted within a completely enclosed building, except for off-street parking or loading.
 3. All truck well, loading dock and loading/truck service areas shall be located and designed to minimize negative impact on adjoining properties.

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.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this day of _____, 2019.

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 _____, 2019.

T. Edwin Norris
City Clerk

First Reading:
Second Reading:
Adopted:
Published:

CITY OF OAK PARK, MICHIGAN

ORDINANCE NO.

AN ORDINANCE TO AMEND ARTICLE XIX – SPECIAL LAND USES, 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 XIX, SPECIAL LAND USES, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to the following:

ARTICLE XIX. - SPECIAL LAND USES

Sec. 1900. - General standards.

Special land uses are uses which would be appropriate in a particular district at certain locations, provided they are compatible with other uses in the district. Approval shall be subject to meeting special standards and any specific conditions imposed by the planning commission that are designed to ensure their compatibility with neighboring uses.

For all special land uses, a site plan shall be submitted for review and approval by the planning commission, after a public hearing by the planning commission, and shall conform to the requirements and procedures for site plan review set forth in section 1725. If the plans meet the required standards of this ordinance and indicate no adverse effects, which in the opinion of the planning commission, cause injury to the residents, users, or owners of adjoining property, or the city as a whole, the planning commission shall approve the use. In consideration of all applications for special land use approval, the planning commission shall review each case individually as to its applicability and must find affirmatively to each of the following standards of the proposed special land use if it is to be approved. Such uses shall be subject to conditions, restrictions and safeguards deemed necessary within the scope of the law as set forth below.

- A. The proposed special land use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located.
- B. The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location of and access to off-street parking, and provisions for pedestrian safety.
- C. The location, size, intensity, site layout and periods of operation of any such proposed use shall be designed to eliminate any possible nuisance emanating therefrom which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.
- D. The proposed use shall be such that the proposed location and height of building or structures and location, nature and height of walls, fences and landscaping will not

interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.

- E. The proposed use shall relate harmoniously with the physical and economic aspects of adjacent land uses as regards to prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the city.
- F. The proposed use is necessary for the public convenience at the proposed location.
- G. The proposed use is designed, located, planned and to be operated that the public health, safety and welfare will be protected.
- H. The proposed use shall not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.

Sec. 1901. - Procedures.

- A. *Approval.* If the planning commission determines that the particular special land use(s) should be allowed, it shall clearly set forth in a special land use permit the particular use(s) which have been allowed. Thereafter, the building official may issue a building permit in conformity with the particular special land use so approved. In all cases where a particular special land use has been granted as provided herein, application for a building permit in pursuance thereof must be made and received by the city not later than six months thereafter, or such approval shall automatically be revoked, provided, however, the planning commission may grant an extension thereof for good cause shown under such terms and conditions and for such period of time not exceeding six months as it shall determine to be necessary and appropriate. In addition, construction shall commence within one year of receiving a building permit, or approval shall be automatically revoked, provided, however, that the planning commission may grant a six-month extension for good cause.
- B. *Denial.* If the planning commission determines that the particular special land use(s) requested does not meet the standards of this ordinance or otherwise will tend to be injurious to the public health, safety, welfare or orderly development of the city, it shall deny the application by a written endorsement thereon which clearly sets forth the reason for such denial.
- C. *Record.* The decision on a special land use shall be incorporated in the minutes of the planning commission meeting at which it was considered. The minutes shall specify any conditions imposed.
- D. *Hearings.* The planning commission shall investigate the circumstances of each such case and give notice of the time and place of any hearing, meeting or review which may be held relative thereto by publishing one notice in a newspaper which circulates in the city, and sent by mail or personal delivery to the owners of property and occupants of structures as required by law.
- E. *Conditions.* The planning commission may impose such conditions or limitations in granting approval as may be permitted by state law and this ordinance which it deems necessary to fulfill the spirit and purpose of this ordinance. The conditions may include,

conditions necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land and to promote the use of the land in a socially and economically desirable manner. Conditions imposed shall:

1. Be designed to protect natural resources, the health, safety, welfare and the social and economic well-being of those who will use the land use or activity, those adjacent to the proposed land use or activity, and the community as a whole.
2. Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.
3. Be necessary to meet the intent and purpose of the zoning regulations; be related to the standards established in this ordinance for the land use or activity under consideration; and be necessary to ensure compliance with those standards.

The conditions imposed with respect to the approval of a land use or activity shall be recorded in the record of the approval action (special land use permit) and shall remain unchanged except upon the mutual consent of the approving authority and the landowner. The planning commission shall maintain a record of changes granted in conditions.

Sec. 1902. - Vehicle convenience stations.

Vehicle convenience stations may be permitted in certain districts specified in this ordinance subject to the following:

- A. Retail gasoline sales and convenience commercial facilities (no vehicle repair).
 1. All structures, including canopies, shall conform to the setback provisions in section 1600, Schedule of district regulations.
 2. All retail sales activity, other than gasoline sales, shall be conducted entirely within a completely enclosed structure. No outside storage of any product or material is permitted.
 3. All lighting shall be noted on the site plan and shielded downward and away from adjacent properties and rights-of-way. All lighting shall be designed to prevent glare from negatively impacting adjacent properties or rights-of-way.
 4. There shall be no storage of vehicles on the site, including wreckers or other service vehicles.
 5. A six-foot high masonry wall of face brick or poured concrete with brick pattern on both sides, shall be located on all property lines which abut any Residential district. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - a. One three-inch caliper deciduous tree per 30 feet of wall length.
 - b. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
 - c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.

6. There shall be no loudspeaker or public address system other than individual intercom systems for each pump.
 7. No vehicle wash facilities, whether roll-over, self-serve, or drive-thru, are permitted unless approved by the planning commission under section 1927.
 8. Primary ingress/egress shall be off of a major or secondary thoroughfare as designated on the city's adopted master plan. Secondary ingress/egress on all residential streets shall be designed to reduce negative impact on adjacent residential areas.
 9. All trash storage areas shall be screened from view by a six-foot high masonry enclosure approved by the planning commission.
 10. The location, size and type of all above-ground and underground storage tanks and piping shall be noted on the site plan. All tanks shall have appropriate secondary containment and leak detection which shall be noted on the site plan. All tanks shall be registered and otherwise comply with all state and local codes.
- B. Retail gasoline sales with limited repair facilities.
1. Compliance with the provisions outlined in section 1902.A.1—10 and 1903.A—E.
 2. No outdoor storage or parking of wreckers or other service vehicles is permitted.

Sec. 1903. - Vehicle service centers.

Vehicle service centers such as muffler and brake shops, new tire sales, tune-up shops, quick oil change shops, and similar establishments for minor repairs, routine maintenance and auto accessories, may be permitted in certain districts specified in this ordinance subject to the following:

- A. The use shall be completely enclosed within a building.
- B. No vehicles awaiting repair shall remain on-site for more than 36 hours.
- C. A six-foot high masonry wall of face brick or poured concrete with brick pattern on both sides, shall be located on all property lines which abut any Residential district. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - a. One three-inch caliper deciduous tree per 30 feet of wall length.
 - b. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
 - c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.
- D. All trash storage areas shall be screened from view by a six-foot high enclosure approved by the planning commission. Old parts such as tires, mufflers, pipes, and the like, shall be kept inside the enclosure and shall not be permitted to accumulate for periods longer than one week unless stored within the building.

- E. Management plans shall be submitted for the collection, storage, and recycling or proper disposal of all new, used or waste automotive fluids resulting from repair or service operations.

Sec. 1904. - Vehicle repair garages.

Vehicle repair garages including body repair, body painting, engine rebuilding, rust-proofing, and similar activities, may be permitted in certain districts specified in this ordinance, subject to the following:

- A. No vehicles awaiting service shall remain on-site for more than 36 hours.
- B. All repair services shall be conducted within a completely enclosed building.
- C. All trash storage areas shall be screened from view by a six-foot high enclosure approved by the planning commission. The trash containers shall be emptied at least once each week. All discarded vehicle parts shall be kept inside the enclosure and shall not be permitted to accumulate for periods longer than one week unless stored within the building.
- D. A six-foot high masonry face brick wall or poured concrete wall with brick pattern on both sides, shall be located on all property lines which abut any residential district. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - a. One three-inch caliper deciduous tree per 30 feet of wall length.
 - b. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
 - c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.
- E. Management plans shall be submitted for the collection, storage, and recycling or proper disposal of all new, used or waste automotive fluids resulting from repair or service operations.

Sec. 1905. - Cemeteries.

Cemeteries may be permitted in all residential districts, subject to the following:

- A. Minimum site size shall be 20 acres with a minimum lot width of 330 feet.
- B. There shall be no burial plots within 50 feet of any property line.
- C. No service building shall be located closer than 100 feet to any property line and all service and storage yards shall be screened from view by an obscuring wall or pressure-treated wood fence at least six feet high.
- D. On all sides abutting property in a zoning district that permits residential uses, there shall be a landscaped greenbelt at least 25 feet wide.

Sec. 1906. - Places of worship.

Churches, synagogues and other places of worship may be permitted in certain districts specified in this ordinance, subject to the following:

- A. The site shall have direct access to a major or secondary thoroughfare as designated on the city's adopted master plan.
- B. All parking areas shall be screened from adjoining properties by a minimum four-foot, six-inch high masonry wall or similar material suitable to the planning commission. The planning commission may permit the substitution of a landscaped greenbelt or earth berm after submission and review of a landscape plan.
- C. The principal building shall comply with all setback requirements of the district in which it is located provided, however, that in no case shall the principal building be located closer than twice its height to any property line.
- D. The site plan shall include a floor plan of the proposed structure(s) for use in determining required parking etc. based on proposed uses within the structure.
- E. The site plan shall detail any proposed outdoor use areas (playgrounds, shrines, etc.), including means of pedestrian and vehicular access, if applicable.

Sec. 1907. - Educational institutions.

Educational institutions including pre-schools, elementary, middle, and high schools, colleges, universities and other such institutions of higher learning for profit and nonprofit, offering courses in general, technical, or religious education may be permitted in certain districts specified in this ordinance, subject to the following:

- A. All ingress and egress from said site shall be directly onto a major or secondary thoroughfare, as designated on the city's adopted master plan.
- B. No building other than a single-family residential dwelling shall be closer than 50 feet to any property line and/or existing or proposed public right-of-way.
- C. All service and storage areas shall be screened from view by a masonry wall at least six feet high, approved by the planning commission.
- D. All areas for student and staff parking shall be set back at least 50 feet from an abutting residential district or residential use.
- E. No outdoor use areas (playgrounds, athletic facilities) shall take place within 75 feet of an abutting residential use.
- F. The site plan shall clearly demonstrate that the parcel size has the ability to provide adequate space for buildings, parking, setback, open space, landscaping, and the like.

Sec. 1908. - Reserved for future use.

Sec. 1909. - Commercial outdoor recreation.

Commercial outdoor recreation such as, golf driving ranges, miniature golf, batting practice cages, water slide parks, tourist-oriented outdoor amusements, and similar uses, may be permitted in certain districts as specified in the ordinance, subject to the following:

- A. No activities shall take place within 100 feet of an abutting residential district.
- B. Use of loudspeaker or public address systems for broadcasting music or continuous announcements shall be prohibited.
- C. An outdoor lighting plan shall specify the type of fixtures to be used, light intensity, and method of shielding the fixtures so that light does not project onto adjoining properties or interfere with driver visibility on any public or private street or public right-of-way.
- D. Hours of operation may be restricted by the planning commission in order to reduce the impact of the proposed use on abutting residential areas.
- E. All protective fencing/netting locations shall be detailed on the site plan. The planning commission may regulate type, size and location, of said fencing/netting for aesthetic, visibility and safety purposes.

Sec. 1910. - Convalescent or rest home.

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

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

Sec. 1911. - Drive-in restaurant.

Because of the auto-oriented character of drive-in restaurants and similar establishments, they shall be permitted in certain districts specified in this ordinance, provided the following conditions are met:

- A. A building setback of at least 60 feet from the proposed future street right-of-way lines, as shown on the city's adopted thoroughfare plan, shall be maintained.
- B. Ingress and egress points shall be located at least 50 feet from the intersection of any two street right-of-way lines or abutting residential district.
- C. Lighting shall be shielded so that it does not project onto abutting property or streets, nor shall it interfere with driver visibility.
- D. A six-foot high masonry wall of face brick or poured concrete with brick pattern on both sides, shall be located on all property lines which abut any residential district. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - a. One three-inch caliper deciduous tree per 30 feet of wall length.

- b. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
- c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.

Sec. 1912. - Kennels, commercial.

Commercial kennels and animal hospitals may be permitted in certain districts specified in this Ordinance, subject to the following:

- A. The site shall abut a public road shown as a major or secondary thoroughfare on the city's adopted master plan.
- B. All pens and runs shall be completely enclosed within a building.
- C. All breeding areas shall be completely enclosed.
- D. All animals shall be adequately housed, fenced and maintained so as not to be or become a public or private nuisance. The premises shall be maintained in such a manner so as not to be harmful to surrounding properties, or create any hazard or detriment to public health, safety or general welfare.
- E. Kennels housing more than ten dogs shall provide one off-street parking space for each five kennel runs. Other uses shall provide parking to accommodate the maximum number of patrons using the facility at any one time in accordance with section 1726, Off-street parking.
- F. A six-foot high masonry face brick wall or poured concrete wall with brick pattern on both sides, shall be located on all property lines which abut any residential district. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - a. One three-inch caliper deciduous tree per 30 feet of wall length.
 - b. Four, 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
 - c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.
- G. Any use permitted by the city under this section shall terminate immediately when the lot area requirements herein set forth are decreased in any manner or the provisions of this ordinance violated.

Sec. 1913. - Group child care facilities.

Group child care facilities may be located in certain districts specified in this ordinance, subject to all of the following:

- A. No such use may be located closer than 1,500 feet to another such use;
- B. All outdoor use areas shall be enclosed by a four-foot high chain link fence to insure child safety;

- C. The property shall be maintained consistently with the visible characteristics of the neighborhood;
- D. Shall provide adequate drop-off and waiting spaces so parents' cars are not required to stand in a public right-of-way or block ingress to the site;
- E. The site layout shall ensure pedestrian safety by designating play areas, separated from parking and driveways; and
- F. Upon approval of a group day care home or group child care facility by the planning commission, the owner or occupant of such home or facility shall register with the city clerk as a group day care home or group child care facility, showing proof of certification as such by the State of Michigan Family Independence Agency.

Sec. 1914. - Outdoor sales lots.

Outdoor sales lots for automobiles, trucks, trailers, boats, mobile homes, and similar uses may be permitted in certain districts specified in this Ordinance, subject to the following:

- A. All outdoor lighting shall be shielded from projecting onto adjacent property or rights-of-way and shall not interfere with driver visibility.
- B. No vehicles or merchandise for sale shall be displayed within any required greenbelts.
- C. Loudspeakers or public address systems may be permitted subject to the following criteria:
 - 1. Any proposed sound system shall be clearly detailed on the site plan.
 - 2. The facility and proposed sound system shall be designed so as to minimize the level of noise generated. Such design alternatives include, but are not limited to, sound deadening construction materials, time/volume limitations on use of sound systems, directional/locational limitations on speaker/public address system locations, and landscaping.
 - 3. The planning commission shall review the special approval in one year to determine if there are any noise-related problems regarding the approved sound system. In reviewing the special approval, the planning commission shall consult the police department and code assistance. Reports from these departments, along with any public comment at the review hearing, shall be the basis for any subsequent decision(s) by the planning commission.
 - 4. If the planning commission finds a noise-related problem(s), based upon police, code assistance and public comment as noted above, the planning commission may require that additional measures be taken by the owner to reduce or eliminate the noise-related problem in accord with D.2 above.
- D. A six-foot high masonry wall of face brick or poured concrete with brick pattern on both sides, shall be located on all property lines which abut any residential district. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - a. One three-inch caliper deciduous tree per 30 feet of wall length.

- b. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
- c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.

Sec. 1915. - Public recreation uses.

Public recreation uses such as parks, playgrounds, golf courses, ball fields, and stadiums may be permitted in certain districts specified in this ordinance, subject to the following:

- A. No activities shall take place within 30 feet of an abutting residential use or district.
- B. Use of loudspeaker or public address systems shall be limited in terms of number of events per year and hours of events, so as to minimize impacts on adjacent residential areas. Said limitation shall be clearly set forth in the special land use permit.
- C. Outdoor lighting shall be restricted in terms of hours of operation. All lights shall be shielded so as to not project onto adjoining properties, rights-of-way, or impair driver visibility.

Sec. 1916. - Public buildings without storage yards.

Public buildings such as libraries, fire stations, recreation centers, and similar uses, may be permitted in certain district specified in this ordinance, subject to the following:

- A. There shall be no outdoor storage yard or uses like a public works garage. (See section 1925 for regulations regarding outdoor storage yards).
- B. The site shall have all access from a major or secondary thoroughfare as designated on the city's adopted master plan.
- C. All off-street parking shall be screened from abutting residential property by a six-foot high masonry wall of face brick or poured concrete with brick pattern on both sides. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - a. One three-inch caliper deciduous tree per 30 feet of wall length.
 - b. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
 - c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.

A three-foot high landscaped berm within a greenbelt of at least 20 feet in width may be substituted for the required masonry wall.

Sec. 1917. - Vehicle dealers (classes A, B, W).

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

A. *General provisions.* In B-2, general business districts, and LI, light industrial districts, the following minimum standards apply:

1. All vehicle dealers shall have a solely dedicated permanent structure containing not less than 500 square feet of interior floor space to be used as business or sales office, in which customers may enter and transact business, and in which heating, plumbing, and restrooms are provided. Such building shall also include a bay in which vehicles can be brought in for minor servicing, cleaning, and preparation for sales.
2. All cleaning and refurbishing of vehicles must be performed within an enclosed permanent building. No repair or refinishing shall be done outside on the lot.
3. Outdoor loudspeakers or public address systems shall not be permitted.
4. The required vehicle display area shall conform to the following requirements:
 - a. Access to each individual vehicle shall be provided. Vehicles shall not be positioned in a stacked or packed formation.
 - b. There shall be no storage or display of vehicles in the public right-of-way.
 - c. Vehicles for sale shall be prohibited from parking within any maneuvering lane or driveway.
 - d. Outdoor storage of inoperable or part-stripped vehicles shall be prohibited from the site.
5. The setback areas along street frontages shall not be used for the parking or for the storage/display of vehicles. Separate off-street parking shall be provided in compliance with the regulations contained in section 1726 and the following provision:
 - a. The minimum number of parking spaces to be provided shall be calculated based on the formula of five spaces plus one space per each 15 used car storage/display spaces.
6. Grounds shall meet, or be improved to comply with, the following site design requirements:
 - a. The site shall be hard-surfaced, graded and drained in accordance with the regulations of section 1726. Concrete curbing shall be provided along the perimeter of the parking area.
 - b. Maneuvering lanes for the storage/display area shall be a minimum of 20 feet in width.
 - c. The setback areas along street frontages shall be a landscaped greenbelt measuring minimum of ten feet in width. Landscape plans must be included in application for review. See landscape provisions in section 1716 of the ordinance.
 - d. Overhead service doors shall not face or open toward residentially zoned property.
7. A six-foot-high masonry wall of face brick, six-foot-high simulated brick pattern poured concrete wall, or a six-foot-high pressure-treated wood or vinyl obscuring fence. The plan shall detail the location, height and type of wall/fence proposed, shall be located on all property lines which abut any residential district.
 - a. Where the storage yard abuts residentially zoned property there shall be a ten-foot wide landscaped greenbelt, between the property line and the fence/wall. Said greenbelt shall be planted in accordance with section 1716.

8. All lighting on the site shall be shielded. All glare shall be eliminated from all light fixtures and not encroach upon abutting properties. Lighting shall otherwise not direct illumination upon abutting properties, or emit illumination upon abutting properties in a manner that or of such magnitude that encroaches upon their peace. The light poles shall be no higher than 20 feet. Upward-directed lighting, searchlights, moving beams, and spotlights shall not be permitted.
9. A vehicle dealer licensed business shall be issued only for use on the premises named in the license application and such location shall not be changed without the approval of the city clerk. The clerk shall not approve such a transfer unless the new location conforms with all applicable ordinances.
- B. *LI, light industrial districts.* Classes B and W vehicle dealer licenses permitted only in combination with a towing, body shop (collision-related mechanical repair and unitized body structural repair only) or custom utility vehicle manufacturer subject to the following:
 1. The minimum lot area for a class B vehicle dealer shall be a solely dedicated 5,000 square feet and for class W licenses a solely dedicated 2,500 square feet.
 2. There shall be provided a minimum of ten storage/display spaces for class B licenses and five storage/display spaces for class W licenses.
- C. *B-2, general business districts.* Classes A and B vehicle dealer licenses permitted for automobile dealerships, showrooms and used car lots subject to the following:
 1. The minimum lot area for a class A or B vehicle dealer shall be a solely dedicated 10,000 square feet.
 1. There shall be provided a minimum of ten storage/display spaces.

Sec. 1918. - Utility structures, utility transmission systems, utility transmission structures, (wireless transmission/reception/relay towers).

- A. *Local utility structures.* Utility structures, such as but not limited to, electric transformer stations and substations, gas regulator stations, sewer lift stations, and the like, may be permitted in all districts subject to site plan approval and the following standards:
 1. Operating requirements necessitate the proposed location in order to serve the residents of the city.
 2. All such uses shall be completely enclosed and without storage yards.
 3. No structure shall exceed the height limit of the district in which it is to be located.
 4. All buildings shall be designed to be compatible in style and materials with other uses permitted in the district.
 5. No building shall be located closer than 50 feet to any property line abutting land zoned for residential use.
 6. A minimum 15-foot landscaped greenbelt shall be provided around the entire perimeter of the utility building site.

7. Adequate off-street parking shall be provided for any service personnel and all drives and parking areas shall be paved with asphalt or concrete.

B. *Utility transmission systems.* Utility transmission systems, such as but not limited to, high voltage electric transmission lines, high pressure gas pipelines, and oil pipelines shall require special land use approval by the planning commission, subject to the following requirements and standards:

1. All such utility lines shall follow existing utility corridors where possible, and reasonable, as determined by the planning commission.
2. Selective clearing techniques shall be used throughout a utility corridor or property for installation of towers, lines, pipelines, service roads, drainage facilities, and similar facilities. Existing vegetation shall be maintained, whenever possible, throughout the remainder of the corridor not affected by the actual installation of approved facilities.
3. Any area destroyed by necessity in the construction of such approved facilities, may be subject to conditions imposed by the planning commission for its immediate restoration by replanting or similar techniques.
4. During construction or repair of any facilities approved hereunder, the following shall be required:
 - a. All internal roads shall be kept dust-free.
 - b. Any damage to public or private roads, fences, structures, or facilities shall be repaired immediately.
 - c. No wastes or spoils of any kind, such as tree stumps, construction wastes, trash and the like, shall be left after construction or repair operations are complete.
 - d. All construction operations shall be confined to daylight hours, Monday through Saturday, unless permitted in writing by the planning commission.
5. The existence of one line or facility approved hereunder does not imply permission to erect any other lines or facilities other than those originally permitted.

C. *Utility transmission structures.* Utility transmission structures, such as but not limited to, high voltage electric stations, gas compressor stations, oil storage facility, and wireless communications, receiving or transmitting towers, shall require special land use approval by the planning commission subject to the following requirements and standards:

1. The following types of utility transmission structures shall be permitted after special land use approval, only in the listed districts:

Use	District
Electric stations	All districts
Telephone exchange buildings	All districts
Gas compressor stations	LI
Oil storage facility	LI
Wireless communications tower	O, LI, B-2, PTRED, PCD

2. In order to provide a pleasing community appearance and to prevent noise levels, odors, dust, and similar external physical effects from adversely affecting adjoining properties, all equipment shall be completely enclosed within a building, unless the setback and screening guidelines specified in subsection 3 below are followed, as approved by the planning commission.
3. If the equipment proposed will not be enclosed within a building, a setback of 300 feet from all property lines shall be required. In addition, an obscuring, landscaped buffer shall be provided, based on the following guidelines, as determined by the planning commission after considering the type, size, height, and anticipated noise levels of all equipment being proposed:
 - a. A landscaped earthen berm at least six feet high with a 3:1 side slope, along all sides of the equipment.
 - b. An obscuring fence or a masonry wall at least six feet high, completely surrounding the equipment.
 - c. Any combination of the above requirements approved by the planning commission.
4. All buildings permitted under this section shall be setback at least 100 feet from all adjoining property lines. Expansions of transmission facilities, which facilities existed prior to the effective date of this amendment, may be placed within 100 feet of an adjoining property line only after approval of the planning commission and only when fully enclosed within a building.
5. Where there will be employees stationed at the utility building on a permanent or intermittent basis, adequate off-street parking shall be constructed with an asphalt or concrete surface.
6. There shall be no outdoor storage of equipment and/or materials which are not necessary for daily operations of any utility building site, except those which are necessary for safety or emergency repairs at that particular utility transmission structure site.
7. Where the utility transmission structure proposed is a wireless transmission, receiving or relay tower, it shall comply with the following special standards:
 - a. *Standards and conditions applicable to all wireless communication facilities.*
1. The applicant shall demonstrate the need for the proposed facility to be located as proposed based upon the presence of one or more of the following factors:
 - a. Proximity to major thoroughfares;
 - b. Population concentrations;
 - c. Business centers;
 - d. Signal interference;
 - e. Topography;
 - f. Other specifically identified reason(s) creating facility need.
2. The proposal shall be reviewed in conformity with the colocation requirements of this section below.

3. Facilities shall not be demonstrably injurious or otherwise detrimental to the public safety and welfare.
4. Facilities shall be located and designed to be harmonious with the surrounding areas. The use of monopole towers shall be required unless the applicant demonstrates that monopole towers are not feasible for the proposed use.
5. Wireless communication facilities shall comply with applicable federal and state standards relative to the environmental effects of radio frequency emissions.
6. Applicants shall demonstrate a justification for the proposed height of the structures and an evaluation of alternative designs which might result in lower height.
7. The following additional standards shall be met:
 - a. The maximum height of the support structure and antenna shall be the minimum height demonstrated to be necessary for reasonable communication by the applicant (and by other entities to colocate on the structure). No wireless transmission tower in excess of 100 feet in height shall be located closer than 2,000 feet to any other such tower. Accessory buildings shall be limited to the maximum height for accessory structures within the respective district.
 - b. The setback of the support structure from any property line and existing or proposed road right of way line shall be at least the height of the highest point of the support structure. Multiple towers on the same parcel or adjoining parcels shall each meet the above criteria and be separated from any other tower for a distance at least equal to the height of the tallest tower.
 - c. There shall be unobstructed access to the facility for operation, maintenance, repair and inspection (may be provided by an easement).
 - d. The division of property for the purpose of locating a wireless communication facility is prohibited unless all zoning requirements and conditions are met.
 - e. Rooftop wireless communication facilities shall be architecturally compatible with the principal building.
 - f. The planning commission may regulate the color of the support structure and all accessory buildings to minimize distraction, maximize aesthetic appearance, and ensure compatibility with surroundings, subject to regulations of the Federal Aviation Administration. In addition, the planning commission may require additional landscaping and/or screening where the planning commission determines such screening and or landscaping is necessary to mitigate the negative visual and aesthetic impacts of the facility on the surrounding land uses.
 - g. Support structures shall be constructed in accordance with applicable building codes. A soils report from a geotechnical engineer, licensed in the State of Michigan shall be submitted. This report shall include soil borings and confirmation of the suitability of soils for the proposed use. Federal Aviation Administration, Federal Communication Commission, and Michigan Aeronautics Commission requirements shall be noted.
 - h. A maintenance plan, and any applicable maintenance agreement, shall be presented and approved as part of the site plan for the proposed facility.
 - i. There shall be no outdoor storage of equipment and/or materials, except those which are necessary for emergency repairs at that particular site (which may be temporarily stored during the emergency).

- j. The application shall include a certification by a State of Michigan licensed Professional Engineer regarding the manner in which the proposed structure will fall.
- k. The application shall include a description of security to be posted at the time of receiving a building permit to ensure removal of the facility when it has been abandoned or is no longer needed. The security shall be in the form of cash, surety bond, letter of credit, or an agreement in a form approved by the City attorney and recordable at the Register of Deeds, establishing a promise of the applicant and owner of the property to remove the facility in a timely manner as required under this section of the ordinance. The applicant and owner shall be responsible for the payment of any costs and attorney fees incurred by the city in securing removal.
- l. The application shall include a map showing existing and known proposed wireless communication facilities within the city and areas within three miles surrounding the city. If the information is on file with the city, the applicant shall update as needed. Any such information which is trade secret and/or other confidential commercial information may be submitted with a request for confidentiality in connection with the development of governmental policy. This ordinance shall serve as the promise to maintain confidentiality to the extent permitted by law. The request for confidentiality must be made in writing.
- m. The applicant shall provide the name, address and phone number of the person to contact for all engineering, maintenance and other notice purposes. This information shall be continuously updated while the facility is on the premises.
- b. *Special requirements for wireless communication facilities proposed outside districts where they are permitted after special land use approval.* Applications for facilities which are proposed to be located outside of a district where they are permitted as a special land use, shall conform with the following standards, along with those in subsections A above:
 - 1. The applicant shall demonstrate that a location within a district where the facility is permitted as a special land use cannot reasonably meet the coverage and/or capacity needs of the applicant.
 - 2. Wireless communication facilities shall be of a design such as (without limitation) a steeple, bell tower, or other form which is compatible with the existing character of the proposed site, neighborhood and general area, as approved by the city.
 - 3. The applicant shall seek to locate the facility at one of the following sites (not in any priority), subject to application of all other standards contained in this section:
 - a. Municipally owned site.
 - b. Other governmentally owned site.
 - c. Religious or other institutional site.
 - d. Public park and other permanent open space areas.
 - e. Other locations if none of the above is available.
- c. *Requirements for colocation.*
 - 1. A special land use permit for the construction and use of a new wireless communication facility shall not be granted unless and until the applicant demonstrates that colocation is not feasible.

2. All new and modified wireless communication facilities shall be designed and constructed so as to accommodate colocation.
3. The policy of the city is "pro colocation." Thus, if a party who owns or otherwise controls a wireless communication facility shall fail or refuse to alter a structure so as to accommodate a proposed and otherwise feasible colocation, such facility shall be deemed to be a nonconforming structure and use.
4. If a party who owns or otherwise controls a wireless communication facility shall fail or refuse to permit a feasible colocation, and this requires the construction and/or use of a new wireless communication facility, the party failing or refusing to permit a feasible colocation shall be deemed to be in direct violation and contradiction of the policy, intent and purpose of the city and consequently such party shall take responsibility for the violation, and shall be prohibited from receiving approval for a new wireless communication support structure within the City for a period of five years from the date of the failure or refusal to permit the colocation. Applicants to the zoning board of appeals regarding this provision must demonstrate that enforcement of the five year prohibition would unreasonably discriminate among providers of functionally equivalent wireless communication services, or would have the effect of prohibiting the provision of personal wireless communication services.

d. *Incentive.*

1. Review of an application for colocation shall be expedited by the city through administrative review and approval of proposed colocation of wireless communication facilities where the application involves the colocation of a new wireless communication facility antenna on an existing wireless communication facility support structure which is in conformance with the provisions of this section.
2. Where the application involves the colocation of a new wireless communication facility antenna on a building, water tower, church steeple, stadium light pole, or similar structure, as determined by the planning commission, the required 300-foot setback shall not apply.
3. Review of an application for colocation shall be expedited by the city.

e. *Removal.*

1. A condition of every approval of a wireless communication facility shall be adequate provision for removal of all or part of the facility by users and owners upon the occurrence of one or more of the following events:
 - a. When the facility has not been used for 180 days or more. For purposes of this section, the removal of antennas or other equipment from the facility, or the cessation of operations (transmission and/or reception of radio signals) shall be considered as the beginning of a period of nonuse.
 - b. Six months after new technology is available at reasonable cost, as determined by the planning commission, which permits the operation of the communication system without the requirement of the support structure.
2. The situations in which removal of a facility is required, as set forth in paragraph 1 above, may be applied and limited to portions of a facility.
3. Upon the occurrence of one or more of the events requiring removal, the property owner or persons who had used the facility shall immediately apply for any required demolition or removal permits, proceed with, and complete the demolition/removal.

4. If the required removal of a facility or a portion thereof has not been lawfully completed within 60 days of the applicable deadline, and after at least 30 days written notice, the city may remove or secure the removal of the facility or required portions thereof, with its actual cost and reasonable administrative charge to be drawn, collected and/or enforced from or under the security posted at the time of application.

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, 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 planning commission. In deciding what type of screening to require, the planning commission 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 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 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 acres.

Sec. 1920. - Commercial indoor recreation.

Commercial indoor recreation uses, such as a bowling alley, roller rink, or similar use, may be permitted in certain districts, as specified in this ordinance, subject to the following:

- A. All off-street parking shall be screened from abutting residential property by a six-foot high masonry wall of face brick or poured concrete with brick pattern on both sides. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - 1. One three-inch caliper deciduous tree per 30 feet of wall length.
 - 2. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
 - 3. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.

A three-foot high landscaped berm within a greenbelt of at least 20 feet in width may be substituted for the required masonry wall.

- B. The site shall have direct access to a major or secondary thoroughfare as designated in the city's adopted master plan.
- C. The planning commission may regulate the hours of operation, as necessary, when the project is abutting less-intensive or residential uses, as a part of the special land use permit.

Sec. 1921. - Home center stores.

- A. The site shall be designed to minimize negative impact on adjacent properties with regard to noise, glare, dust or fumes.
- B. Outdoor trash storage areas shall be screened from view by a six-inch high enclosure constructed of the same masonry finish material as the principal building. All trash and refuse shall be stored within said enclosure. Compactors which are accessed directly from the store interior do not require screening.
- C. All loading/truck service areas shall be located in compliance with section 1726M and shall be designed to minimize negative impact on adjoining properties. All vehicular use areas shall be paved with asphalt or concrete.

- D. The site plan shall detail the location of all outdoor material storage areas including storage rack location and height (with material on rack). All outdoor storage areas shall be screened in accordance with the following:

A six-foot high masonry wall of face brick or poured concrete with brick pattern on both sides, shall be located on all property lines which abut any residential district. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:

- a. One three-inch caliper deciduous tree per 30 feet of wall length.
 - b. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
 - c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.
- E. All lighting shall be shielded downward and away from adjacent properties.
- F. Loudspeakers or public address systems may be permitted subject to the following criteria:
1. Any proposed sound system shall be clearly detailed on the site plan.
 2. The facility and proposed sound system shall be designed so as to minimize the level of noise generated. Such design alternatives include, but are not limited to, sound deadening construction materials, time/volume limitations on use of sound systems, directional/locational limitations on speaker/public address system locations, and landscaping.
 3. The planning commission shall review the special approval in one year to determine if there are any noise-related problems regarding the approved sound system. In reviewing the special approval, the planning commission shall consult the police department and code assistance. Reports from these departments, along with any public comment at the review hearing, shall be the basis for any subsequent decision(s) by the planning commission.
 4. If the planning commission finds a noise-related problem(s), based upon police, code assistance and public comment as noted above, the planning commission may require additional measures be taken by the owner to reduce or eliminate the noise-related problem in accord with F.2 above.

Sec. 1922. - Motor freight terminals and trucking facilities.

Motor freight terminals and trucking facilities may be permitted in certain districts, as specified in this ordinance, subject to the following:

- A. The site shall be designed to minimize negative impact on adjacent properties with regard to noise, glare, dust or fumes.
- B. All loading/truck service areas shall be located in compliance with section 1726M and shall be designed to minimize negative impacts on adjoining properties.

- C. Site lighting shall be designed and regulated in accordance with sections 1715 and 1725. All site lighting shall be designed to minimize glare on adjacent properties.
- D. Any proposed maintenance/service facility, including fueling stations, shall be noted on the site plan. The site plan shall detail the location of all underground or above ground storage tanks and storage areas for new or used/waste materials of a hazardous or toxic nature. Method of secondary containment and leak detection, where applicable, shall also be noted on the site plan.
- E. Loudspeakers or public address systems may be permitted subject to the following criteria:
 - 1. Any proposed sound system shall be detailed on the site plan.
 - 2. The facility and proposed sound system shall be designed so as to minimize the level of noise generated and the impact on adjacent properties. Such design alternatives include, but are not limited to, time/volume limitations on the use of sound systems, directional/locational limitations, sound deadening construction materials and landscaping.
 - 3. The planning commission shall review the special approval in one year to determine if there are any noise-related problems regarding the approved sound system. In reviewing the special approval, the planning commission shall consult the police department and code assistance whose reports, along with any public comments at the review hearing, shall be the basis for any subsequent decisions by the planning commission.
 - 4. If the planning commission finds a noise-related problem, the planning commission may require additional measures be taken by the owner to reduce or eliminate the problem(s) in accordance with E.2 above.
- F. A six-foot high masonry wall of face brick or poured concrete with brick pattern on both sides, shall be located on all property lines which abut any residential district. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - a. One three-inch caliper deciduous tree per 30 feet of wall length.
 - b. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
 - c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.

Sec. 1923. - Commercial television and radio broadcast towers and studios.

Commercial television and radio broadcast towers and studios may be permitted in certain districts, as specified in this Ordinance, subject to the following:

- A. Office buildings and broadcasting studios of radio and television stations shall be subject to the provisions of section 1600, Schedule of district regulations.
- B. Commercial television and radio broadcasting towers shall be located on a continuous parcel having a dimension at least equal to the height of the tower measured from the

base of said tower to all points on each property line. Multiple towers on the same parcel or adjoining parcels shall be so situated as to meet the above criteria and be separated from any other tower for a distance of at least equal to the height of the tallest tower. The use of monopole towers shall be required unless the applicant demonstrates that monopole towers are not feasible for the proposed use.

Sec. 1924. - Student dormitory rooms.

Student dormitory rooms, when constructed as a part of an educational institution or campus, may be permitted in certain districts, as specified in this ordinance, subject to the following:

- A. The site plan shall conform with section 1600, Schedule of regulations, and section 1725, Site plan review and approval.
- B. The minimum site size for an educational campus which includes a dormitory shall be three acres.
- C. An educational campus which includes a dormitory shall be located on a major or secondary thoroughfare as designated in the city's adopted master plan.
- D. 80 square feet of useable floor area shall be provided in each dormitory room for each one bed. This required space shall be exclusive of common lounge areas, kitchens, dining rooms, halls, bathrooms or similar use areas.
- E. 300 square feet of outdoor open space shall be provided for each one bed. This outdoor area shall be available for open space/recreation purposes and shall be exclusive of parking areas, service drives and similar uses.
- F. Bathroom facilities shall be constructed according to the city building code. Showers or similar bathing facilities shall be provided in the ratio of not less than one shower for each seven persons housed.
- G. All school dormitories shall be inspected at least once each year by the city building department to guarantee compliance with all preceding standards.

Sec. 1925. - Outdoor storage yards.

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

- A. The site plan shall detail the general location and type of equipment or materials proposed to be stored in the outdoor storage yards.
- B. All vehicular use areas shall be paved with asphalt or concrete. Areas used exclusively for non-vehicular storage may be gravel or crushed stone surface, as approved by the planning commission. All proposed paved surface areas shall be detailed on the site plan.
- C. All lighting shall be shielded downward and away from adjacent properties and right-of-way. All lighting locations shall be noted on the site plan.
- D. The storage yard shall be screened on all sides by a six-foot-high masonry wall of face brick, six-foot-high simulated brick pattern poured concrete wall, or a six-foot-high

treated-wood or vinyl obscuring fence. The plan shall detail the location, height and type of wall/fence proposed. The planning commission may approve a partial or complete substitution of the screening requirement using existing or proposed topography, dense vegetation, or other natural or manmade features that would produce substantially equivalent results of screening and durability.

- E. No materials, racks, or vehicles shall exceed the height of the required screen wall.
- F. Where the storage yard abuts residentially zoned property, there shall be a ten-foot wide landscaped greenbelt between the property line and the fence/wall. Said greenbelt shall be planted in accordance with section 1716.
- G. The planning commission may request review and comment on the proposed outdoor storage yard from the fire marshal and MDEQ where the materials proposed to be stored may pose an environmental or safety hazard.

Sec. 1926. - Central dry cleaning plants.

Central dry cleaning plants may be permitted in certain districts, as specified in this ordinance, subject to the following:

- A. The site plan submittal shall include a floor plan which details the location of all storage areas for hazardous/toxic materials and the method of secondary containment proposed.

Sec. 1927. - Automobile wash facilities.

Self-service and automatic automobile wash facilities may be permitted in certain districts, as specified in this ordinance, subject to the following:

- A. The site plan shall detail all required parking and vehicular standing areas as required in section 1726, Off-street parking.
- B. The site shall be designed to minimize the deposition of excess water from clean vehicles onto adjacent roads. In complying with this subsection, a combination of alternatives may be used including, but not limited to, blowers, hand-drying, length of exit drive and general site design.
- C. The site plan shall detail the location of all proposed vacuum stations. These areas shall be located so as not to conflict with any required parking, drive or automobile standing areas. Self-contained, covered waste receptacles shall be provided at each proposed vacuum station to provide convenient disposal of customer refuse.
- D. The site shall be screened from abutting residential property by a six-foot high masonry wall of face brick or poured concrete with brick pattern on both sides. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - a. One three-inch caliper deciduous tree per 30 feet of wall length.
 - b. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.

- c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.

A three-foot high landscaped berm within a greenbelt of at least 20 feet in width may be substituted for the required masonry wall.

- E. All lighting shall be noted on the site plan and shall be shielded downward and away from adjacent properties and rights-of-way.

Sec. 1928. - Restaurants in O office building districts.

Restaurants may be permitted in the O office building district subject to the following:

- A. All proposed restaurants shall be within an office building. No freestanding restaurants are permitted. Outdoor dining as an accessory area to a restaurant and subject to the provisions in section 1709.
- B. Parking shall be calculated for the site based on the individual uses, including the restaurant area, in accordance with the parking standards in section 1726.
- C. No drive-thru or drive-in facilities are permitted.

Sec. 1929. - Regulated uses.

It is recognized that there are some uses that, because of their very nature, have serious objectionable operational characteristics, particularly when concentrated in one area, and recognizing that such uses may have a deleterious effect upon adjacent areas, special regulation of these uses is necessary to prevent crime, protect the city's retail trade, maintain property values, and generally protect and preserve the quality of the city's neighborhoods and commercial districts. These special regulations are itemized in this section.

- A. *Types of regulated uses.* The establishment of the following types of uses are declared to be potentially detrimental and to have the possible effect of downgrading and blighting the surrounding neighborhood, particularly when concentrated in one area:
 - 1. Pawnbrokers or pawnshops.
 - 2. Establishments with SDD and SDM licenses from the Michigan Liquor Control Commission.
- B. *Requirements.* All proposed regulated uses shall conform to the following requirements:
 - 1. The proposed regulated use is not located within 1,000 feet of any other regulated use, regardless of community boundaries. Establishments with SDD and SDM licenses from the Michigan Liquor Control Commission, greater than 10,000 square feet of gross floor area, and devoting less than ten percent of the gross floor area to sales regulated by the SDD and SDM license, are exempt from the spacing requirement between regulated uses. Brew pubs, breweries, wineries and distilleries serving alcoholic liquor with SDD and SDM licenses from the Michigan Liquor Control Commission, are exempt from the spacing requirement between regulated uses.
 - 2. The proposed regulated use is not located within 500 feet of a school, park, or place of worship, regardless of community boundaries. Establishments with SDM licenses from the Michigan Liquor Control Commission, greater than 10,000 square feet of gross floor area, and devoting less than ten percent of the gross floor area to sales regulated by the SDM license, are exempt from this spacing requirement.
 - 3. The layout of the site of the proposed regulated use and its relationship to streets providing access to the site shall be in a manner that vehicular and pedestrian traffic to and from such proposed regulated use and the potential assembly of persons connected therewith, will not be hazardous, endangering, or inconvenient to the surrounding neighborhood and commercial district.
 - 4. The proposed regulated use will be compatible with adjacent uses of land, considering the proximity of residential dwellings, churches, schools, public structures, and other places of public gatherings.
 - 5. The proposed regulated use will not contrary to the public interest or injurious to nearby properties.
 - 6. The proposed regulated use will not have the possible effect of downgrading and blighting the surrounding neighborhood.

7. The proposed regulated use will not be contrary to any program of neighborhood conservation, nor will it interfere with any redevelopment projects.
 8. The proposed regulated use will not reasonably be expected to diminish the value of properties in the immediate area.
 9. The proposed regulated use will be in compliance with all other applicable regulations, city codes and state and federal laws.
- C. *Pawnbroker and pawnshops and residential areas.* No pawnbroker or pawnshop use shall be located on a parcel of land which is located such that a radius of 1,000 feet drawn from any point on that parcel contains at least 30 percent residential buildings, dwellings or rooming units of the total number of structures within such radius. This provision may be waived by the zoning board of appeals upon receiving a petition filed by the appellant which indicated approval of the proposed regulated use by 51 percent of all the adults residing within a radius of 1,000 feet of the location of the proposed use.
1. *Petition preparation.* The petitioner shall attempt to contact all adult residents within this radius and shall maintain a list of all addresses at which no contact was made or only a verbal response received. Signatures of a minimum of 51 percent of all the adult residents of the area are required for approval.
 2. *Regulations of board.* The zoning board of appeals shall adopt rules and regulations governing the procedure for securing the petition of consent as provided for in this section. The rules shall provide that the circulator of the petition shall subscribe to an affidavit to the fact that the petition was circulated in accordance with the rules of the zoning board of appeals and that the circulator personally witnessed the signatures on the petition by the person whose name appeared therein.
 3. *Filing and verification.* The zoning board of appeals shall not consider the waiver of location requirements until the above-described petition shall have been filed and verified.
- D. *Measurement.* Measurement of distances between regulated uses and any other regulated or protected use shall be from the outermost boundaries of the parcel or lot of each use. In the case of a regulated use within a shopping center with a minimum of at least 5,000 square feet of tenant space, the distance from the outermost boundaries of the tenant space proposed to contain the regulated use, shall be used as one measurement point

Sec. 1930. - Establishments serving alcoholic liquor for consumption on the premises.

Establishments serving alcoholic liquor for consumption on the premises may be permitted in certain districts specified in this section, subject to the following:

- A. All establishments serving alcoholic liquor for consumption on the premises are subject to the following:
 1. The proposed establishment serving alcoholic liquor for consumption on the premises is not located within 500 feet of a place of worship or school building. The distance between the place of worship or school building and the contemplated location shall be measured along the center line of the street or streets of address

between two fixed points on the center line determined by projecting straight lines, at right angles to the center line, from the part of the place of worship or school building nearest to the contemplated location and from the part of the contemplated location nearest to the place of worship or school building. Notwithstanding the stated distance requirements, no proposed establishment serving alcoholic liquor for consumption on the premises will be permitted to serve alcoholic liquor if the proposed establishment serving alcoholic liquor for consumption on the premises is located on a parcel of land adjacent to a parcel of land with a place of worship or school building. This provision may be waived by the planning commission if the affected school(s) or place(s) of worship, through its duly appointed or elected governing body, affirmatively waives, in writing, its right to object to the restaurant and the planning commission determines that the proposed establishment serving alcoholic liquor for consumption on the premises will not adversely affect the operation of the school or place of worship.

2. The layout of the site of the proposed establishment serving alcoholic liquor for consumption on the premises and its relationship to streets serving access to the site shall be in a manner that vehicular and pedestrian traffic to and from the proposed establishment serving alcoholic liquor for consumption on the premises, and the potential assembly of persons connected therewith, will not be hazardous, endangering, or inconvenient to the surrounding neighborhood and commercial district.
 3. The proposed establishment serving alcoholic liquor for consumption on the premises will be compatible with adjacent uses of land, considering the proximity of residential dwellings, places of worship, schools, public structures, and other places of public gatherings.
 4. The proposed establishment serving alcoholic liquor for consumption on the premises will not be contrary to the public interest or injurious to nearby properties.
 5. The proposed establishment serving alcoholic liquor for consumption on the premises will not have the possible effect of downgrading and blighting the surrounding neighborhood.
 6. The proposed establishment serving alcoholic liquor for consumption on the premises will not reasonably be expected to diminish the value of properties in the immediate area.
- B. For restaurants serving alcoholic liquor for consumption on the premises the following additional requirements:
1. There shall at all times be maintained and provided culinary facilities to cook and prepare food, and tables and seating areas to accommodate dining on the premises by not fewer than 20 patrons at any time.
 2. Not more than 50 percent of the gross floor area open to the general public shall be used for purposes other than seating for diners, consisting of tables, chairs, booths, and necessary aisle ways. Public restroom facilities shall not be considered in this determination.

3. Not less than 50 percent of the gross sales of the restaurant annually are derived from the sale of food and nonalcoholic beverages prepared for consumption on the premises as required by the Michigan Liquor Control Commission.
 4. All truck well, loading dock and loading/truck service areas shall be located and designed to minimize negative impact on adjoining properties.
- C. For brewpubs serving alcoholic liquor for consumption on the premises the following additional requirements:
1. There shall at all times be maintained and provided culinary facilities to cook and prepare food, and tables and seating areas to accommodate dining on the premises by not fewer than 20 patrons at any time.
 2. Not less than 25 percent of the gross sales of the restaurant annually are derived from the sale of food and nonalcoholic beverages prepared for consumption on the premises as required by the Michigan Liquor Control Commission.
 3. Except as otherwise provided in this article, all operations of the facility shall be conducted within a completely enclosed building, except for off-street parking or loading.
 4. All truck well, loading dock and loading/truck service areas shall be located and designed to minimize negative impact on adjoining properties.
- D. For breweries, wineries and distilleries serving alcoholic liquor for consumption on the premises the following additional requirements:
1. Not more than 40 percent of the gross floor area of the facility shall be used for purposes other than the manufacturing of alcoholic liquor. The area not devoted to manufacturing may be used for the serving of alcohol, food preparation, seating for diners, entertainment, and retail sales. Public restroom facilities shall not be considered in this determination.
 2. Except as otherwise provided in this article, all operations of the facility shall be conducted within a completely enclosed building, except for off-street parking or loading.
 3. All truck well, loading dock and loading/truck service areas shall be located and designed to minimize negative impact on adjoining properties.

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 _____, 2019.

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 _____, 2019.

T. Edwin Norris
City Clerk

First Reading:
Second Reading:
Adopted:
Published:

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** January 22, 2019**AGENDA #**

SUBJECT: Recommendation of the Planning Commission for Zoning Ordinance text amendment to Article XVII, General Provisions, Section 1712 Building grades and floor elevations.

DEPARTMENT: Economic Development & Communications, Planning Division

SUMMARY: At the January 14, 2019 meeting, the Planning Commission conducted a Public Hearing regarding proposed changes to the City of Oak Park Zoning Ordinance. The proposed Zoning Ordinance text amendment would create a standard to determine the finished floor elevations of new construction.

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

RECOMMENDED ACTION: The City Council consider accepting the recommendation of the Planning Commission and conduct the first reading of the proposed text amendment to the City of Oak Park Zoning Ordinance, Article XVII, General Provisions, Section 1712 Building grades and floor elevations.

APPROVALS:

City Manager: _____

Director: _____

Finance Director: _____

Budgeted: ☐

EXHIBITS: Memorandum, proposed ordinance for adoption.



CITY OF OAK PARK
**DEPARTMENT OF COMMUNITY &
ECONOMIC DEVELOPMENT**

MEMORANDUM

TO: Planning Commission members DATE: January 3, 2019
FROM: Kevin Rulkowski, AICP, City Planner FILE: Planning/Building
 elevation Amend
 memo
SUBJECT: Amendment to Section 1712 Building grades and floor elevations.

As described in a memo to the Planning Commission in December, a Public Hearing was scheduled for the January meeting to address a concern of the City Building Division regarding the elevations of new construction homes in relationship to adjacent properties. The attached proposed Zoning Ordinance text amendment would create a standard to determine finished floor elevations of new construction.

Sec. 1712. - Building grades and floor elevations.

- A. All buildings shall be located at such an elevation that a sloping grade shall be maintained to cause the flow of surface water to run away from the walls of the building. Yards shall be graded in such manner to prevent the accumulation of surface water on the property and not increase the natural flow or run-off of surface water onto adjacent properties.
- B. Proposed finished floor elevation of all new structures. The finished first floor elevation of a new structure should be set within two (2) feet of the existing structure or existing grade in that location. At no time shall the proposed finished first floor elevation exceed the average finished first floor elevation from the immediate adjacent homes or buildings, except in circumstances where the existing home was at the highest/lowest elevation on the street. In the case of unusual site topography or issues with the location of site utilities, the City Engineer may determine the appropriate finished first floor elevation of the proposed structure. In no case shall the height of the new structure exceed the height limitation of the zoning district.

1/8/19

CITY OF OAK PARK, MICHIGAN

ORDINANCE NO.

AN ORDINANCE TO AMEND ARTICLE XVII GENERAL PROVISIONS, SECTION 1712 BUILDING GRADES, 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, General Provisions, Section 1712, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to read as follows:

Sec. 1712. - Building grades and floor elevations.

- A. All buildings shall be located at such an elevation that a sloping grade shall be maintained to cause the flow of surface water to run away from the walls of the building. Yards shall be graded in such manner to prevent the accumulation of surface water on the property and not increase the natural flow or run-off of surface water onto adjacent properties.
- B. Proposed finished floor elevation of all new structures. The finished first floor elevation of a new structure should be set within two (2) feet of the existing structure or existing grade in that location. At no time shall the proposed finished first floor elevation exceed the average finished first floor elevation from the immediate adjacent homes or buildings, except in circumstances where the existing home was at the highest/lowest elevation on the street. In the case of unusual site topography or issues with the location of site utilities, the City Engineer may determine the appropriate finished first floor elevation of the proposed structure. In no case shall the height of the new structure exceed the height limitation of the zoning district.

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 _____, 2019.

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 _____, 2019.

T. Edwin Norris
City Clerk

First Reading:
Second Reading:
Adopted:
Published:

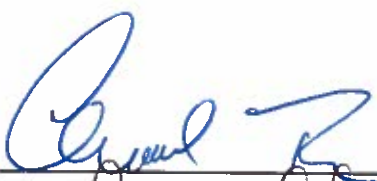
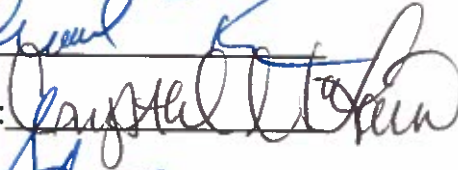
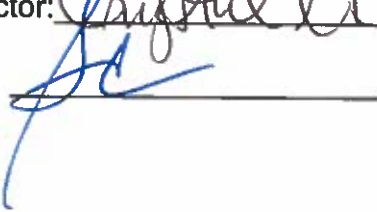
**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** January 22, 2018**AGENDA #**

SUBJECT: Resolution regarding First Reading of Proposed Amendment to Sections 2-353 and 2-354 of Chapter 2, Article III, Division 8 of the Code of Ordinances

DEPARTMENT: City Manager's Office

SUMMARY: The Arts and Cultural Diversity Commission have requested two amendments to the Code of Ordinances that pertain to their Commission. The first amendment relates to the meeting time specification in the ordinance. Currently the ordinance reads that the "commission shall meet once a month on the second Thursday of each month at 7:00 p.m." The Commission is requesting the time be omitted. In lieu of a time specification being included in the ordinance they would like to include the time of their meetings in their bylaws. Additionally, the Commission requested the language pertaining to their Mission Statement in the Code of Ordinances be amended to reflect their ability to partner with any Oak Park boards and commissions, rather than just the Friends of the Library and the Recreation Commission. The City Attorney has prepared amended language to reflect these changes. Please refer to the attached document that includes the proposed language amendments.

RECOMMENDED ACTION: Request City Council approve the first reading of the ordinance amendments.

APPROVALS:City Manager: Department Director: Finance Director: **EXHIBITS:**

PROPOSED AMENDMENTS TO THE CODE OF THE CITY OF OAK PARK
CHAPTER 2, ARTICLE III, DIVISION 8, ARTS AND CULTURAL DIVERSITY
COMMISSION

CURRENT ORDINANCE

Sec. 2-353. - Mission statement.

The mission statement of the arts and cultural diversity commission shall be to recommend, develop and implement city-wide programs and events which provide community access to the performing and creative arts and which celebrate cultural diversity; to work with local, state and federal agencies to take advantage of available resources, including funding. The commission shall actively participate in developing, implementing, promoting and staffing appropriate programs. The commission may partner with the parks and recreation commission and friends of the library on programs which provide community access to the performing and creative arts and celebrate cultural diversity.

(Ord. No. O-17-644, § 1, 6-19-17)

PROPOSED AMENDMENT

The mission statement of the arts and cultural diversity commission shall be to serve in an advisory capacity in accordance with Sec. 4.18 of the Charter, to recommend, develop and implement city-wide programs and events which provide community access to the performing and creative arts and which celebrate cultural diversity; to work with local, state and federal agencies to take advantage of available resources, including funding. The commission shall actively participate in developing, implementing, promoting and staffing appropriate programs. The commission may partner with other Oak Park boards, commissions, and departments, including, but not limited to, the parks and recreation commission and friends of the library, on programs which encourage community access to the performing and creative arts and celebrate cultural diversity.

[Proposed 1-22-2019]

**CITY OF OAK PARK
RESOLUTION REGARDING FIRST READING OF PROPOSED
AMENDMENT TO SECTIONS 2-353 AND 2-354
OF CHAPTER 2, ARTICLE III, DIVISION 8 OF THE CODE OF ORDINANCES**

At a Regular Meeting of the City Council of the City of Oak Park, Oakland County, Michigan, held at Oak Park City Hall located at 14000 Oak Park Boulevard on Tuesday, January 22, 2019 at 7:00 pm.

Present:

Absent:

The following preamble and resolution was offered by _____ and seconded by _____.

WHEREAS, the Arts and Cultural Diversity Commission ("ACDC") is requesting that Council consider an amendment to the ACDC Mission Statement codified in Section 2-353 of the Code of Ordinances to broaden the scope of available partnerships between the ACDC and other Oak Park boards and commissions.

WHEREAS, the Arts and Cultural Diversity Commission ("ACDC") has also voted to request that council consider an amendment to Section 2-354 of the Ordinance to eliminate the requirement that all meetings be held at 7:00 pm, so as to allow the specific meeting time to be governed by the ACDC Bylaws.

WHEREAS, the proposed amendments are consistent with Section 2-358 of the Ordinance, allowing the ACDC to adopt rules for transaction of business. ACDC recommendations for amendments to the Ordinance have been presented to the City Manager, consistent with Section 4.18 of the Charter, allowing Boards and Commissions to serve solely in an advisory capacity.

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

1. The first reading of the proposed revision of Section 2-353 is hereby approved in substantially the form attached hereto.
2. The first reading of proposed new Section 2-354 is hereby approved in substantially the form attached hereto.

Roll Call Vote: Yes,
 No,
 Absent,



CITY OF OAK PARK

COMMUNITY ENGAGEMENT
DEPARTMENT OF PUBLIC INFORMATION

Mayor
Marian McClellan
Mayor Pro Tem
Solomon Radner
Council Members
Regina Weiss
Ken Rich
Carolyn Burns
City Manager
Erik Tungate

MEETING MINUTES CITY OF OAK PARK REGULAR MEETING ARTS AND CULTURAL DIVERSITY COMMISSION THURSDAY, DECEMBER 13, 2018, 7:00 P.M. OAK PARK COMMUNITY CENTER

1. CALL TO ORDER

a. Time: 7:10 P.M.

2. ROLL CALL

a. City Council:

Mayor Pro Tem Solomon Radner A Council Member Regina Weiss X

b. Commissioners:

Heidi Bisson <u>X</u>	Leona Burns <u>A</u>	Stephanie Crawford <u>X</u>
Sarah Davidson <u>X</u>	Nathan Izydorek <u>X</u>	Rosetta Kincaid <u>X</u>
Terri McQueen <u>X</u>	Sudha Chandra Sekhar <u>A</u>	Avi Snider <u>X</u>
Michele Stevenson <u>X</u>	Lonnie K. Tabb-Upshaw <u>X</u>	Carla Wallace <u>X</u>
Anita Warner <u>A</u>		

c. City Liaisons:

Director Crystal McLain X

d. Guests:

Amir Moss Michael Moss

3. APPROVAL OF AGENDA

a. Date December 13, 2018 Motion Commissioner Izydorek
Seconded Commissioner Bisson Approved All

4. APPROVAL OF MINUTES

a. Date October 11, 2018 Motion Commissioner Bisson
Seconded Commissioner Crawford Approved All

Date November 8, 2018 Motion Commissioner Bisson
Seconded Crawford Approved All

Date August 9, 2018 Motion Commissioner Wallace
Seconded Commissioner Kincaid Approved All

5. MATTERS FOR CONSIDERATION

a. Old Business:

- i. Commissioner Stevenson's son may consider being an Art Gallery participant, he does Watercolor Art. Commissioner Bisson suggested using Social Media and she will reach out to the 8720 Gallery. Commissioner Snider will share with the Oak Park neighbors Facebook group.
- ii. Commissioner Snider updated us on the Cement Flowerpot status, saying that they will meet on January 8th at 5:30 p.m. at the Oak Park Library and he also shared with us the correspondence he received from Director Marrone.
- iii. Meeting time change request can be took to the City Council's Agenda meeting on January 7th, Director McLain advised us that it might be easier to change the bylaws for future ease of changes. We could amend the ordinance to not have a specific time for meetings and to change bylaws to add a specific time, in doing that we would not have to take the matter to City Council again.
****Motion made by Commissioner Stevenson to remove meeting time from ordinance and use bylaws for ACDC meeting time.
Motion seconded by Commissioner Tabb-Upshaw and Approved by All.
Director McLain will take our voice to the City Manager.*
- iv. World Dance Day Commissioner Snider as confirmed the date with Oak Park High School for April 29, 2019 at 6:30 p.m. and the cafeteria is available for a reception. He will look into costs for a small raised stage if we still want to have WDD in the Oak Park Recreation Center. Director McLain share with us that the City has a stage.

b. New Business:

- i. MLK walk is Monday January 21, 2019 Commissioners are requesting that Director McLain secure us with the banners and signs in advance for the event.
- ii. The Budget for ACDC for 2019 that was approved by City Council is \$2,000.00. The fiscal year is July 1 to June 30 Currently the amount used from our 2019 budget is \$201.37

6. UPCOMING EVENTS/ANNOUNCEMENTS

a. ACDC EVENTS

- i. You Create December 20 Cancelled due to holiday season
- ii. You Create January 17 4:30 p.m. - 5:15 p.m.
Beats with Commissioner McQueen
- iii. You Create February 21 Tabled until January meeting

7. COMMISSIONER REPORTS

- a. Commissioner Snider shared his holiday traditions with us.

8. ITEMS FOR NEXT MONTH'S AGENDA

- a. World Dance Day check in
- b. Report from subcommittee on Cement Flowerpot project
- c. MLK Peace Walk
- d. Art Gallery
- e. Bylaws

9. ADJOURNMENT

- a. Next Meeting: *Thursday January 10, 2019*
- b. Time of Adjournment: 8:02 p.m.



CITY OF OAK PARK

COMMUNITY ENGAGEMENT
DEPARTMENT OF PUBLIC INFORMATION

Mayor
Marian McClellan
Mayor Pro Tem
Solomon Radner
Council Members
Carolyn Burns
Ken Rich
Regina Weiss
City Manager
Erik Tungate

MEETING MINUTES
CITY OF OAK PARK REGULAR MEETING
ARTS AND CULTURAL DIVERSITY COMMISSION
THURSDAY, January 11, 2019, 7:00 P.M.
Oak Park Community Center

1. CALL TO ORDER

a. Time: 7:05pm

2. ROLL CALL

a. City Council:

Mayor Pro Tem Solomon Radner A Councilperson Regina Weiss X

b. Commissioners:

Heidi Bisson X Leona Burns A Stephanie Crawford X
Sarah Davidson A Nathan Izydorek X Rosetta Kincaid X
Terri McQueen X Sudha Chandra Sekhar X Abraham Snider X
Michele Stevenson X
Lonnie K. Tabb-Upshaw A Carla Wallace A Anita Warner A

c. City Liaisons:

Director Crystal McLain X

d. Guest(s):

3. APPROVAL OF AGENDA

a. Date January 10, 2019

Motion by Commissioner Snider

Seconded by Commissioner Stevenson X Approved by All

4. APPROVAL OF MINUTES

a. Tabled until next meeting

5. MATTERS FOR CONSIDERATION

a. Old Business:

- i. Director Crystal McLain has a Facebook post recruiting applicants for 1st quarter 2019 Art Gallery Submissions.
Benny is also reaching out to his uncle as a potential candidate.

- Heidi has a potential applicant for later in the year-his name is Richard Phillips.
- ii. Flowerpot subcommittee gave a quick report and wants to do a painting contest.
Heidi is also researching the costs of the contest and how cement needs to be primed and prepped before painting it.
Sub Committee is trying to secure sponsorship.
Painting should begin July or August.
Crystal is working on regulating the donation process so there are not multiple requests to sponsors from the commission.
Subcommittee will meet again Tuesday, February 5, 2019 @5:30pm
 - iii. Meeting time of the ACDC commission from 7pm to 630pm did not go before the council but should go before the council on next meeting February 4th.
 - iv. Oak Park High is the selected location for World Dance Day.
Heidi will have template for dance groups ready to go live this month.
 - v. MLK Peace walk is Monday, January 21, 2019 @ Hope United Methodist Church. Walk begins @ 930am and program begins @ 11am
Participants-Avi Snider, Stephanie Crawford, Regina Weiss, Heidi Bison-possible, Sudha, Carla Wallace and Vickie Brooks-possible.

b. New Business:

- i. Please note the proposed changes to the ACDC bylaws:

Article 1 Section 2-the final line should read

The commission may partner with other Oak Park commissions, departments and other affiliated community groups on programs which provide community access to the performing and creative arts and celebrate cultural diversity.

Article 4 Section 1

The commission shall meet at 6:30pm on the second Thursday of each month at the Oak Park Community Center.

Article 4 Section 4

Failure to attend the entirety of 3 out of 4 consecutive, regularly scheduled commission meetings will result in a referral to City Council for a review of continues membership on the commission.

****Anywhere in the bylaws, the word bylaws should be changed from By-Laws to bylaws (all small letters and no hyphen)****

Vote was taken to amend bylaws 8-yes, 0-no, Changes to bylaws were proposed .

- ii. *There was a motion by Heidi Bison to request council to review Commissioner Warner for removal due to excessive failure to attend commission meetings. The motion was seconded by Terri McQueen. Director McLain advised that the commission needs to show a record of communication with Commissioner Warner. The commission stated that an email with the date and times of each meeting has been sent to Commissioner Warner every month and Commissioner Warner has not reached out to any commissioner regarding attendance or absence at the meetings.*

6. COMMISSIONER REPORTS

Commissioner McQueen will be absent for the February meeting due to a work engagement in Mexico.

7. UPCOMING EVENTS

- i. You create-January 17, at 430pm-515pm
- ii. You Create-February 21, at 430pm-515pm
- iii. You Create-March 21, at 430pm-515pm

8. Items for Next Months Agenda

- a) World Dance Day check-in
- b) Art Gallery
- c) Cement Flowerpot report
- d) Election of Officers for 2019

9. ADJOURNMENT

- a. Next Meeting: Thursday February 14, 2019
- b. Motion by Commissioner Heidi
Seconded by Commissioner Sudha__ Approved by All
- c. Time of adjournment 8:15pm

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** January 22, 2019**AGENDA #**

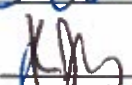
SUBJECT: Request from Xpert Lawn and Snow, LLC for a contract extension of the 2018 Lawn Maintenance Contract, M-678.

DEPARTMENT: DPW – KJY

SUMMARY: Request from Xpert Lawn and Snow, LLC for a contract extension of the 2018 Landscape Maintenance Contract, M-678. Xpert has indicated that they would like to execute a one (1) year extension of their unit prices from this project to perform the 2019 Lawn Maintenance Contract, M-696. The contract allowed for up to a two (2) year extension. This project will mow and litter pick the lawns in the City's parks, grounds, and rights of way.

FINANCIAL STATEMENT: There is funding available in the Major and Local Street Funds, Water and Sewer Fund, and Public Works Other Parks budget for these expenditures.

RECOMMENDED ACTION: It is recommended City Council approve the offer for the contract extension from Xpert Lawn and Snow, LLC for the 2019 Lawn Maintenance Contract, M-696 for a total amount of \$108,596.00 be approved. Funding is available in the Major and Local Street Funds, Water and Sewer Fund, and Public Works budget.

APPROVALS:City Manager: Department Director: Finance Director: Budgeted ☒**EXHIBITS:** Extension letter from Xpert Lawn and Snow



21083 MOUND RD.
WARREN, MI 48091

248.721.0794

XPRTLAWNANDSNOW.COM WEBSITE
XPRTLANDSCAPING@YAHOO.COM EMAIL

January 11, 2019

Mr. Corey Bambrough
Xpert Lawn and Snow, INC.
21083 Mound Road
Warren, MI 48091

RE: EXTENSION OF THE 2018 LAWN MAINTENANCE CONTRACT, M-678

Dave DeCoster:

This letter is being submitted to tell you that we intend to renew this contract. The current agreement lapses on December 1, 2018. The City of Oak Park would like to exercise the 1~ renewal option of this contract for the period of April 1, 2019 through November 30, 2019. We accept the renewal of this contract.

Sincerely,

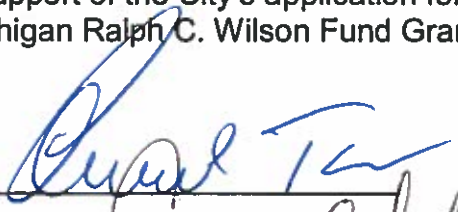
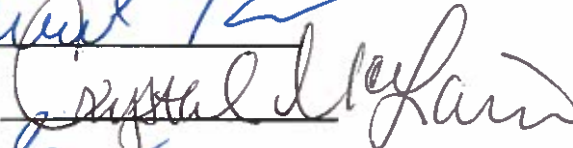
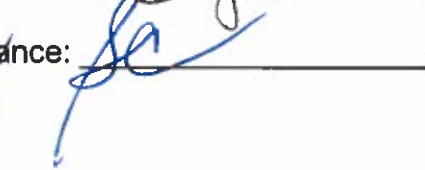
Corey Bambrough,
President

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** January 22, 2019**SUBJECT:** Request Support of the City's Application for the Community Foundation of Southeast Michigan Ralph C. Wilson Grant**DEPARTMENT:** City Manager's Office

SUMMARY: The City has been actively pursuing grants for the construction of pocket parks on Nine Mile Road. The Community Foundation of Southeast Michigan, through the Ralph C. Wilson Fund, is offering grants up to \$50,000 for projects that serve to increase the walkability and bikeability of local communities and/or increase outdoor recreational activities within the region. We believe the Seneca Pocket Park assists the City in accomplishing these objectives, and is therefore a worth candidate for this grant. We are requesting a grant of \$50,000 to assist in the creation of Seneca Pocket Park. Specifically, the grant is being requested to fund a playscape feature at the Park.

FINANCIAL STATEMENT: Funding is available for the Seneca Pocket Park in the Major Street Fund and the Public Improvement Fund, as well as \$96,863 in grant funding already awarded to the City through the Oakland County Local Road Improvement Program grant.

RECOMMENDED ACTION: It is recommended that City Council approve a resolution in support of the City's application for the Community foundation of Southeast Michigan Ralph C. Wilson Fund Grant.

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

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF OAK PARK

RESOLUTION NO. CM-XX-XXX-XX

SUPPORT FOR THE CITY OF OAK PARK APPLICATION FOR THE COMMUNITY
FOUNDATION OF SOUTHEAST MICHIGAN RALPH C. WILSON LEGACY FUND GRANT
FOR SENECA POCKET PARK

January 22, 2019

WHEREAS, the Community Foundation of Southeast Michigan, through the Ralph C. Wilson Fund is providing grant funding to support projects within southeast Michigan that serve to increase the walkability and bikeability of local communities and/or increasing outdoor recreational activities within the region; and

WHEREAS, the City of Oak Park is planning the creation of the Seneca Pocket Park located on Nine Mile Rd.; and

WHEREAS, the City of Oak Park's Master Plan lists "create pocket parks in commercial districts" as one of the objectives under the goal of "cultivating a sense of place and unique public spaces;" and

WHEREAS, the City of Oak Park's Recreation Master Plan lists "develop new parks and facilities that respond to the changing needs of the residents" and "desired new park facilities including pocket parks" as objectives under the goal of "developing new parks and recreation facilities;" and

WHEREAS, the creation of the Seneca Pocket Park will contribute significantly to meeting this goal; and

WHEREAS, the grant request is for \$50,000; and

BE IT HEREBY RESOLVED, that the Oak Park City Council supports the grant application for the Community Foundation of Southeast Michigan Ralph C. Wilson Legacy Fund Grant for Seneca Pocket Park.

Yeas:

Nays:

Absent:

Abstained:

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and acting City Clerk of the City of Oak Park, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Oak Park at a duly called meeting held on January 22, 2019, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 22nd day of January, 2019.

T. Edwin Norris, City Clerk

ORGANIZATIONAL INFORMATION

City of Oak Park

14000 Oak Park Blvd., Oak Park, MI 48237

(248) 691-7410

Main Contact: Crystal McLain – cmclain@oakparkmi.gov

The City of Oak Park's mission statement:

In the City of Oak Park we strive to provide the highest quality of life for our residents in everything we do. We pride ourselves on the richness of our cultural diversity and our safe and secure neighborhoods. We actively encourage residential and business growth. We are business-minded and family-centered. The City has worked diligently to engage residents over the years in forming long-term plans and goals. The City's Master Plan, which was created after months of public input outlines the City's goal to "Cultivate a sense of place and unique public spaces," with numerous objectives, including: expanding recreational programming into visible public spaces, identify areas for public art installations, add streetscape amenities, encourage businesses to add outdoor seating, develop a streetscape identity, and create pocket parks in commercial districts. The City's Master Plan includes the closing and repurposing of both Seneca and Sherman streets at 9 Mile Road.

Current Programming:

The City offers a wide variety of programs for all ages throughout the year. From youth leagues, to senior yoga, summer day camps to senior total body workouts. The Recreation Department offers a 50 and up Club membership, with regularly programed classes and trips catered to our senior population. The City sees upwards of 12,000 program and class registrations annually.

PROJECT NARRATIVE

Currently, the City's Nine Mile Road corridor is an underutilized, uninviting stretch of public space centered on the automobile. Oak Park residents have expressed their desires, during various public engagement sessions over the years, for more pedestrian and bike-friendly places, where they can meet their needs without relying on an automobile, as well as more recreation opportunities around the City. Nine Mile Road has the potential to become a meaningful, pedestrian-oriented street filled with interesting gathering places and recreational opportunities, fulfilling residents' desires for a walkable commercial corridor and an increase in recreational opportunities.

Furthermore, the census tract adjacent to the southern side of Nine Mile Road, where the redesign will take place, is home to a majority of the City's low-income families. With a median income of \$28,654, and 23 percent of residents living below the poverty level, this area of the City is in need of infrastructure that provides residents access to amenities within the city and beyond, without the use of a car. This area is also lacking recreational opportunities within walking distance. The City's largest, and most popular park, Shepherd park is located at Oak Park Blvd. and Church street, which is not within the

accepted ten-minute, half mile walk for residents in this census tract. There are three public school parks with limited amenities (and limited access because they are on school property) within the acceptable walking distance, but the City parks within walking distance are lacking in amenities.

The Seneca St. pocket park is an integral piece of the larger Nine Mile Road the City is implementing Redesign (a more in-depth look at the Redesign project can be found [here](#)). After a traffic study determined that traffic volumes do not support the need for the existing five lanes on Nine Mile Road the City enlisted the help of The Center for New Urbanism (CNU) to rethink how the corridor would best serve residents. After several public engagement sessions the City and CNU began working on a plan to transform Nine Mile between Coolidge and the City's eastern border into a pedestrian-oriented street that will capitalize on our existing human-scale infrastructure to create a vibrant hub of pedestrian activity that is comfortable and friendly to all users. The first phase of this redesign includes a road diet, the addition of bike lanes, increased and improved pedestrian crossings, and on-street parking. Starting in the spring the City is reducing the lanes on this stretch of Nine Mile to one lane of traffic in each direction and a left turn lane. This project is being done in partnership with the City of Ferndale, who is continuing the same lane configuration and completing the road diet they have already implemented on Nine Mile from their eastern border through Pinecrest Dr. When this phase of the project is complete Nine Mile Road will offer bicycle infrastructure and a safer environment for all users from Coolidge Road through the eastern border of Ferndale, creating greater access to amenities and everyday needs.

In addition to the road diet and bike lanes, the Nine Mile Road redesign encompasses Seneca and Sherman pocket parks, strategically intermingled within the commercial businesses on the north side of Nine Mile Road. The south side of Nine Mile will include a new Linear Park that contains a multi-use path and several nodes of activity that will contain amenities for all ages and abilities. In addition, the City is adding a trailhead near the corner of 9 Mile Road and Coolidge. It will include a small bike repair station, and act as a gateway into the newly designed 9 Mile Road. All of the incremental pieces of this Nine Mile Road redesign come together to create a string of meaningful public spaces for residents and visitors of all ages and abilities to visit, stay, play and shop. Together they will provide a sense of place that residents have found lacking in our City, and increased recreational opportunities for all residents. It is important to note, that in addition to this project, the City is also embarking on a partnership with the cities of Detroit, Ferndale, Huntington Woods, Royal Oak and Berkley to expand the existing MOGO bike share program in Detroit. This will expand the mobility options for residents and visitors to connect to jobs, school, health care, restaurants, retail, and other local businesses. In the first phase of the MOGO project there will be several MOGO stations on Nine Mile Road, one located near the Seneca pocket park.

The Seneca Pocket Park, for which we are asking the Community Foundation to assist in funding, is one of the incremental pieces of this larger endeavor. The goal of this pocket park, along with the Sherman Pocket Park, is to create public gathering spaces accessible to all residents of the City. Each of these parks will be designed for users of all ages and abilities so that all users feel comfortable spending time on the corridor, patronizing nearby businesses and intermingling with fellow neighbors and visitors. As part of a pedestrian-oriented Nine Mile Road, and being near a MOGO station visitors will be able to access these parks by bike or foot, so that they do not have to rely on a vehicle.

This pocket park will include comfortable seating options for those walking the corridor who wish to sit and relax, bike racks so those who are taking advantage of the new biking infrastructure have a place to

leave their bikes while shopping or eating, a pet waste station, tables and chairs within a designated seating area to be utilized by the adjacent business as outdoor dining, and a playscape for children. These elements, which cater to those of all ages, will turn this currently dead space of roadway into a gathering place that fosters the pedestrian-friendly atmosphere we are trying to create on Nine Mile Road, much needed recreational opportunities in an area that is lacking.

The design of both pocket parks are a result of input received after a pilot project the City implemented in June 2017. After identifying several streets that intersect with Nine Mile Road as optimal places for pocket parks the City created a task force of resident volunteers and City staff to facilitate the temporary closure of Sherman Street at Nine Mile Road during the entire month of June. The kickoff event was done in coordination of the opening of a new business adjacent to the park, and was deemed a great success. During the month the taskforce worked to create a temporary activated public gathering space. The space was programmed throughout the month with various programs and activities. Public feedback was solicited throughout the month, and attendance was tracked. Out of the feedback received 83 percent liked the park and wanted it to be permanent. The number one reason people liked it was because it gave them an opportunity to meet people in the community. You can view a video of the kickoff event [here](#).

We plan on bidding this work out in Spring 2019, with construction taking place in Summer 2019 and a forecasted completion date in September 2019. During the same timeframe many aspects of the larger Nine Mile Redesign project are scheduled to take place, including the road diet, bike lanes, additional on-street parking, pedestrian crossings, trailhead, and the Sherman Pocket Park. Once this work is complete the City will hold a kickoff event that highlights the new Corridor as a whole. The City's Recreation Department will begin programming these spaces with new and existing programs the City offers.

The evaluation of the pocket park will be multifaceted. The project will be evaluated in concert with the greater Nine Mile Redesign project, as it is considered a piece of this larger transformation. Motor and pedestrian traffic counts will be tallied prior to and after completion of the project to help determine if activity in the area has increased. Over time we will also compare commercial vacancy rates on the corridor to gauge whether the Nine Mile Redesign has effected the commercial businesses. Further, when we activate the pocket park with recreation programs we will compare registration numbers with these same programs when they are offered at the Community Center to see if the programs held at the pocket park draw bigger or different crowds.

As we did with the pilot pop-up park in summer 2017, we will conduct a public survey ask residents how they feel about the Nine Mile Redesign, as well as the individual elements including the Seneca Pocket Park. This will help us determine what we can do better and how we can further build upon the progress we've made in regards to improving public infrastructure and recreation programming.

We anticipate to find that residents and visitors will be drawn to the new Nine Mile corridor, and that it will provide them the opportunity to meet some of their basic needs without depending on a vehicle. We also believe that residents of all ages will enjoy the new public spaces and amenities provided, and that it will help begin to fill the void of recreational opportunities in that area.

The project manager for this pocket park, as well as the larger Nine Mile Redesign project is Kevin Yee. Kevin is the assistant city manager, director of public works, and the city engineer. He has worked for the City for over twenty years. Of those twenty years, he has been the city engineer for over sixteen years, and the director of the department of public works for nearly fourteen years. He has been the project lead on all road construction projects during his time as the director of public works, and has overseen millions of dollars in grant funds. Please find his resume attached in supporting documentation.

The Seneca Pocket Park will serve all residents of the City of Oak Park as well as visitors to the City, as we anticipate the larger Nine Mile corridor to draw visitors from further than the immediate neighborhood. The Park and the Nine Mile corridor will act as an easily assessable neighborhood destination for all those in the immediate neighborhood, and will provide the low-income neighborhood to the south access to recreational opportunities and gathering places that were previously lacking.

The City of Oak Park's median income is \$49,811, nearly \$5,000 below the average median income in the Southeast Michigan region. Further, sixteen percent of residents are living below the poverty level. 1,168 of those living under the poverty level live in a census tract adjacent to the stretch of Nine Mile that is being transformed. Residents living below the poverty level are less likely to have access to a vehicle, and therefore, face challenges in accessing recreational opportunities.

The Seneca Pocket Park will provide residents in this area with additional recreational opportunities, as well as a comfortable public place that they can easily access on foot or by bicycle.

While the Seneca Pocket Park is not being created in partnership with other entities, the larger Nine Mile redesign is being done in coordination with the neighboring city of Ferndale, and the MOGO bike share program is in partnership with five neighboring communities. These projects, when done in coordination, are creating an infrastructure that provide Oak Park residents the ability to safely and comfortably access their needs here in the City, as well as other cities in the region without the use of a car.



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: January 22, 2019

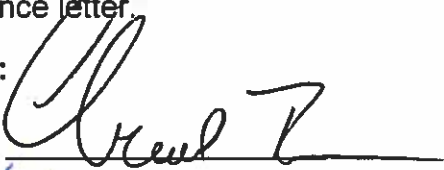
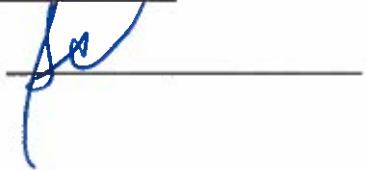
AGENDA #

SUBJECT: Seneca Pocket Park Art Installation Grant - MCACA**DEPARTMENT:** Economic Development & Communications

SUMMARY: The Economic Development & Communications Department in conjunction with the Nine Mile Redesign Project are submitting an application to MCACA for a 2019 mini-grant in the amount of \$4,000 to go toward installing a sculpture at Seneca pocket Park. The grant application will ask for \$4,000 in grant match with the match coming from money allocated in Capital Improvements toward the park construction in the 2018-2019 budget.

FINANCIAL STATEMENT:

RECOMMENDED ACTION: Request city council to approve the grant submission and approve the signed assurance letter.

APPROVALS:City Manager: Directors: Director of Finance: Budgeted: ☒**EXHIBITS:** Assurance Letter, Artist Proposal

Michigan Council for Arts and Cultural Affairs ASSURANCES

A: The applicant has an established policy of equal opportunity without regard to race, color, religion, national origin, age, sex or disability. The applicant agrees to take steps necessary to correct any under-representation reported on the status report and achieve a reasonably representative work force at all levels of employment. The applicant has an established policy to provide equal opportunity on all programs, activities and services.

The applicant:

1. Agrees in all recruiting materials and advertisements to state that all job applicants will receive equal consideration for employment;
2. Agrees in all promotional materials and advertisements to state that all programs, activities and services will be provided equally; and
3. Agrees to post in conspicuous places, notices setting forth the law on equal opportunity in employment and public accommodations.

B: If the grant is awarded, the applicant warrants and represents to the Michigan Council for Arts and Cultural Affairs, that the support funds will be administered by the applicant.

C: Any funds received under this grant shall not be used to supplant funds formally budgeted for same and that funds received will be used solely for the contracted activities.

D: The applicant has read and will conform to the Guidelines.

E: The filing of this application by the undersigned, officially authorized to represent the applicant organization has been duly approved by the governing board of the applicant organization.

☐ This application was approved by the governing board on ____/____/____

☒ This application is scheduled to be approved by the governing board on 01/22/2019
If the application has not yet been approved by your governing board, notify the Council of the action taken as soon as possible.

If the notification of action by your governing board is not received prior to panel review, the application may not be recommended for funding.

Organization name: City of Oak Park

Grant Program: Arts Projects Minigrant

Authorized Official: (Cannot be the Project Director)

Name (typed) MARIAN MCCLELLAN Date 1/3/19

Signature: Marian McClellan

Contract Proposal
For
Design, Fabrication and Installation
Of a Painted Aluminum Sculpture
For
The City of Oak Park, Michigan

Artists: Nancy Thayer and Russell Thayer
To be installed November 12, 2019

Design: Initial Drawings of site with installed sculpture
To scale model/Maquette specifying size 7' – 8"
Color and surface finish to be determined

Materials: 3/16" Aluminum sheet, primed and painted

Total cost of the sculpture including design, materials, delivery and installation
\$24,000.00

Concrete base to be provided by the City of Oak Park

Project Time Line

Upon Initial Project Approval Design Process to Commence
\$5,000.00

Meetings with artists and city representatives to discuss goals and procedures
Site specific drawings presented for approval
To scale maquette presented for approval
Details of color and finish to be determined

Start and Completion of Fabrication
\$15,000.00

Materials including 3/16" aluminum sheets, additional necessary bolts, tools, primer, and paint purchased
Cost of fabrication by the artists

Note: City representatives are welcomed to visit the artists' studios during fabrication process.

Delivery and Installation by Proposed Date of November 12, 2019
\$4,000.00

Total Cost
\$24,000.00



CITY OF OAK PARK

Saundra Crawford, Director
Department of Finance

Council Members
Carolyn Burns
Ken Rich
Regina Weiss
City Manager
Erik Tungate

MEMORANDUM

Date: January 15, 2019

To: Erik Tungate, City Manager

From: Saundra Crawford, Finance Director
Carl Johnson, Financial Assistant

Re: First Quarter FY 2018-19 Investment Report

The State of Michigan Public Act 213 of 2007 requires the City's investment officer to provide a written report quarterly to the governing body concerning the investment of all funds of the City that fall under Public Act 20. Public Act 20 governs how non-pension and non-OPEB funds can be invested. The attached report details the cash and investments (citywide for all funds) held by the City at September 30, 2018. The report includes a description of each investment by type, market and book values, current and yield to maturity interest rates and the number of days to maturity.

The first quarter investment report shows total citywide cash and investments of \$30,252,779 (market value) including cash in the operating account of \$3,374,692 (excluding outstanding checks and other adjustments), short-term investments in the Oakland County Investment Pool of \$9,586,561 and long-term investments totaling \$17,291,526. The City has maximized investment return on short-term cash by utilizing the Oakland County Investment Pool and minimizing the amount maintained in the checking and daily depository accounts. Interest income for the months of July through September 2018 totaled \$97,591.

Over the past year the City has been investing in an environment of rising interest rates from the Federal Reserve. The Federal Reserve has increased interest rates by .25% twice during 2018 and have expressed the intent to continue to raise them several more times over the next year or two. In a rising interest rate environment it is prudent to invest primarily in shorter term investments. As a result, the City has shifted new investments from municipal bonds and government securities to commercial paper and certificate of deposits. The shift helps reduce the risk from interest rate changes while still obtaining a rate of return of 2.0-2.75% annually on these types of investment.

City of Oak Park
Summary of Cash and Investments Held
September 30, 2018

	<u>Maturity Date</u>	<u>Market Value</u>	<u>Book Value</u>	<u>% of Portfolio</u>	<u>Current Interest Rate</u>	<u>YTM @ Cost</u>	<u>Days to Maturity</u>	<u>Investment Broker</u>
Cash								
Huntington Bank - Collection		\$ 3,374,692	\$ 3,374,692	11.09%	0.1500%	0.1500%	1	Huntington
Huntington Bank - Accounts Payable		-	-	0.00%	0.1500%	0.1500%	1	Huntington
Huntington Bank - Payroll		-	-	0.00%	0.1500%	0.1500%	1	Huntington
Huntington Capital Markets		(999,619)	(999,619)	-3.28%	0.1500%	0.1500%	1	Huntington
Fifth third Securities		293	293	0.00%	0.0000%	0.0000%	1	Fifth Third
Government Securities								
Fedl Farm Credit Bank	10/25/2021	239,693	249,062	0.82%	1.5200%	1.5200%	1120	Fifth Third
Fedl Home Loan Mtg Corp	11/24/2021	223,240	231,063	0.76%	1.6500%	1.6500%	1150	Fifth Third
Fedl Farm Credit Bank Retail Bond	8/15/2022	239,752	249,100	0.82%	1.8500%	1.8500%	1414	Fifth Third
Fedl Home Loan Bank	9/22/2022	253,048	259,688	0.85%	1.7500%	1.7500%	1452	Fifth Third
Fedl Home Loan Mtg Corp	12/29/2022	137,819	140,000	0.46%	2.2500%	2.2500%	1550	Fifth Third
Fedl Home Loan Mtg Corp	1/30/2023	247,540	249,875	0.82%	2.1250%	2.1250%	1674	Fifth Third
Fedl Farm Credit Bank	6/21/2023	236,265	250,000	0.82%	2.0000%	2.0000%	1816	Fifth Third
Municipal Bonds								
Madison Heights Mich	1/1/2019	234,243	235,000	0.77%	1.4800%	1.4800%	93	Fifth Third
Kent County Mich	4/1/2019	125,344	125,767	0.41%	3.0000%	3.0000%	183	Fifth Third
Williamston Mich Comm Schools	5/1/2019	746,917	752,380	2.47%	2.3970%	2.3970%	213	Comerica
Ypsilanti School District	5/1/2019	496,835	500,000	1.64%	1.8100%	1.8100%	213	Fifth Third
Holland Michigan GO Taxable	8/1/2019	173,376	175,000	0.57%	1.8600%	1.8600%	305	Fifth Third
Lake Orion Mich Comm Sch Dist	5/1/2020	245,820	251,410	0.83%	2.1120%	2.1120%	578	Comerica
Reeths-Puffer Mich Schs	5/1/2020	286,723	291,028	0.96%	2.2480%	2.2480%	578	Comerica
Williamston Mich Comm Schools	5/1/2020	986,010	1,006,777	3.31%	2.6670%	2.6670%	578	Comerica
Ypsilanti School District	5/1/2020	488,980	500,000	1.64%	2.0300%	2.0300%	578	Fifth Third
Holland Michigan GO Taxable	8/1/2020	172,141	175,000	0.57%	2.1500%	2.1500%	670	Fifth Third
Paw Paw Public Schools	11/1/2020	108,465	111,119	0.37%	2.5000%	2.5000%	762	Fifth Third
Reeths-Puffer Mich Schs	5/1/2021	246,320	251,650	0.83%	2.5740%	2.5740%	943	Comerica
Reeths-Puffer Mich Schs	5/1/2021	246,320	251,650	0.83%	2.5740%	2.5740%	943	Comerica
Whitmore Lake Mich Pub Sch Dist	5/1/2021	491,260	504,848	1.66%	2.7490%	2.7490%	943	Comerica
Ypsilanti School District	5/1/2021	429,532	445,000	1.46%	2.1800%	2.1800%	943	Fifth Third
Kalkaska Mich Sch Bldg	5/1/2023	425,132	439,014	1.44%	6.1000%	6.1000%	1673	Fifth Third
South Lyon Mich Comm Schools	5/1/2023	48,700	50,927	0.17%	2.8900%	2.8900%	1673	Comerica
Certificate of Deposits								
American Express Centr	11/13/2018	499,800	500,000	1.64%	1.6500%	1.6500%	44	Huntington
American Express Centr	11/12/2019	496,670	500,000	1.64%	2.0000%	2.0000%	408	Huntington
Morgan Stanley Bank NA	1/21/2020	99,432	100,000	0.33%	2.2000%	2.2000%	478	Fifth Third
Ally Bank	2/10/2020	198,894	200,000	0.66%	2.2500%	2.2500%	498	Fifth Third
American Express Centr	11/12/2020	491,035	500,000	1.64%	2.2500%	2.2500%	773	Huntington
Wells Fargo Bank NA	7/28/2022	144,107	150,000	0.49%	2.3000%	2.3000%	1396	Fifth Third
JPMorgan Chase Bank NA	9/15/2022	241,817	250,000	0.82%	1.7500%	1.7500%	1445	Fifth Third
Wells Fargo Bank NA	1/19/2023	97,595	100,000	0.33%	2.2500%	2.2500%	1571	Fifth Third
Commercial Paper								
Arabella LTD	10/1/2018	999,800	998,489	3.28%	2.2700%	2.2700%	1	Huntington
Silver Tower US Fund	10/2/2018	999,730	997,568	3.28%	2.2500%	2.2500%	2	Huntington
Campbell Soup Co	10/4/2018	943,622	941,497	3.09%	2.2259%	2.2259%	4	Fifth Third
CNPC Finance HK	10/9/2018	999,280	996,916	3.28%	2.3200%	2.3200%	9	Huntington
NiSource Inc	11/2/2018	999,605	999,619	3.28%	2.4500%	2.4500%	33	Huntington
WGL holdings Inc	11/13/2018	996,830	995,553	3.27%	2.4000%	2.4000%	44	Huntington
Nutrien LTD	11/15/2018	896,679	896,505	2.95%	2.4200%	2.4200%	46	Huntington
Catholic Health	11/20/2018	1,013,654	1,010,693	3.32%	2.3647%	2.3647%	51	Fifth Third
VW Credit	2/22/2019	395,568	394,909	1.30%	2.5500%	2.5500%	145	Huntington
Intesa Sanpaolo FDG LLC	2/28/2019	247,259	246,540	0.81%	2.6594%	2.6594%	151	Comerica
Investment Pool								
Oakland County Investment Pool		<u>9,586,561</u>	<u>9,586,561</u>	<u>31.50%</u>	2.0800%	2.0800%	1	Oakland County
Total		<u>\$ 30,252,779</u>	<u>\$ 30,435,574</u>	<u>100.00%</u>				



CITY OF OAK PARK

Saundra Crawford, Director
Department of Finance

Carolyn Burns
Ken Rich
Regina Weiss
City Manager
Erik Tungate

MEMORANDUM

Date: January 16, 2019

To: Erik Tungate, City Manager

From: Saundra Crawford

Re: 2nd Quarter Budget to Actual Report, General Fund

The purpose of this memorandum is to highlight fiscal year-to-date revenue and expenditure activity through the second quarter ending December 31, 2018 (see attached report for budget-to-actual by department activity for the General Fund only). Through the second quarter, generally, revenues and expenditures should represent 50% of the annual budget. The following summary does not include the significant budget amendments presented for approval at the January 22, 2019 City Council meeting.

GENERAL FUND

REVENUES

Total revenues through the second quarter total approximately \$15.4 million, representing approximately 72% of the annual budget. Overall revenues are on track with budget with the following items of note:

- **Property Tax Revenue** – City property tax levies are billed July 1 and payable in full without penalty by August 31, 2018. As of the end of the second quarter approximately 96% of the taxes billed had been paid. A small portion of the PA 345 property tax levy was billed on December 1, 2018. Any unpaid real property taxes will be purchased from the City by Oakland County in May 2019. Property tax revenue is the primary reason the overall revenues are at 72% to date.
- **Intergovernmental Revenue (State Revenue Sharing)** – The City receives six bi-monthly payments annually for state-shared revenue. The second quarter report reflects two fiscal 2019 payments as the August 31, 2018 payment by statute is included as part of the June 30, 2018 revenues. The City will receive payments on October 31, December

31, February 28, April 30, June 30 and August 31 (2019) related to the current fiscal year. The estimated annual revenue included in the budget totals \$3,440,372.

- Fines and forfeiture revenue received from the 45th District Court is budgeted for \$1,999,800 of which \$974,216 or 49% was received through the second quarter. The revenue received is used to offset a portion of the court's operating costs.

EXPENDITURES

Total expenditures through the second quarter total approximately \$10.1 million, representing approximately 49% of the annual budget. Overall departmental expenditure budgets are on track with the following items of note (departments over 50%):

- Prosecuting Attorney Department is at 58% for the second quarter due seven of their twelve annual contract payments have been paid.
- Elections Department is at 64% for the second quarter due to the two elections budgeted for the current year took place in August and November of 2018.
- Finance Department is at 52% due to increased DB pension contributions over the original budget and new part-time help added during the current year. Both of these items are included in the proposed first quarter budget amendments.
- Public Safety K-9 Department is at 52% due to increased DB pension contributions over the original budget. This increase is included in the proposed first quarter budget amendments.
- DPW Administration Department is at 60% due to increased DB pension contributions over the original budget and less allocations to other funds to date. The increase in the pension costs is included in the proposed first quarter budget amendments and the city anticipates cost allocations in future quarters to keep the budget on track.
- Swimming Pool Facility Department is at 65% of their budget due to their costs being seasonal in nature as a significant part of their budget includes summer programming (consistent with the first quarter). The overall budget is in line with the current annual projections.
- Non-Departmental is currently at 53% of their budget as this department is primarily transfers to other funds and the majority of the transfers take place as needed.

Overall the General Fund operations are in line with the annual budget. The projected fund balance remains at the targeted level of 19% of annual expenditures. The annual operating budget is balanced and the City continues to address the long-term legacy costs of OPEB and pensions by making contributions in excess of required amounts.

01/15/2019

REVENUE AND EXPENDITURE REPORT FOR CITY OF OAK PARK
 PERIOD ENDING 12/31/2018
 % Fiscal Year Completed: 50.41

GL NUMBER	DESCRIPTION	END BALANCE 06/30/2018 NORM (ABNORM)	2018-19 ORIGINAL BUDGET	2018-19 AMENDED BUDGET	YTD BALANCE 12/31/2018 NORM (ABNORM)	AVAILABLE BALANCE NORM (ABNORM)	% BDGT USED
00.000 - NONE		16,484,278.98	17,138,143.00	17,138,143.00	11,515,719.98	5,622,423.02	67.19
17.345 - PUBLIC SAFETY		3,940,735.07	4,071,133.00	4,071,133.00	3,695,955.07	375,177.93	90.78
17.346 - PUBLIC SAFETY K-9		579.00	0.00	0.00	1,020.00	(1,020.00)	100.00
19.752 - RECREATION ADMINISTRATION		217,442.42	223,886.00	223,886.00	216,973.73	6,912.27	96.91
TOTAL REVENUES		20,643,035.47	21,433,162.00	21,433,162.00	15,429,668.78	6,003,493.22	71.99
10.101 - COUNCIL AND MAYOR		53,998.30	58,403.00	58,403.00	20,656.89	37,746.11	35.37
11.172 - CITY MANAGER		390,639.48	371,837.00	371,837.00	169,927.57	201,909.43	45.70
11.270 - HUMAN RESOURCES		333,202.18	341,395.00	341,395.00	168,203.22	173,191.78	49.27
11.611 - COMMUNITY DEVELOPMENT		156,576.13	204,066.00	204,066.00	81,097.37	122,968.63	39.74
12.258 - MAGEMENT INFORMTN SERVICE		236,278.41	247,172.00	247,172.00	114,129.65	133,042.35	46.17
13.210 - CITY ATTORNEY		303,181.80	269,600.00	269,600.00	132,198.05	137,401.95	49.03
13.229 - PROSECUTING ATTORNEY		66,660.30	66,660.00	66,660.00	38,885.00	27,775.00	58.33
14.191 - ELECTIONS		166,706.22	217,802.00	217,802.00	140,299.65	77,502.35	64.42
14.215 - CITY CLERK		111,303.46	113,528.00	113,528.00	48,135.09	65,392.91	42.40
15.201 - FINANCE & ADMIN SERVICES		324,800.02	367,361.00	367,361.00	190,981.24	176,379.76	51.99
16.371 - INSPECTIONS		648,939.38	614,628.00	614,628.00	231,371.92	383,256.08	37.64
16.401 - TECH & PLANNING ADMIN.		168,240.70	232,203.00	232,203.00	70,046.43	162,156.57	30.17
16.447 - ENGINEERING		48,980.00	51,648.00	51,648.00	20,805.46	30,842.54	40.28
16.448 - STREET LIGHTING		401,964.68	335,000.00	335,000.00	168,779.00	166,221.00	50.38
17.345 - PUBLIC SAFETY		10,016,466.01	10,063,128.00	10,063,128.00	5,074,631.71	4,988,496.29	50.43
17.346 - PUBLIC SAFETY K-9		182,412.68	191,194.00	191,194.00	99,682.18	91,511.82	52.14
18.265 - BUILDING MAINTENANCE		560,931.83	869,831.00	869,831.00	256,700.65	613,130.35	29.51
18.441 - DPW ADMINISTRATION		7,820.09	12,933.00	12,933.00	7,698.82	5,234.18	59.53
18.443 - SHEPHERD PARK		72,405.29	126,771.00	126,771.00	41,105.29	85,665.71	32.42
18.444 - OTHER PARKS FORESTRY		73,568.51	153,923.00	153,923.00	46,326.24	107,596.76	30.10
19.752 - RECREATION ADMINISTRATION		349,850.72	379,317.00	381,522.00	160,523.76	220,998.24	42.07
19.753 - ATHLETICS		24,976.99	33,371.00	33,371.00	6,116.29	27,254.71	18.33
19.754 - OUTDOOR ACTIVITIES		76,085.23	95,433.00	93,228.00	32,314.95	60,913.05	34.66
19.755 - INSTRUCTIONAL ACTIVITIES		28,245.90	29,000.00	29,000.00	5,996.90	23,003.10	20.68
19.756 - SPECIAL RECREATION EVENTS		40,419.73	35,000.00	35,000.00	8,983.20	26,016.80	25.67
19.757 - SWIMMING POOL FACILITY		111,035.59	110,024.00	110,024.00	71,766.39	38,257.61	65.23
19.776 - SENIOR SERVICES		36,269.81	42,369.00	42,369.00	16,747.40	25,621.60	39.53
21.890 - NON DEPARTMENTAL		5,366,557.11	4,911,401.00	4,911,401.00	2,598,300.48	2,313,100.52	52.90
22.806 - PUBLIC INFORMATION CABLE		243,771.39	279,970.00	279,970.00	111,058.49	168,911.51	39.67
TOTAL EXPENDITURES		20,602,287.94	20,824,968.00	20,824,968.00	10,133,469.29	10,691,498.71	48.66
TOTAL REVENUES - FUND 101		20,643,035.47	21,433,162.00	21,433,162.00	15,429,668.78	6,003,493.22	71.99
TOTAL EXPENDITURES - FUND 101		20,602,287.94	20,824,968.00	20,824,968.00	10,133,469.29	10,691,498.71	48.66
NET OF REVENUES & EXPENDITURES		40,747.53	608,194.00	608,194.00	5,296,199.49	(4,688,005.49)	870.81



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: January 22, 2019

AGENDA #

SUBJECT: Approval of resolution to authorize Budget Amendment #2019-1

DEPARTMENT: Finance

SUMMARY: The City's annual budget was adopted on May 16, 2018 and is effective July 1st. The budget is adopted at the departmental level. In accordance with the State Budget Act, budget amendments are to be completed throughout the fiscal year in order to reflect the most current information available related to revenue and expenditure budgets. Budget amendments that have a positive or negative impact on fund balance or change the department total require Council approval. The proposed amendments are based on actual and projected activity-to-date.

The first quarter (9/30/18) budget amendment is attached and is also summarized below.

GENERAL FUND	
Audited Beginning Fund Balance July 1, 2018	\$ 3,894,814
Amended Budget as of September 30, 2018	\$ 608,194
Net Change in Fund Balance (Amendment #2019-1)	<u>\$ (608,194)</u>
Estimated Ending Fund Balance June 30, 2019	<u><u>\$ 3,894,814</u></u>

The following are some additional detail related to the significant items included in the recommended amendment:

- To comply with PA 202 pension and OPEB funding the city had to increase the contributions over prior year amounts to the DB pension plans by \$245,136 and \$554,731 for the General and Public Safety Plans, accordingly. This increase is throughout all funds of the city and included in this amendment.
- Property tax revenue was increase to account for the additional PA 345 winter levy and better than anticipated collection of past years delinquent personal property taxes.
- Business Licenses & Permit revenue is greater than prior year and what was budgeted.

- Interest income is up significantly citywide due to increase in interest rates and the increase in the unrealized gains on long-term investments.
- Transfers in from the Public Improvement and OPEB funds were eliminated as they are no longer required to balance the General fund annual budget.
- Overall healthcare costs citywide are slightly better than anticipated to date. The city being self-insured can realize significant swings both up and down and to date the trend is favorable in many departments.
- Contributions to the Motor Pool were eliminated as they were not required to balance the annual budget.

Overall the net of this amendment balances the General Fund on an annual basis while being able to pay the additional required pension payments and not have to utilize any OPEB funds to balance the operating budget.

SPECIAL REVENUE FUNDS

- The Major and Local Streets Fund received additional funding from the state through PA 82 totaling \$304,414. This additional revenue is along with more than anticipated Act 51 revenue of \$246,264 allow the city to continue to move forward on the planned road and bridge projects. The budget also includes roll over budgets from fiscal year 2017/2018 that were not spent on capital related items.
- The Solid Waste Fund primarily for better than anticipated revenue offset by the pension cost change and roll over costs for a generator purchase.

Note: The State of Michigan does not require budgets for any funds except the General and Special Revenue Funds. The City has chosen to be fiscally responsible and adopt budgets for all funds to assist in monitoring the overall financial activity of the City.

ENTERPRISE FUND

- The Water and Sewer Fund adjustment is primarily for the DB pension cost increases and the removal of the budgeted annual depreciation charges. The city budgets this fund on a cash flow basis which means the budget is prepared using expenditure budgets for capital related items (excluding depreciation) and debt service even though those items are ultimately reclassified for financial statement purposes to the balance sheet. The amendment also recognizes the SAW grant revenue received to date.

INTERNAL SERVICE FUNDS

- The Motor Pool Fund was amended to reflect projected use/reimbursement by each fund along with incorporating a rollover budget for replacement of a hoist at the garage.
- The Risk Management Fund adjustment is to adjust the cost estimates to the current projects and to eliminate the original budgeted surplus in the fund. The net of the adjustment puts the fund to zero net increase in fund balance for the year

FIDUCIARY FUNDS

- The amendment to the two pension funds is reflect the final required contributions for the actuary report which was not received until after the fiscal year had already started.

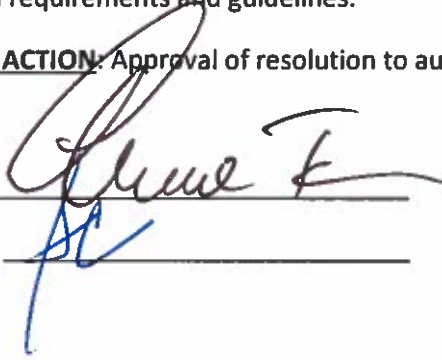
FINANCIAL STATEMENT: The proposed budget amendment has an impact on the fund balance of General Fund while keeping the estimated fund balance at approximately 19% of annual expenditures. The amendments to all other funds keep the fund balance at targeted ranges and are done in compliance with State of Michigan requirements and guidelines.

RECOMMENDED ACTION: Approval of resolution to authorize Budget Amendment #2019-1

APPROVALS:

City Manager: _____

Finance Director: _____

The image shows two handwritten signatures. The first signature, in black ink, is written over a horizontal line and appears to be "Chris F.". The second signature, in blue ink, is written over another horizontal line and appears to be "AC".

City of Oak Park
Proposed Budget Amendments
September 30, 2018

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>	<u>Description</u>
<u>General Fund</u>			
101-00.000-403.000	Property Tax	\$ 103,390	Additional PA 345 Levy on winter tax roll
101-00.000-420.000	Del Pers Prop Tax - P/Y	35,000	Increase per activity to date and projections thru year-end
101-00.000-451.001	Business Licenses and Permits/TP	\$ 24,000	Increase per activity to date and projections thru year-end
101-00.000-479.000	Building Permits	90,000	Increase per activity to date and projections thru year-end
101-00.000-574.000	State Grant - State Revenue Sharing	32,585	Increase per estimate from Department of Treasury
101-00.000-664.000	Interest Income	212,000	Increase to actual revenue to date
101-00.000-683.000	Franchise Fee	15,000	Increase per activity to date and projections thru year-end
101-00.000-685.000	Right of Way Fee	87,000	No initial budget - estimate based on prior year actual
101-00.000-699.401	Transfer In - Public Imp Fund	(173,027)	No contribution needed
101-00.000-699.680	Transfer In - RHC Benefits Fund	(786,000)	No contribution needed
101-17.345-420.000	Del Pers Prop Tax - P/Y	20,000	Increase per activity to date and projections thru year-end
101-17.345-573.000	State Grant - Local Comm Stab Auth	(4,000)	Adj to reimbursement from State related to Act 345 levy
Total Revenue Increase (Decrease)		(344,052)	
101-11.172-713.000	Health Insurance	(6,000)	Reduce per activity to date and projections thru year-end
101-11.270-714.000	Retirement - Defined Benefit	36,900	Adjust to actuary required contribution for FY 2019
101-11.611-702.000	Salaries and Wages	(20,000)	Additional workers comp exp per activity to date
101-11.611-713.000	Health Insurance	(10,400)	Additional workers comp exp per activity to date
101-11.611-818.000	Contractual Services	20,000	Rollover from FY 2017/18 for balance of contract
101-14.191-714.000	Retirement - Defined Benefit	900	Adjust to actuary required contribution for FY 2019
101-15.201-714.000	Retirement - Defined Benefit	33,705	Adjust to actuary required contribution for FY 2019
101-15.201-717.000	Workers Compensation Insurance	9,875	Additional workers comp exp per activity to date
101-16.371-714.000	Retirement - Defined Benefit	(786)	Adjust to actuary required contribution for FY 2019
101-16.371-818.016	Contractual Services - Inspections	37,160	Additional contractual inspection services
101-16.401-713.000	Health Insurance	(44,655)	Reduce per activity to date and projections thru year-end
101-16.401-714.000	Retirement - Defined Benefit	2,372	Adjust to actuary required contribution for FY 2019
101-16.447-713.000	Health Insurance	(3,000)	Reduce per activity to date and projections thru year-end
101-16.447-714.000	Retirement - Defined Benefit	6,369	Adjust to actuary required contribution for FY 2019
101-17.345-713.000	Health Insurance	(165,501)	Reduce per activity to date and projections thru year-end
101-17.345-714.000	Retirement - Defined Benefit	38,608	Adjust to actuary required contribution for FY 2019
101-17.345-714.001	Retirement Contribution PSD	370,898	Additional contrib to comply with PA 202
101-17.345-940.000	Rentals - Motor Pool Utilization	(35,500)	Adjust to estimated costs in fund 654
101-17.346-713.000	Health Insurance	(10,000)	Reduce per activity to date and projections thru year-end
101-17.346-714.001	Retirement Contribution PSD	15,067	Additional contrib to comply with PA 202
101-18.265-713.000	Health Insurance	(10,000)	Reduce per activity to date and projections thru year-end
101-18.265-714.000	Retirement - Defined Benefit	(14,476)	Adjust to actuary required contribution for FY 2019
101-18.441-714.000	Retirement - Defined Benefit	3,461	Adjust to actuary required contribution for FY 2019
101-18.443-713.000	Health Insurance	(8,000)	Reduce per activity to date and projections thru year-end
101-18.443-714.000	Retirement - Defined Benefit	(5,821)	Adjust to actuary required contribution for FY 2019
101-18.444-713.000	Health Insurance	(5,000)	Reduce per activity to date and projections thru year-end
101-18.444-714.000	Retirement - Defined Benefit	(4,013)	Adjust to actuary required contribution for FY 2019
101-19.752-713.000	Health Insurance	(9,518)	Reduce per activity to date and projections thru year-end
101-21.890-999.654	Contribution to Motor Pool	25,000	Eliminate transfer - all revenues are charges for services
101-21.890-999.733	Contribution to Pub Safety Pen RHC	21,117	Adjust to estimated costs in fund 733
101-22.806-713.000	Health Insurance	(4,620)	Reduce per activity to date and projections thru year-end
Total Expenditure Increase (Decrease)		264,142	
Net Increase (Decrease) to Fund Balance		\$ (608,194)	

City of Oak Park
Proposed Budget Amendments
September 30, 2018

Library Fund

111-00.000-420.000	Del Pers Prop Tax - P/Y	\$ 4,000	Actual collections higher than anticipated
111-00.000-568.000	Library - Penal Fines	3,610	Actual fines higher than anticipated
111-00.000-664.000	Interest Income	7,000	Increased earnings rate and greater return on existing funds
111-00.000-573.000	State Grant - Local Comm Stab Share App	3,000	Greater than anticipated ppt loss reimbursement
Total Revenue Increase (Decrease)		17,610	

111-20.790-702.000	Salaries and Wages	(11,268)	Adjust to actual and estimated thru year-end
111-20.790-714.000	Retirement - Defined Benefit	21,268	Adjust to actuary required contribution for FY 2019
111-20.790-726.100	Supplies - Elsie Watson Trust	4,000	Second Sundays concert series
111-20.790-801.021	TLN Menu Services	3,610	Computer Lab improvements from add'l fines collected

Total Expenditure Increase (Decrease) 17,610

Net Increase (Decrease) to Fund Balance \$ -

Major Streets Fund

202-00.000-546.000	State Grants	146,264	Adjust to actual receipts to date and projections
202-00.000-546.001	State Grants - Other	46,040	Adjust to actual grant reimbursements to date
202-00.000-565.000	State Grants - PA 82	219,178	2018 state road grant
202-00.000-664.000	Interest Income	1,008	Increase estimate of total earnings
202-00.000-676.001	Reimbursement - Miscellaneous	20,706	Increase county and state relmb per detail and prior years
Total Revenue Increase (Decrease)		\$ 433,196	

202-16.103-714.000	Retirement - Defined Benefit	285	Adjust to actuary required contribution for FY 2019
202-18.474-714.000	Retirement - Defined Benefit	4,690	Adjust to actuary required contribution for FY 2019
202-18.478-714.000	Retirement - Defined Benefit	11,245	Adjust to actuary required contribution for FY 2019
202-18.479-714.000	Retirement - Defined Benefit	45,726	Adjust to actuary required contribution for FY 2019
202-18.479-801.000	Professional Services	6,250	Back-up generator rollover budget from FY 2018
202-18.479-801.000	Professional Services	750,000	9 Mile road imp and Coolidge bridge enhance rollover FY 18
Total Expenditure Increase (Decrease)		\$ 818,196	

Net Increase (Decrease) to Fund Balance \$ (385,000)

Local Streets Fund

202-00.000-546.000	State Grants	100,000	Adjust to actual receipts to date and projections
203-00.000-565.000	State Grants - PA 82	85,236	2018 state road grant
203-00.000-664.000	Interest Income	3,209	Increase estimate of total earnings
203-00.000-674.000	Miscellaneous Fees	125	Adjust to actual receipts to date
Total Revenue Increase (Decrease)		\$ 188,570	

203-18.474-714.000	Retirement - Defined Benefit	2,109	Adjust to actuary required contribution for FY 2019
203-18.478-714.000	Retirement - Defined Benefit	6,160	Adjust to actuary required contribution for FY 2019
203-18.479-714.000	Retirement - Defined Benefit	(5,949)	Adjust to actuary required contribution for FY 2019
203-18.479-801.000	Professional Services	6,250	Back-up generator rollover budget from FY 2018

Total Expenditure Increase (Decrease) \$ 8,570

Net Increase (Decrease) to Fund Balance \$ 180,000

Solid Waste Fund

226-00.000-573.000	State Grant - Local Comm Stab Auth	4,000	Adjust budget based on prior year actual receipts
226-00.000-664.000	Interest Income	11,304	Adjust budget based on prior year, cash balance & return
226-00.000-674.010	Charges for Services - 92 Gal Dumpster	10,000	Adjust budget based on prior year actual receipts

Total Revenue Increase (Decrease) \$ 25,304

226-18.528-714.000	Retirement - Defined Benefit	(18,946)	Adjust to actuary required contribution for FY 2019
226-18.528-801.000	Professional Services	6,250	Back-up generator rollover budget from FY 2018
226-18.528-717.000	Workers Compensation Insurance	-	Additional workers comp exp per activity to date

Total Expenditure Increase (Decrease) \$ (12,696)

Net Increase (Decrease) to Fund Balance \$ 38,000

City of Oak Park
Proposed Budget Amendments
September 30, 2018

Community Development Block Grant Fund

275-00.504-502.000	Federal Grants	16,355	Adjust to actual receipts to date
Total Revenue Increase (Decrease)		\$ 16,355	
275-16.504-714.000	Retirement - Defined Benefit	16,255	Adjust to actuary required contribution for FY 2019
275-16.505-714.000	Retirement - Defined Benefit	100	Adjust to actuary required contribution for FY 2019
Total Expenditure Increase (Decrease)		\$ 16,355	
Net Increase (Decrease) to Fund Balance		\$ -	

2011 Library/Recreation Debt Service Fund

305-88.905-664.000	Interest Income	26	Adjust to actual receipts from Oakland County
Total Revenue Increase (Decrease)		\$ 26	
305-88.905-997.000	Debt Service - Paying Agent Fee	76	Adjust to actual to date and estimated for balance of year
Total Expenditure Increase (Decrease)		\$ 76	
Net Increase (Decrease) to Fund Balance		\$ (50)	

Sidewalk Special Assessment Fund

451-71.442-664.000	Interest Income	1,092	Estimate based on prior and current year activity
Total Revenue Increase (Decrease)		\$ 1,092	
451-18.442-714.000	Retirement - Defined Benefit	1,092	Adjust to actuary required contribution for FY 2019
Total Expenditure Increase (Decrease)		\$ 1,092	
Net Increase (Decrease) to Fund Balance		\$ -	

Water and Sewer Fund

592-00.000-571.000	Reimbursement - SAW Grant	78,000	Adjust to actual receipts to date
592-00.000-664.000	Interest Income	15,500	Estimate based on prior and current year activity
592-00.000-674.000	Reimbursement - Miscellaneous	10,000	Adjust to actual receipts to date
Total Revenue Increase (Decrease)		\$ 103,500	
592-15-536-713.000	Health Insurance	(19,518)	Reduce per activity to date and projections thru year-end
592-15-536-714.000	Retirement - Defined Benefit	2,644	Adjust to actuary required contribution for FY 2019
592-16-550-714.000	Retirement - Defined Benefit	32,302	Adjust to actuary required contribution for FY 2019
592-16-619-714.000	Retirement - Defined Benefit	500	Adjust to actuary required contribution for FY 2019
592-18-537-714.000	Retirement - Defined Benefit	36,862	Adjust to actuary required contribution for FY 2019
592-18.537-801.000	Professional Services	6,250	Back-up generator rollover budget from FY 2018
592-18-537-968.000	Depreciation	(280,000)	Budget cash flow basis - depreciation excluded
592-15-538-713.000	Health Insurance	(12,980)	Reduce per activity to date and projections thru year-end
592-18-538-714.000	Retirement - Defined Benefit	20,638	Adjust to actuary required contribution for FY 2019
592-18-540-714.000	Retirement - Defined Benefit	22,945	Adjust to actuary required contribution for FY 2019
592-18-550-714.000	Retirement - Defined Benefit	21,475	Adjust to actuary required contribution for FY 2019
592-18-550-968.000	Depreciation	(510,000)	Budget cash flow basis - depreciation excluded
Total Expenditure Increase (Decrease)		\$ (678,882)	
Net Increase (Decrease) to Fund Balance		\$ 782,382	

**City of Oak Park
Proposed Budget Amendments
September 30, 2018**

Motor Pool Internal Service Fund

654-18.875-627.101	Charges for Services - General Fund	(84,600)	Estimate based on prior and current year activity
654-18.875-627.451	Charges for Services - Sidewalk & Spec	60,000	Estimate based on prior and current year activity
654-18.875-664.000	Interest Income	209	Estimate based on prior and current year activity
654-18.875-699.101	Transfer In - General Fund	(25,000)	Eliminate transfer - all revenues are charges for services
Total Revenue Increase (Decrease)		\$ (49,391)	

654-18.875-860.000	Transportation	3,800	Estimate based on prior and current year activity
654-18.875-970.000	Capital Outlay	60,000	Replace mechanics hoist
Total Expenditure Increase (Decrease)		\$ 63,800	

Net Increase (Decrease) to Fund Balance \$ (113,191)

Risk Management Fund

677-42.871-664.000	Interest Income	(1,500)	Estimate based on prior and current year activity
677-42.871-674.000	Miscellaneous Fees	(10,000)	Estimate based on prior and current year activity
677-42.871-699.000	Charges to Other Funds	(22,046)	Adjust charges to zero current year rev and exps
Total Revenue Increase (Decrease)		\$ (33,546)	

677-42.871-909.000	Insurance - Workers Compensation	34,900	Allowance of prior year true up
677-42.871-910.000	Insurance - Liability and Property	15,829	Adjust budget to actual annual insurance premium
Total Expenditure Increase (Decrease)		\$ 50,729	

Net Increase (Decrease) to Fund Balance \$ (84,275)

General Employees Retirement System Fund

731-43.237-593.000	Employee Contribution - General	1,000	Adjust current year estimate per prior yr and 1st qtr actual
731-43.237-669.000	Gain (Loss) on Investments	(316,745)	Adjust to estimate per activity to date
731-43.237-696.000	City Pension Contribution	178,745	Adjust charges to zero current year rev and exps
Total Revenue Increase (Decrease)		\$ (137,000)	

731-43.237-801.000	Professional Services	15,000	Adjust current year estimate per prior yr
731-43.237-874.000	Retirement Benefits	(155,000)	Adjust current year estimate per prior yr and 1st qtr actual
731-43.237-964.001	Retiree Contribution Refunds	3,000	Adjust current year estimate per 1st qtr actual
Total Expenditure Increase (Decrease)		\$ (137,000)	

Net Increase (Decrease) to Fund Balance \$ -

Public Safety Retirement System Fund

733-43.237-594.000	Employee Contribution - Public Safety	49,000	Adjust current year estimate per prior yr and 1st qtr actual
733-43.237-595.000	Employee Contribution - RHC	12,000	No initial budget - estimate based on prior year actual
733-43.237-669.000	Gain (Loss) on Investments	(714,239)	Adjust to estimate per activity to date
733-43.237-696.000	City Pension Contribution	285,089	Adjust to new actuary report - 20 year amortization
733-43.237-697.000	City Contribution - RHC	21,117	Adjust charges to zero current year rev and exps
Total Revenue Increase (Decrease)		\$ (347,033)	

733-43.237-712.001	Retiree Healthcare	(117,983)	Adjust current year estimate per prior yr and 1st qtr actual
733-43.237-712.002	Retiree Life Insurance	(50)	Adjust current year estimate per prior yr and 1st qtr actual
733-43.237-712.003	Retiree Dental	(3,000)	Adjust current year estimate per prior yr and 1st qtr actual
733-43.237-801.000	Professional Services	(10,000)	Adjust current year estimate per prior yr
733-43.237-874.000	Retirement Benefits	(246,000)	Adjust current year estimate per prior yr and 1st qtr actual
733-43.237-964.002	Retiree Contribution Refunds	30,000	Adjust current year estimate per 1st qtr actual
Total Expenditure Increase (Decrease)		\$ (347,033)	

Net Increase (Decrease) to Fund Balance \$ -

Resolution

NOW, THEREFORE BE IT RESOLVED that the following
Budget Amendment #2019-1 is authorized:

INCREASE
(DECREASE)

GENERAL FUND

REVENUES

PROPERTY TAXES	\$ 158,390
LICENSE AND PERMITS	114,000
INTERGOVERNMENTAL	\$ 28,585
INTEREST INCOME	212,000
OTHER REVENUE	102,000
TRANSFER IN	(959,027)
TOTAL REVENUES	<u>(344,052)</u>

EXPENDITURES

CITY MANAGER	(6,000)
HUMAN RESOURCES	36,900
COMMUNITY & ECONOMIC DEVELOPMENT	(10,400)
CITY CLERK - ELECTIONS	900
FINANCE	43,580
TECHNICAL AND PLANNING	(2,540)
PUBLIC SAFETY	213,572
RECREATION	(9,518)
PUBLIC WORKS	(43,849)
PUBLIC INFORMATION	(4,620)
TRANSFERS OUT	46,117
TOTAL EXPENDITURES	<u>264,142</u>

Net Increase to Fund Balance	<u>\$ (608,194)</u>
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LIBRARY FUND

REVENUES

PROPERTY TAXES	\$ 4,000
INTERGOVERNMENTAL	3,000
CHARGES FOR SERVICES	3,610
INTEREST INCOME	7,000
TOTAL REVENUES	<u>17,610</u>

EXPENDITURES

SALARIES	(11,268)
FRINGES	21,268
SUPPLIES, MAINTENANCE AND REPAIRS	4,000
OPERATIONS	3,610
TOTAL EXPENDITURES	<u>17,610</u>

Net Increase to Fund Balance	<u>\$ -</u>
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INCREASE
(DECREASE)

MAJOR STREETS FUND

REVENUES	
INTERGOVERNMENTAL	\$ 411,482
INTEREST INCOME	1,008
OTHER REVENUE	20,706
TOTAL REVENUES	<u>433,196</u>
EXPENDITURES	
FRINGES	61,946
CAPITAL OUTLAY	756,250
TOTAL EXPENDITURES	<u>818,196</u>
Net Increase to Fund Balance	<u>\$ (385,000)</u>

LOCAL STREETS FUND

REVENUES	
INTERGOVERNMENTAL	\$ 185,236
INTEREST INCOME	3,209
OTHER REVENUE	125
TOTAL REVENUES	<u>188,570</u>
EXPENDITURES	
FRINGES	2,320
CAPITAL OUTLAY	6,250
TOTAL EXPENDITURES	<u>8,570</u>
Net Increase to Fund Balance	<u>\$ 180,000</u>

SOLID WASTE FUND

REVENUES	
INTERGOVERNMENTAL	\$ 4,000
INTEREST INCOME	11,304
CHARGES FOR SERVICES	10,000
TOTAL REVENUES	<u>25,304</u>
EXPENDITURES	
FRINGES	(18,946)
CAPITAL OUTLAY	6,250
TOTAL EXPENDITURES	<u>(12,696)</u>
Net Increase to Fund Balance	<u>\$ 38,000</u>

COMMUNITY DEVELOPMENT BLOCK GRANT FUND

REVENUES	
FEDERAL GRANT	\$ 16,355
TOTAL REVENUES	<u>16,355</u>
EXPENDITURES	
FRINGES	16,355
TOTAL EXPENDITURES	<u>16,355</u>
Net Decrease to Fund Balance	<u>\$ -</u>

INCREASE
(DECREASE)

2011 LIBRARY/RECREATION DEBT SERVICE FUND

REVENUES

INTEREST EARNINGS	\$	26
TOTAL REVENUES		<u>26</u>

EXPENDITURES

OPERATIONS		76
TOTAL EXPENDITURES		<u>76</u>

Net Decrease to Fund Balance	\$	<u>(50)</u>
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SIDEWALK SPECIAL ASSESSMENT FUND

REVENUES

INTEREST EARNINGS	\$	1,092
TOTAL REVENUES		<u>1,092</u>

EXPENDITURES

FRINGES		1,092
TOTAL EXPENDITURES		<u>1,092</u>

Net Decrease to Fund Balance	\$	<u>-</u>
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WATER AND SEWER FUND

REVENUES

FEDERAL GRANT	\$	78,000
INTEREST EARNINGS		15,500
OTHER REVENUE		10,000
TOTAL REVENUES		<u>103,500</u>

EXPENDITURES

FRINGES		104,868
OPERATIONS		(790,000)
CAPITAL OUTLAY		6,250
TOTAL EXPENDITURES		<u>(678,882)</u>

Net Decrease to Fund Balance	\$	<u>782,382</u>
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MOTOR POOL FUND

REVENUES

CHARGES TO OTHER FUNDS	\$	(24,600)
INTEREST EARNINGS		209
TRANSFER IN		(25,000)
TOTAL REVENUES		<u>(49,391)</u>

EXPENDITURES

OPERATIONS		3,800
CAPITAL OUTLAY		60,000
TOTAL EXPENDITURES		<u>63,800</u>

Net Decrease to Fund Balance	\$	<u>(113,191)</u>
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INCREASE
(DECREASE)

RISK MANAGEMENT INTERNAL SERVICE FUND

REVENUES

CHARGES TO OTHER FUNDS	\$ (22,046)
INTEREST EARNINGS	(1,500)
OTHER REVENUE	(10,000)
TOTAL REVENUES	(33,546)

EXPENDITURES

INSURANCE - WORKERS COMPENSATION	34,900
INSURANCE - LIABILITY AND PROPERTY	15,829
TOTAL EXPENDITURES	50,729

Net Decrease to Fund Balance \$ (84,275)

GENERAL EMPLOYEES RETIREMENT STSTEM FUND

REVENUES

EMPLOYER CONTRIBUTIONS	\$ 178,745
EMPLOYEE CONTRIBUTIONS	1,000
NET CHANGE IN FAIR VALUE OF INVESTMENT	(316,745)
TOTAL REVENUES	(137,000)

EXPENDITURES

BENEFIT PAYMENTS	(152,000)
OPERATING	-
RETIREE DENTAL	-
OPERATING	15,000
TOTAL EXPENDITURES	(137,000)

Net Decrease to fund Balance \$ -

PUBLIC SAFETY RETIREMENT STSTEM FUND

REVENUES

EMPLOYER CONTRIBUTIONS	\$ 306,206
EMPLOYEE CONTRIBUTIONS	61,000
NET CHANGE IN FAIR VALUE OF INVESTMENT	(714,239)
TOTAL REVENUES	(347,033)

EXPENDITURES

BENEFIT PAYMENTS	(216,000)
RETIREE HEALTHCARE	(121,033)
OPERATING	(10,000)
TOTAL EXPENDITURES	(347,033)

Net Decrease to fund Balance \$ -

I certify that the forgoing is a true and complete copy of a Resolution adopted by the City Council of the City of Oak Park at a regular Meeting held on this 22nd day of January, 2019.

T. Edwin Norris, City Clerk