



INKSTER CITY COUNCIL

October 2, 2017

26215 Trowbridge, Inkster, MI 48141
(313) 563-4232 www.cityofinkster.com

Mayor – Byron Nolen
Mayor Pro Tem – Timothy Williams, District I

Council Members:

Clarence Oden, Jr., District II
Sandra K. Watley., District III
Steven Chisholm, District IV
Kim Howard, District V
Connie R. Mitchell, District VI

FELICIA RUTLEDGE
CITY CLERK

BYRON NOLEN
MAYOR

TREASURER
DARIN CARRINGTON

DAVID JONES
CITY ATTORNEY

Council may be addressed during the Regular Meeting by filling out the Public Participation Form. Address Council as a whole through the Mayor. Please state your name and your address for the record prior to providing your comments. Comments are limited to three (3) minutes.

Council Orientation Agenda – 6:00 PM

1. Call to Order
2. Discussion
 - A. Agenda Discussion
 - B. District Wide Advisory Meeting – Date Change

Public Participation (limit to 3 minutes)

3. CLOSED SESSION – Council may enter into Closed Session to discuss contract negotiations, purchase or lease of real property and/or pending litigation in accordance with MCL 15.268 (a), (c), (d), (e) and/or (f).
4. Adjournment

October 2, 2017
Regular City Council Agenda – 7:00 PM

1. Call Meeting to Order

- A. Pledge of Allegiance
- B. Roll Call

2. Approval of Agenda

3. Presentations/Discussion

- A. Team Cares Redevelopment Presentation
- B. Parks Presentation – Craig Lewis, Parks & Recreation, Director
- C. Emergency Sewer Repair – Darin Carrington, Treasurer

4. Public Hearing

5. Consent Agenda

- A. September 18, 2017 Regular City Council Meeting Minutes.
- B. Allen Brother's & Attorney's PLLC Invoice \$26,600.00

Pg. 1

6. Boards and Commissions

- A. Update of current list of appointments to Boards & Commissions.

Pg. 7

7. Previous Business

8. Ordinance(s)

- A. First Reading(s)

- B. Second Reading(s)

- 1. Council to offer a ***second*** reading and ***approval*** on the reversion of the B-2, Thoroughfare Mixed-Use District conditional rezoning of two parcels back to R1-A, One-Family Residential District (Z 17-12). The parcels are located on the north side of Lehigh, just east of Inkster Road (Property ID# 44-025-02-1765-300).

Pg. 14

2. Council to offer a **second** reading and **approval** of text amendments (TA 17-11) to the City's Zoning Ordinance pertaining to provisions for site plan and special land use reviews per the recommendations of the Planning Commission.

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9. New Business

10. Public Participation (limit to 3 minutes)

11. City Clerk

12. City Treasurer

13. Mayor and Council Communication

14. Closed Session

Council may enter into Closed Session to discuss contract negotiations, purchase or lease of real property and/or pending litigation in accordance with MCL 15.268 (a), (c), (d), (e) and/or (f).

15. Adjournment

Felicia Rutledge
City Clerk

September 18, 2017
Regular City Council Meeting – 7:00 PM

The regular meeting of the Council of the City of Inkster, Wayne County, Michigan convened in the Council Chambers, 26215 Trowbridge, on Monday, September 18, 2017.

Prior to the Regular Council Meeting: City Council members discussed:

- A. Agenda Discussion
- B. Appointment of Mayor Nolen to the Central Sanitation Authority (Alternate)

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Chisholm to go into Executive Session 6:35 p.m. to discuss pending litigation, personnel and land sales in accordance with MCL 15.286 (e). Motion carried unanimously

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Oden to adjourn the closed Executive Session at 6:45 p.m. – Motion carried unanimously.

Call Meeting to Order

Mayor Nolen called the meeting to order at 7:00 p.m.

Pledge of Allegiance

City Council and the public in attendance pledged allegiance to the flag of the United States of America.

Prayer

Prayer was led by Father Clifton.

Roll Call

Mayor Nolen	Present	Councilwoman Howard	Present
Councilwoman Watley	Present	Mayor Pro-Tem Williams	Present
Councilman Oden	Present	Councilman Chisholm	Present
Councilwoman Mitchell	Present		

Approval of Agenda

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Chisholm to approve the agenda. with the deletion of item "C" under Presentations and the addition of item "C" under Presentations. The deletion of item "E" under New Business the addition of item "E" under New Business Resolution 9-17-225R - Motion carried.

Presentations/Discussion

- A. Beyond Basic Video
- B. Mural Reveal—Paul Carr

- G. Team Cares Redevelopment Presentation
- C. Global Leadership Academy – Zakiya Gibson
- D. Episcopal Church RISE Initiative – Crystal Linton

Public Hearings

Consent Agenda

- A. September 5, 2017 Regular City Council Meeting Minutes.

Moved by Councilmember Chisholm, Seconded by Mayor Pro-Tem Williams to approve the September 5, 2017 Regular City Council Meeting Minutes. Resolution 9-17-226R – Motion carried.

Boards and Commission

- A. Update of current list of appointments to Boards & Commissions.

Moved by Councilmember Mitchell, Seconded by Councilmember Oden to appoint Jean Liddell to the Historical Commission Resolution 9-17-227R – Motion carried.

Previous Business

- A. Discussion/Action: (Jeannie Fields) Consider acquisition of one (1) vacant parcel of land located on Magnolia on the Northeast corner of Magnolia and Emerson that is legally described as Lot 145 STEINHAUERS ACRE FARMS SUB NO. 1 T2S R9E L47 P47 WCR (Property ID #44-003-05-0045-000) under the Wayne County Treasurer First Right of Refusal for \$1,380.90 and consider approval of an offer to purchase (Case # LD 17-21) the vacant parcel in the amount of \$2,380.90 to Vestco Management. **(REMOVE FROM TABLE)**

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Oden to Remove From the Table the acquisition of one (1) vacant parcel of land located on Magnolia on the Northeast corner of Magnolia and Emerson that is legally described as Lot 145 STEINHAUERS ACRE FARMS SUB NO. 1 T2S R9E L47 P47 WCR (Property ID #44-003-05-0045-000) under the Wayne County Treasurer First Right of Refusal for \$1,380.90 and consider approval of an offer to purchase (Case # LD 17-21) the vacant parcel in the amount of \$2,380.90 to Vestco Management. (REMOVE FROM TABLE) Resolution 9-17-228R – Motion carried.

**Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Oden to approve the acquisition of one (1) vacant parcel of land located on Magnolia on the Northeast corner of Magnolia and Emerson that is legally described as Lot 145 STEINHAUERS ACRE FARMS SUB NO. 1 T2S R9E L47 P47 WCR (Property ID #44-003-05-0045-000) under the Wayne County Treasurer First Right of Refusal for \$1,380.90 and consider approval of an offer to purchase (Case # LD 17-21) the vacant parcel in the amount of \$2,380.90 to Vestco Management. Resolution 9-17-229R – Motion carried.
NAY: (Howard, Williams)**

ROLL CALL VOTE

Councilmember Chisholm	Yea	Mayor Pro-Tem Williams	Nay
Councilmember Mitchell	Yea	Councilmember Howard	Nay
Councilmember Oden	Yea		
Councilmember Watley	Yea		

Ordinance(s)

A. First Reading(s)

1. A. **first** reading on the reversion of the B-2, Thoroughfare Mixed-Use District conditional rezoning of two parcels back to R1-A, One-Family Residential District (Z 17-12). The parcels are located on the north side of Lehigh, just east of Inkster Road (Property ID# 44-025-02-1765-300).
2. A **first** reading of text amendments (TA 17-11) to the City's Zoning Ordinance pertaining to provisions for site plan and special land use reviews per the recommendations of the Planning Commission.

Second Reading(s)

1. A **second** reading and **approval** of text amendments (TA 17-07) to the City's Zoning Ordinance pertaining to provisions for medical marijuana facilities per the recommendations of the Planning Commission. For a list of affected ordinance sections please see "background information".

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Oden to approve of text amendments (TA 17-07) to the City's Zoning Ordinance pertaining to provisions for medical marijuana facilities per the recommendations of the Planning Commission. For a list of affected ordinance sections please see "background information".
Resolution 9-17-230R – Motion carried.

New Business

- A. Discussion/Action (Jeannie Fields) Consider approval of an offer to purchase (Case # LD 17-03) four (4) residential properties: 1) 2202 Isabelle (Property ID #44005030509000); 2) 4033 Harrison (Property ID #44014030026000), 3) 4321 Moore (Property ID #44014030026000) and 4) 25835 Lehigh (Property ID #44024020403000) in the total amount of \$8,000.00 (\$2,000.00 per property) to Platinum Real Estate Holdings LLC (Anthony Rea).

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Chisholm to approve of an offer to purchase (Case # LD 17-03) four (4) residential properties: 1) 2202 Isabelle (Property ID #44005030509000); 2) 4033 Harrison (Property ID #44014030026000), 3) 4321 Moore (Property ID #44014030026000) and 4) 25835 Lehigh (Property ID #44024020403000) in the total amount of \$8,000.00 (\$2,000.00 per property) to Platinum Real Estate Holdings LLC (Anthony Rea).
Resolution 9-17-231R – Motion carried.

- B. Discussion/Action: (Jeannie Fields) Consider approval of an offer to purchase (Case # LD 17-15) three (3) residential properties: 1) 3811 Hickory (Property ID # 44014030437000), 2) 28645 Hazelwood (Property ID #44005030065002) and 3) 3129 Walnut (Property ID # 44010010159000) in the total amount of \$6,000.00 (\$2,000.00 per property) to Platinum Real Estate Holdings LLC (Anthony Rea).

**Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Chisholm to approve of an offer to purchase (Case # LD 17-15) three (3) residential properties: 1) 3811 Hickory (Property ID # 44014030437000), 2) 28645 Hazelwood (Property ID #44005030065002) and 3) 3129 Walnut (Property ID # 44010010159000) in the total amount of \$6,000.00 (\$2,000.00 per property) to Platinum Real Estate Holdings LLC (Anthony Rea).
Resolution 9-17-232R – Motion carried.**

- C. Discussion/Action: (Jeannie Fields) Consider authorization to purchase 2407 John Daly which is legally described as 30D167 LOT 167 WESTWOOD SUB OF J. W. DALY FARM T2S R10E L41 P19 WCR (Property ID #44020020167000) and two adjacent parking lots which are legally described as 30D168 LOT 168 WESTWOOD SUB OF J. W. DALY FARM T2S R10E L41 P19 WCR (Property ID #44020020168 000) and 30D166 LOT 166 WESTWOOD SUB OF J. W. DALY FARM T2S R10E L41 P19 WCR, (Property ID #44020020166000) in the amount of \$16,107.00

**Moved by Councilmember Chisholm, Seconded by Councilmember Oden to approve to purchase 2407 John Daly which is legally described as 30D167 LOT 167 WESTWOOD SUB OF J. W. DALY FARM T2S R10E L41 P19 WCR (Property ID #44020020167000) and two adjacent parking lots which are legally described as 30D168 LOT 168 WESTWOOD SUB OF J. W. DALY FARM T2S R10E L41 P19 WCR (Property ID #44020020168 000) and 30D166 LOT 166 WESTWOOD SUB OF J. W. DALY FARM T2S R10E L41 P19 WCR, (Property ID #44020020166000) in the amount of \$16,107.00
Resolution 9-17-233R – Motion carried.**

- D. Discussion/Action: (Adrianna Jordan) Council to consider a resolution officially expressing Inkster's intent to participate in the Michigan Economic Development Corporation's (MEDC) Redevelopment Ready Communities (RRC) program.

**Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Chisholm to approve a resolution officially expressing Inkster's intent to participate in the Michigan Economic Development Corporation's (MEDC) Redevelopment Ready Communities (RRC) program.
Resolution 9-17-234R – Motion carried.**

- ~~E. Discussion/Action: (Adrianna Jordan) Council to consider acceptance of petition signatures to allow consideration of a social club within 300 feet of residentially-zoned land. (Removed)~~

- E. Discussion/Action: (City Council) Consideration and approval to appoint Mayor Nolen as the alternate for the Central Sanitation Authority and Darin Carrington as an additional alternate in the event that Mayor Nolen is unable to attend.

Moved by Councilmember Oden, Seconded by Mayor Pro-Williams

to approve to appoint Mayor Nolen as the alternate for the Central Sanitation Authority and Darin Carrington as an additional alternate in the event that Mayor Nolen is unable to attend.
Resolution 9-17-235R – Motion carried.

Public Participation

- **Carolyn Smith** – Stated she was disappointed to hear that Global Leadership Academy charter was revoked. Announced a Family Financial program at the Booker Dozier Recreation complex in October. She further stated that Starfish University has begun.
- **Debra Owens** – Stated she is really proud of Inkster and the new administration. She stated the rehabilitation program in the city is making the neighborhoods look nice.
- **Virginia Williams** – Stated that in the Romulus School District the Sinking Fund Millage is to expire. She encouraged Inkster residents to vote for this millage at the November 7, 2017 election.
- **Officer Lebo** – Announced movie night on September 29, 2017 at 8:00 p.m.
- **Opal Nolen** – Announced the Inkster Community Foundation scholarship dinner. She stated that would be hosting a Wine and Dine at the Booker Recreation Complex on October 13, 2017 and that tickets are thirty dollars.
- **Sabrina Johnson** – Stated that she did some research on Vestco Management and that they have only been in business since January 2016 and use their home address for their business. She further stated she was not given the opportunity to bid on the land that is adjacent to her home. She said the land was taken and held by the city and the due process was not followed.

City Clerk

- Announced the November 7, 2017 election. She further stated that for this election Precincts 3-1 and 3-2 would vote at the same location.

City Treasurer

- **City Treasurer and Director of DPS Jerome Bivins** – received notice from Wayne County and MDEQ and the city is taking appropriate steps to remedy the situation.

Mayor and Council

- **Councilwoman Mitchell** – Stated that the homes that are being rehabbed in her neighborhood look very nice. She announced Inkster Task Force, 5k Run/Walk on October 28, 2017, the Divine Dancers fundraiser at Buffalo Wild Wings, the UAW 1A Women's Council meeting on September 28, 2017 and the Inkster Goodfellows Pancake Breakfast on October 21, 2017.
- **Mayor Pro-Williams** – Stated that the City of Inkster residents that were part of the Inkster Public School District would not be liable for the Romulus debt.
- **Councilman Oden** – Announced his District Advisory meeting.
- **Councilman Chisholm** – Announced Ink Town Pedal Push
- **Mayor Nolen** – Stated Go Lions!

Closed Session

Adjournment

There being no further business to come before Council, on a motion duly made by Mayor Pro-Tem Williams, Seconded by Councilmember Chisholm and carried, the Regular Council meeting of September 18, 2017 was adjourned at 8:45 p.m.



Felicia Rutledge, City Clerk
City of Inkster

**Allen Brothers
Attorneys & Counselors, PLLC
400 Monroe Street, Suite 620
Detroit, MI 48226-2963**

Inkster, City of
26215 Trowbridge Street
Inkster, MI 48141

Attn: City Manager

Page: 1
09/15/2017
Account No: 1897M

BREAKDOWN OF FEES/EXPENSES BY CATEGORY

Category	Fees/Costs
Flat fee/City Attorney work	\$8,000.00
Municipal Legal Services	\$5,187.50
Labor	\$2,662.50
Litigation	\$10,755.00
Total Invoice for September, 2017	\$26,605.00

CITY OF INKSTER

Boards & Commissions

[MADE OPERATIVE BY STATE LAW, CITY OF INKSTER CHARTER PROVISION OR CITY OF INKSTER ORDINANCE]

AGING COMMISSION

[MEETINGS: Third Friday of each month at 1:00 p.m., Twin Towers Activity Room]

2 Year Term

9 Members

Ordinances: 414,457 & 508

Denise Champagne, Project Dir.
- (Ex-Officio Member)

Tenure

Rochelle Wells

Exp. 02/16/17

Audrey Jean Searcy

Exp. 01/17/19

Doris Horne

Exp. 02/16/17

Henry Wade

Exp. 02/01/18

Toni Bailey

Exp. 07/07/19

Dorothy Gardner

Exp. 01/17/20

Chuck Coleman

Exp. 02/01/18

Gabe Henderson

Exp. 02/01/18

Jean Liddell

Exp. 05/15/19

Patricia Donald

Exp. 07/06/17

Iris Love

Exp. 01/17/20

BOARD OF REVIEW

[MEETINGS: March, July and December]

Annual Appointment

3 Members

Charter Provision and State Law

WCA Assessing

Clerk of the Board – Non Voting

William Miller

Exp. 02/06/2018

Gina Triplett (Alternate)

Exp. 03/06/18

Lenoria Warmack

Exp. 01/17/18

Celeste McDuffie

Exp. 02/06/18

BEAUTIFICATION COMMITTEE

[MEETINGS: Second Monday of each month @ 6:00 p.m., Recreation Center]

2 Year Term

Toni Bailey

Exp. 05/16/18

Kathleen Gibbs

Exp. 02/06/19

Gabe Henderson

Exp. 05/16/18

Avis Love

Exp. 03/16/17

Vacant

Vacant

Vacant

Vacant

Vacant

Vacant

Vacant

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Vacant

Vacant

Vacant

Vacant

Vacant

Vacant

Vacant

Vacant

Vacant

BUILDING AUTHORITY COMMISSION - Inactive**[MEETINGS: Second Monday in January]**

3 Year Term

5 Members

State Law and Resolution 74-1-39

Nathaniel Elcock
 Hersey Bryant, (C)
 Horace Wells

Exp. 12/31/05
 Exp. 12/31/00
 Exp. 12/31/01

CABLE TELEVISION COMMISSION**[MEETINGS: Second Tuesday of each month at 6:00 p.m., Recreation Center]**

3 Year Term

9 Members

Ordinances 593 and 609

Timothy Williams Ex-Official

Troy Seaton Dist. 1

Exp. 01/17/20

Leon Houston Dist. 2

Exp. 06/19/22

Charmaine Kennedy Dist. 3

Exp. 01/17/20

Octavia Smith Dist. 4

Exp. 07/03/20

Thelma Jean Overman Dist. 5

Exp. 02/06/20

Dist. 6

Exp. 01/04/19

Sandra Watley **Mayoral**

Exp. 01/03/20

Steven Chisholm At-Large

Exp. 01/17/20

CIVIL SERVICE COMMISSION AND BOARD OF ETHICS**[MEETINGS: Monthly]**

3 Year Term

3 Members

Ordinances 237 & 559

Clarence Oden

Exp. 6/18/15

Vacant - (Employee Representative)

~~James White~~

Exp. 12/04/11

- (Commission Appointment)

CONDEMNATION BOARD**[MEETINGS: AS NEEDED]**

5 Members

Ordinance 150.140 thru 150.145

Jim Wright (Building Contractor)

Exp. 9/18 (1 Year Term)

Deborah Owens (General Member)

Exp. 9/19 (2 Year Term)

Guy Borrusch General Member)

Exp. 9/19 (2 Year Term)

Dorsey Williams (Contractor)

Exp. 9/20 (3 Year Term)

James Garrett (Engineer)

Exp. 9/20 (3 Year Term)

CONSTRUCTION BOARD OF APPEALS/PROPERTY MAINTENANCE BOARD

[MEETINGS: As required]

3 Year Term	3 Members	Ordinance
Henry Wade		Exp. 12/17
- (Licensed Plumber)		
Stephen Lawrence		Exp. 12/17
Tiara Jones		Exp. 10/17
Kenyatta Mason		Exp. 10/17
- (Licensed Electrician)		
Marcus Hendricks –		Exp. 12/17
- (Licensed Electrician)		
- Tom Michelin		Exp. 04/19
– Building Inspector		
- (Licensed Engineer/Inspector)		

DOWNTOWN DEVELOPMENT AUTHORITY

[MEETINGS: Third Tuesday of each month, 6:00 p.m. City Hall Council Chambers]

4 Year Term	12 Members	State Law and Ordinances 687 and 741
Connie R. Mitchell		Tenure
Martha Theis		Exp. 01/14/18
Vacant		
Cynthia Adams (Secretary)		Exp. 01/14/18
Brittni Abiolu (Vice Chair)		Exp. 05/18/19
Peter Cimeot		Exp. 01/21/18
Akindede Akinyemi (Chair)		Exp. 02/16/19
Val Ogbonaya		Exp. 07/20/19
Winston Wade		Exp. 07/17/21
Rerhi Onomake (Treasurer)		Exp. 3/16/19
Uche Ndubuisi		Exp. 7/20/19

ECONOMIC DEVELOPMENT CORPORATION (BOARD OF DIRECTORS)

[MEETINGS: Second Thursday each month, held in the Conference Room, City Hall]

6 Year Term	11 Members	State Law and Ordinances 517 and 570
Byron Nolen		Tenure
Bishop Walter Starghill, Jr.		Exp. 06/07/16
Winnie Nwankwo		Exp. 05/18/21
Akindede Akinyemi		Exp. 05/18/21
Deborah Walker		Exp. 06/07/16
Mary Weislo		Exp. 03/07/17
Cassandra Leonard		Exp. 06/07/16
Herbert Johnson		Exp. 06/07/16
Dennis Weislo		Exp. 06/07/19
Charmaine Kennedy		Exp. 01/17/23
Connie R. Mitchell		Exp. 02/06/23

ELECTRICAL EXAMINING BOARD

Indefinite Terms	4 Members	State Law and Ordinance 616
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Walter Bays (Elec. Cont.)
 Andrew Hughes (Adm. Official)
 Carlton Trouteaud (Rep. of Detroit Edison)

ELECTION COMMISSION

[Per the City Charter; Chapter 4; Section 4.1]

4 Year Term

Council Member (most votes)

City Attorney

Tenure

City Clerk

Tenure

Catherine Morris (Mayor and Council appointee)

Vacant (Mayor and Council appointee)

HOUSING AND REDEVELOPMENT

[MEETINGS: Third Tuesday of each month at 6:30 p.m., 4500 Inkster Road]

5 Year Term

6 Members

State Law and Ordinance 99

Caroline Smith

Exp. 12/21

Mable Stroman

Exp. 12/21

Ellis Clifton

Exp. 12/21

DaSalla Scott

Exp. 01/22 (Resident Housing)

George Williams

Exp. 12/21

INKSTER HISTORICAL COMMISSION

[MEETINGS: Third Saturday of each month at 10:30a.m. Library Study Room]

2 Year Term

7 Members

State Law and Ordinance 196

Theola Jones

Dist. 1

Exp. 02/06/19

Rhoda Littles

Dist. 2

Exp. 02/06/19

Ruth E. Williams

Dist. 3

Exp. 02/06/19

Vacant

Dist. 4

Vacant

Dist. 5

Jean Liddell

Dist. 6

Exp. 09/18/19

Vacant

LIBRARY BOARD

4 year term

Michael Wells

Exp. 2019

Akindede Akinyemi

Exp. 2019

DeAndra Crystal-Rikay Watley

Exp. 2019

Dosye A. Thompson

Exp. 2019

Emmereal Shawn Wells

Exp. 2019

Ruth E. Williams

Exp. 2019

LOCAL BUSINESS ENTERPRISE ADVISORY COMMITTEE

[MEETINGS: Third Tuesday of every month at 6:30 P.M., Inkster City Hall]

2 Year Term

7 Members

Ordinance: 603

Nell Harrison

Dist. 1

Exp. 3/21/18

Curtistine Barge

Dist. 2

Exp. 1/20/18

Brittni Abiolu

Dist. 3

Exp. 3/7/18

Olubisi B. Ajetunmobi

Dist. 4

Exp. 1/20/18

Vacant

Dist. 5

Barbara Cooper

Dist. 6

Exp. 5/2/18

Marie Jenkins

Mayoral

Exp. 1/20/18

LOCAL OFFICERS COMPENSATION COMMISSION

[MEETINGS: Minimum of One Meeting Each Odd-Numbered Year.]

7 Year Term

7 Members

State Law and Ordinance 409

Lenoria Warmack

Exp. 10/17/2023

Thelma Jean Overman

Exp. 10/17/2023

Debra Owens

Exp. 10/17/2023

Ann Gross

Exp. 12/5/2023

Ronald Johnson

Exp. 12/19/2023

George Williams

Exp. 12/19/2023

Aaron Sims

Exp. 01/03/2024

PARKS AND RECREATION COMMISSION

[MEETINGS: First Tuesday of each month at 7:30 P.M., Recreation Complex]

2 Year Term

9 Members

Ordinances: 493 & 551

John White	Dist. 1	Exp. 03/20/19
Deborah Owens	Dist. 2	Exp. 03/25/16
Shelby Johnson	Dist. 3	Exp. 09/15/16
Vernell Massey	Dist. 4	Exp. 12/01/16
Lenardo Gambrio	Dist. 5	Exp. 10/15/16
Connie R. Mitchell	Dist. 6	Exp. 09/05/19
Tonia Williams	Mayoral	Exp. 02/20/19
Shirley Hankerson	Mayoral	Exp. 05/01/19
Ned Sanders	Council	Exp. 07/07/19

PARKS AND RECREATION YOUTH COMMISSION

2 Year Term

6 Members

Alisa Todd	Dist. 1	Exp. 3/7/18
Katrina Coats	Dist. 2	Exp. 3/7/18
Zeavean Johnson	Dist. 3	Exp. 3/7/18
William Grubbs	Dist. 4	Exp. 3/7/18
Taylor Todd	Dist. 5	Exp. 3/7/18
Demon Zimmerman	Dist. 6	Exp. 3/7/18
Tiwan Smith	Mayoral	Exp. 3/7/18

PLANNING COMMISSION

[MEETINGS: Fourth Monday of each month at 6:00 p.m., City Council Chambers]

3 Year Term

9 Members

State Law and Ordinance 33

Marcus Hendricks (Council appointee)	Exp. 12/18
Byron Nolen (Mayor)	Tenure
Darryl Davis (City appointee)	Exp. 10/18
Timothy Williams (Mayor Pro-Tem)	Exp. 7/19
Mack Willis	Exp. 2/20
James Garrett	Exp. 09/20
William Ratliff (Vice-Chair)	Exp. 04/19
Lynette Cain (Secretary)	Exp. 05/19
Steven Chisholm (Chair)	Exp. 04/19

POLICE AND FIREMAN RETIREMENT SYSTEM BOARD OF TRUSTEES

[MEETINGS: First Thursday of each month at 1:00 p.m., TIFA Room]

2 Year Term

5 Members

Charter

Lorenzo A. Moner, Jr.	Mayoral	Exp. 12/17
Barry O'Bryan	Police Rep	
Jason Kaye	Fire Rep	
Sandra K. Watley	City Council Rep	Exp. 12/18
Velma Overman	Board of Trustee Rep	

WATER REVIEW COMMITTEE

[MEETINGS: Scheduled by Chairman Marcus Hendricks, City Hall TIFA Room]

Sam Brown	App. 01/07/13
Carl Woods	App. 01/07/13
Ann Coleman	App. 01/07/13
Courtney Owens	App. 01/07/13
Councilmember Williams	App. 02/04/13
Marcus Hendricks	App. 02/18/13
Dennis Welslo	App. 02/18/13

REQUEST FOR COUNCIL ACTION

To: Byron H. Nolen, Mayor

Date: September 25, 2017

From: Adrianna Jordan
City Planner

Date for Council Consideration: October 2, 2017

ACTION REQUESTED: Council to offer a second reading and consideration of approval on the reversion of the B-2, Thoroughfare Mixed-Use District conditional rezoning of two parcels back to R1-A, One-Family Residential District (Z 17-12). The parcels are located on the north side of Lehigh, just east of Inkster Road (Property ID# 44-025-02-1765-300).

Current Action ☒ Emergency ☐ Future ☐

Funds Budgeted: If Yes ☐ Account # ☐ No ☐ N/A ☒

Mayor's Approval

BACKGROUND INFORMATION

On Monday, September 18, 2017, a first reading was held at City Council for the above request. A second reading and request for approval of the proposed text amendments, per the recommendation of the Planning Commission, is being requested at the Council meeting scheduled on Monday, October 2, 2017.

A public hearing was held, and the zoning reversion was recommended for approval by the Planning Commission on Monday, September 11, 2017. No public comment was received. Draft meeting minutes are attached, along with the City Planner's review letter and associated maps.

These undeveloped parcels were originally zoned as R-1A, One-Family Residential District, and were conditionally rezoned to B-2, Thoroughfare Mixed-Use District on February 6, 2017 as part of the development process for a planned Dollar General store. This development project was cancelled in August 2017. City Staff supports the zoning reversion.

SCOPE OF SERVICES

N/A

JUSTIFICATION

Reversion of the subject parcels to their original zoning is triggered when a project fails to comply with the conditions of rezoning and/or is cancelled. A public hearing and formal rezoning back to the original zoning district by City Council with consideration of the Planning Commission's recommendation is required by state law in order to complete the zoning reversion process.

PROJECT OR IMPROVEMENT TASKS

1. Improve and promote the image of Inkster.

COSTS
N/A

PROJECT TIME TABLE

If the request is approved by Council, the amendment will be published and posted and become effective after thirty (30) days.

RESOLUTION

Resolved by _____ Seconded by _____

Yes:

No:

Absent:

**CITY OF INKSTER
PLANNING COMMISSION
MINUTES**

A regular meeting was held on **Monday, September 11, 2017**, in the Inkster City Council Chambers, located at 26215 Trowbridge, Inkster, Michigan.

A quorum was reached. Chairman Chisolm called the meeting to order at 6:31 p.m.

I. ROLL CALL

Present: Chairman Chisholm, Secretary Cain and Commissioners Davis, Garrett, Nolen, Williams and Willis, Jr.

Absent: Vice Chairman Ratliff

Others in attendance: Adrianna Jordan, City Planner
Chiffon Murray, Applicant

Public in attendance: None

II. ADOPTION OF AGENDA

MOVED by Williams, Seconded by Willis to Adopt the Agenda. **MOTION CARRIED unanimously.**

III. ADOPTION OF MINUTES OF August 28, 2017

MOVED by Garrett, Seconded by Williams to Adopt the Minutes of August 28, 2017. **MOTION CARRIED unanimously.**

IV. PUBLIC HEARING

A. Case # 17-11 (TA) – Site Plan and Special Land Use Reviews

Consideration of proposed text amendments to the City's Zoning Ordinance pertaining to provisions for site plan review exemptions and time limits on the validity of site plan and special land use approvals. Proposed modifications include changes to §155.049 "TCD Town Center District", §155.204 "Invalidation of Variances, Special Land Use, and Regulated Use Permits", deletion of §155.208 "Time Limitations on Orders", changes to §155.272 "City Planning Commission", §155.286 "Site Plan Review (All Districts)", §155.289 "Standards for Special Land Use Approval", and §155.304 "Reserved".

MOVED by Williams, Seconded by Garrett to open the Public Hearing. **MOTION CARRIED unanimously.**

Adrianna Jordan, City Planner, gave an overview of the text amendments. And also added a friendly amendment to §155.286 (C)(4)(b) to change the wording from "final" to "preliminary" review and also eliminate the reference to the Planning Commission.

Commissioners Concerns: None

Public Concerns: None

MOVED by Williams, Seconded by Garret to recommend approval of the Text Amendments 17-11 (TA) with additional friendly amendment. **MOTION CARRIED unanimously.**

B. Case # 17-12 (Z) – Reversion of Conditional Rezoning

Consideration of a reversion back to the original R-1A, One-Family Residential zoning of two parcels that were conditionally rezoned to B-2, Thoroughfare Mixed-Use District on February 6, 2017. Reversion of the subject parcels to their original zoning is triggered when a project fails to comply with the conditions of rezoning and/or is cancelled. The subject parcels are located on the north side of Lehigh Street just east of Inkster Road and are legally described as follows: 31F1765 1766 LOTS 1765 and 1766 also S ½ of ADJ VAC AlleyT2S R10E L55 P9 WCR. Property ID # 44-025-02-1765-300.

Adrianna Jordan, City Planner, gave an overview of the case. Since the Dollar General project was cancelled, the parcels that were conditionally rezoned to B-2 are now reverted back to their original zoning of R-1A.

Commissioners Concerns:

- When the parcels are reverted back to their original zoning designations, is the parcel reverted back to an easement as well? No the parcels are only reverted back to their original zoning designations

Public Concerns: None

MOVED by Garret, Seconded by Davis to recommend approval of the Reversion of Conditional Rezoning 17-12 (Z). **MOTION CARRIED unanimously.**

MOVED by Nolen, Seconded by Garret to close Public Hearing. **MOTION CARRIED unanimously.**

V. OLD BUSINESS

A. Case # 16-28 (SP) – 27436 Avondale

Consideration of a waiver of the screening wall requirements for the previously-approved site plan for an office building in the B-2, Thoroughfare Mixed-Use District. Chiffon Murray is the applicant.

Adrianna Jordan, City Planner, gave an overview of the case. Adrianna recommends approval based on the fact ordinance provision wasn't in place during the original site plan and has since been approved and due to the fact that the original fencing is in excellent shape.

MOVED by Nolen, Seconded by Cain to approve of the screening wall waiver Case 16-28 (SP). **MOTION CARRIED unanimously.**

VII. MISCELLANEOUS

NONE

VIII. ADJOURNMENT – 6:43p.m.

MOVED by Nolen, Seconded by Garrett to adjourn the Planning Commission meeting held on September 11, 2017. **MOTION CARRIED unanimously.**

Respectfully submitted,

Steven Chisholm, Chairman

Lynnette O. Cain, Secretary

Adrianna Jordan
City Planner



CITY OF INKSTER

26215 Trowbridge St.
Inkster, MI 48141
www.cityofinkster.com
313.563.4232

September 6, 2017

Planning Commission
City of Inkster
26215 Trowbridge
Inkster, MI 48141

Subject: Z 17-12 (conditional rezoning reversion)
Location: APN 44-025-02-1765-300 (Inkster and Lehigh)
Conditionally Rezoned to: B-2, Thoroughfare Mixed-Use District
Original Zoning: R-1A, One-Family Residential District
Future Land Use: Low Density Residential
Applicant(s): City of Inkster

The City of Inkster Planning Department has initiated the above-referenced reversion of the conditional rezoning of APN 44-025-02-1765-300, consisting of two parcels. The subject parcels are located on the north side of Lehigh Street just east of Inkster Road and are legally described as follows: 31F1765 1766 LOTS 1765 and 1766 also S ½ of ADJ VAC Alley T2S R10E L55 P9 WCR. See aerial below.

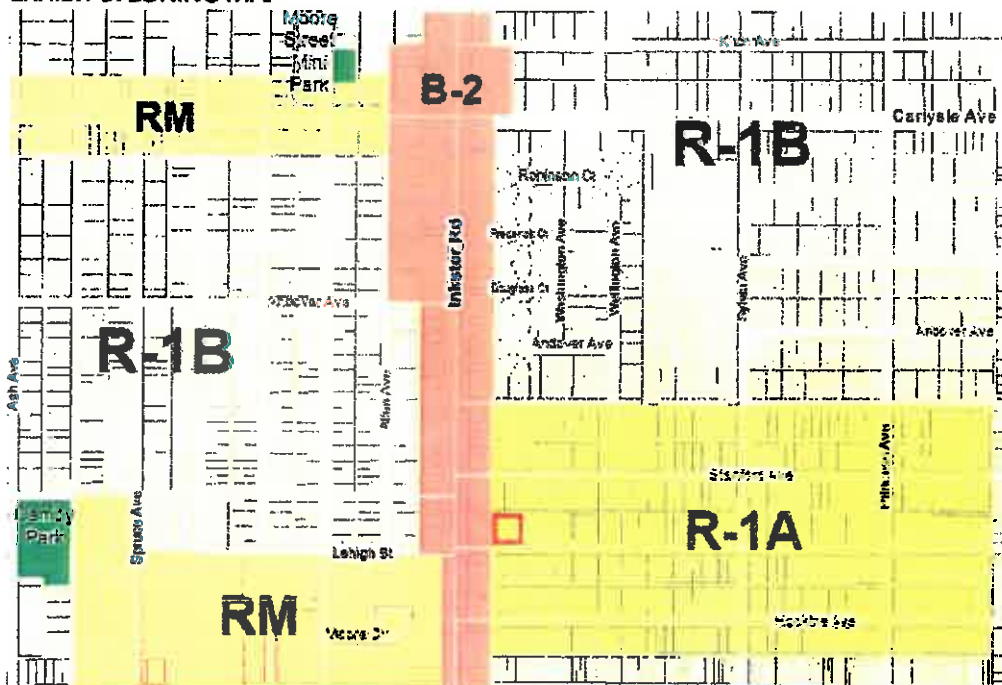
EXHIBIT A: AERIAL VIEW OF SITE



RECOMMENDATION

These undeveloped parcels were originally zoned as R-1A, One-Family Residential District, and were conditionally rezoned to B-2, Thoroughfare Mixed-Use District on February 6, 2017 as part of the development process for a planned Dollar General store (please see Exhibit B which illustrates the original zoning). This development project was cancelled in August 2017. Reversion of the subject parcels to their original zoning is triggered when a project fails to comply with the conditions of rezoning and/or is cancelled. A public hearing and formal rezoning back to the original zoning district by City Council with consideration of the Planning Commission's recommendation is required by state law in order to complete the zoning reversion process. City Staff supports the zoning reversion.

EXHIBIT B: ZONING MAP



Thank you,


Adrianna Jordan, AICP
City Planner

February 6, 2017
Regular City Council Meeting – 7:00 PM

The regular meeting of the Council of the City of Inkster, Wayne County, Michigan convened in the Council Chambers, 26215 Trowbridge, on Monday, February 6, 2017.

Prior to the Regular Council Meeting: City Council members discussed:

- The agenda.

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Oden Council convenes into a Closed Executive Session at 7:05 p.m. to discuss pending litigation in accordance with MCL 15.286 (e).

Roll Call Vote:

YEAS: 7
NAYS: 0
ABSENT: 0

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Oden to adjourn the closed Executive Session at 7:32 Motion carried unanimously.

Call Meeting to Order

Mayor Nolen called the meeting to order at 7:00 p.m.

Pledge of Allegiance

City Council and the public in attendance pledged allegiance to the flag of the United States of America.

Prayer

Prayer was led by Pastor Thelma Jean Overman.

Roll Call

Mayor Nolen	Present	Councilwoman Howard	Present
Councilwoman Watley	Present	Mayor Pro-Tem Williams	Present
Councilman Oden	Present	Councilman Chisholm	Present
Councilwoman Mitchell	Present		

***A Quorum was present**

Approval of Agenda

Moved by Councilmember Mitchell, Seconded by Councilmember Oden to approve the agenda with added item "D" under New Business Resolution 2-16-29R - Motion carried.

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Oden to approve the agenda with added item "E" under New Business. Resolution 2-16-30R – Motion carried.

Presentations/Discussion

- Pathway Global Leadership Academy – Zakia Gibson
- Senior Alliance Update – Doug Simpson
- Inkster Bengals Presentation to Mayor Nolen & City of Inkster
- Inkster Library Update – Michael Wells
- State Representative, Jewell Jones

Public Hearings

A. A second public hearing to consider the 2017-2018 Proposed Final Statement for the Wayne County Community Development Block Grant (CDBG) Program.

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Oden to OPEN the public hearing on the 2017-2018 Proposed Final Statement for the Wayne County Community Development Block Grant (CDBG) Program. Resolution 2-16-31R – Motion carried.

- No comments from the public.

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Chisholm to CLOSE the public hearing on the 2017-2018 Proposed Final Statement for the Wayne County Community Development Block Grant (CDBG) Program. Resolution 2-16-32R – Motion carried.

Consent Agenda

- A. January 17, 2017 Regular City Council Meeting Minutes.
- B. Allen Brother's & Attorney's PLLC Invoice \$ 21,461.05.

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Oden to approve the Consent Agenda. Resolution 2-16-33R – Motion carried.

Boards and Commission

- A. Update of current list of appointments to Boards & Commissions.

Moved by Councilmember Howard, Seconded by Councilmember Oden to approve Celeste McDuffie to the Board of Review. Resolution 2-16-34R – Motion carried.

Moved by Councilmember Mitchell, Seconded by Councilmember Oden

to approve William Miller to the Board of Review.

Resolution 2-16-35R – Motion carried.

**Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Howard
to approve Thelma Jean Overman to the Cable Commission.**

Resolution 2-16-36R – Motion carried.

**Moved by Councilmember Mitchell, Seconded by Councilmember Oden
to approve Theola Jones to the Historical Commission.**

Resolution 2-16-37R – Motion carried.

**Moved by Councilmember Mitchell, Seconded by Mayor Pro-Tem Williams
to approve Rhoda Littles to the Historical Commission.**

Resolution 2-16-38R – Motion carried.

**Moved by Councilmember Mitchell, Seconded by Councilmember Oden
to approve Ruth E. Williams to the Historical Commission.**

Resolution 2-16-39R – Motion carried.

**Moved by Councilmember Mitchell, Seconded by Mayor Pro-Tem Williams
to appoint Kathleen Gibbs to the Beautification Commission.**

Resolution 2-16-40R – Motion carried.

**Moved by Councilmember Oden, Seconded by Councilmember Chisholm
to appoint Vinola Williams to the Zoning Board of Appeals**

Resolution 2-16-41R – Motion carried.

**Moved by Councilmember Oden, Seconded by Mayor Pro-Tem Williams
to appoint Connie Mitchell to the TIFA Board.**

Resolution 2-16-42R – Motion carried.

**Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Oden
to appoint Mack Willis to the Planning Commission.**

Resolution 2-16-43R – Motion carried.

Previous Business

Ordinance(s)

A. First Reading(s)

1. Council to offer first reading on an amendment to Chapter 155: Zoning Code of the Code of Ordinances.

B. Second Reading(s)

2. Council to offer a second reading on an amendment to the Zoning Ordinance for conditional rezoning of the property located on the north side of Lehigh, just east of Inkster Road (Property ID# 44-025-02-1765-300), from R-1A Single Family Residential to B-2 Thoroughfare Mixed Use District subject to conditions offered by the applicant. The applicant is Jason Mr. Russell on behalf of Zarembo Group.

New Business

- A. Discussion/Action: (Jeannie Fields) Consideration to approve an amendment to the Zoning Ordinance for conditional rezoning of the property located on the north side of Lehigh, just east of Inkster Road (Property ID# 44-025-02-1765-300), from R-1A Single Family Residential to B-2 Thoroughfare Mixed Use District subject to conditions offered by the applicant. The applicant is Jason M. Russell on behalf of Zaremba Group.

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Howard to approve an amendment to the Zoning Ordinance for conditional rezoning of the property located on the north side of Lehigh, just east of Inkster Road (Property ID# 44-025-02-1765-300), from R-1A Single Family Residential to B-2 Thoroughfare Mixed Use District subject to conditions offered by the applicant. The applicant is Jason M. Russell on behalf of Zaremba Group.
Resolution 2-16-44R – Motion carried.
NAY: (Oden, Watley)

- B. Discussion/Action: (Jeannie Fields) Consideration to approve the 2017-2018 Proposed Final Statement for the Wayne County Community Development Block Grant (CDBG) Program.

Moved by Councilmember Oden, Seconded by Mayor Pro-Tem Williams to approve the 2017-2018 Proposed Final Statement for the Wayne County Community Development Block Grant (CDBG) Program.
Resolution 2-16-45R – Motion carried.

- C. Discussion/Action (City Council) Consideration and approval of the 2017 Cable Commission meeting dates and times.

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Chisholm to approve the 2017 Cable Commission meeting dates and times.
Resolution 2-16-46R – Motion carried.

- D. Discussion/Action: (City Council) Consideration and approval of the citizens evaluation form.

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Chisholm to approve the citizens evaluation form.
Resolution 2-16-47R – Motion carried.

- E. Discussion/Action: (City Council) To vote in accordance with the vote that was taken in closed session. (Michael Kirk)

Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Oden to vote in accordance with the vote that was taken in closed session.
(Michael Kirk)
Resolution 2-16-48R – Motion carried.

Public Participation

- **Officer Lebo** – Stated a Bake Sale would be had on Wednesday at the Police Department. She stated the proceeds from the money would be used to purchase a popcorn machine for youth movie night.
- **Larry Motley** – Stated he wanted to reaffirm his position that he is right and someone is wrong. He stated that Councilmember Richardson is in the seat that should be

Councilmember DeArtriss Richardson's. He further stated that literature was put out that was not truthful.

- **Yvette Brock** – Stated that New STEP and New Birth Church would be doing free taxes for persons who income falls below fifty seven thousand. She said that certified tax preparers would be available from 6-9pm thru April 13, 2017. She further announced the telephone number of 313-789-5199. She lastly announced the Need to Feed is hosted every third Friday from 11-1pm.
- **Demarco Muhammad** – Announced that the Honorable Louis Farrakhan would be coming to speak in Detroit on February 19, 2017.
- **Pastor Jean Overman** – Announced Operation Refugees' fundraiser to be held on Friday, February 10, 2017. She stated it is a Black Tie affair and would be held at the Marriott in Ann Arbor on Broadway Street.
- **Akindele Akinuyemi** – Stated that Senator Gary Peters spoke about cyber security in a recent television interview. He announced that Terrance Campbell would be coming to speak with the TIFA Board on Thursday. He lastly stated that Junior Achievement is wrapping up and would begin again April 1, 2017 at the Inkster Public Library.
- **Gina Stewart** – Wished everyone a happy Black History Month. She provided some facts on Frederick Douglas and Martin Luther King. She announced that at the NAACP meeting on February 13, 2017 they would be receiving gently used suits and shoes to help candidates seeking employment dress for success.
- **Kent** – Stated he would like his councilperson to put some paperwork he provided on the agenda.
- **Octavia Smith** – Announced events that would be taking place at Western Wayne Family Health Center. She further announced that the center is accepting new patients.
- **Mack Willis** – Stated he has been a member of Seeds to Feed for sixteen years. He stated that the organization provides scholarships to children. He announced that Seeds to Feed will be hosting a mentoring program on every Wednesday. He further stated that Craig Lewis is a member of Seeds to Feed. He said the Mayor is doing an excellent job.

City Clerk

- No comments

City Treasurer

- Announced that Charter books are for sale for \$5.00. He further stated the charter is free on the website.
- Announced that winter taxes are being collected.

Mayor and Council

- **Councilwoman Mitchell** – Announced District VI advisory meeting to be held on February 15, 2017.
- **Councilman Oden** – Stated he has been seeing vehicles in his area that are pulling trailers with junk. He had a complaint about 28622 Parkwood. He stated he attended a NAN meeting. He encouraged others to attend the NAN meetings that are held on the first Saturday of the month at St. Clemmons church.
- **Councilwoman Watley** – Stated that preparations are underway for the 48th Annual Memorial Day Parade. She stated that sponsor and participant packets would be available at City Hall, the Recreation Complex and the Inkster Public Library. She announced the parade date of May 29, 2017 at 12:00 p.m. and the staging would begin at 10:00 a.m.
- **Councilman Chisholm** – Announced his District IV meeting would be held on February 15, 2017 at Inkster Prep Academy beginning at 6:00 p.m. He stated to the Inkster Bengals that he may be able to assist with a place for them to host their parent meetings.

- **Mayor Pro-Tem Williams** – Stated he attended the SEMCOG TAP seminar with the City Clerk. He said the TAP Grant is open on a consistent basis and has five million dollars that can help assist municipalities. He further stated there is a match in funding.
- **Mayor Nolen** – Thanked residents for coming to the meeting. He reminded residents of Lunch with the Mayor. Wished everyone a wonderful evening.

Closed Session

Adjournment

There being no further business to come before Council, on a motion duly made by Councilmember Oden, Seconded by Councilmember Chisholm and carried, the Regular Council meeting of February 6, 2017 was adjourned at 9:22 p.m.

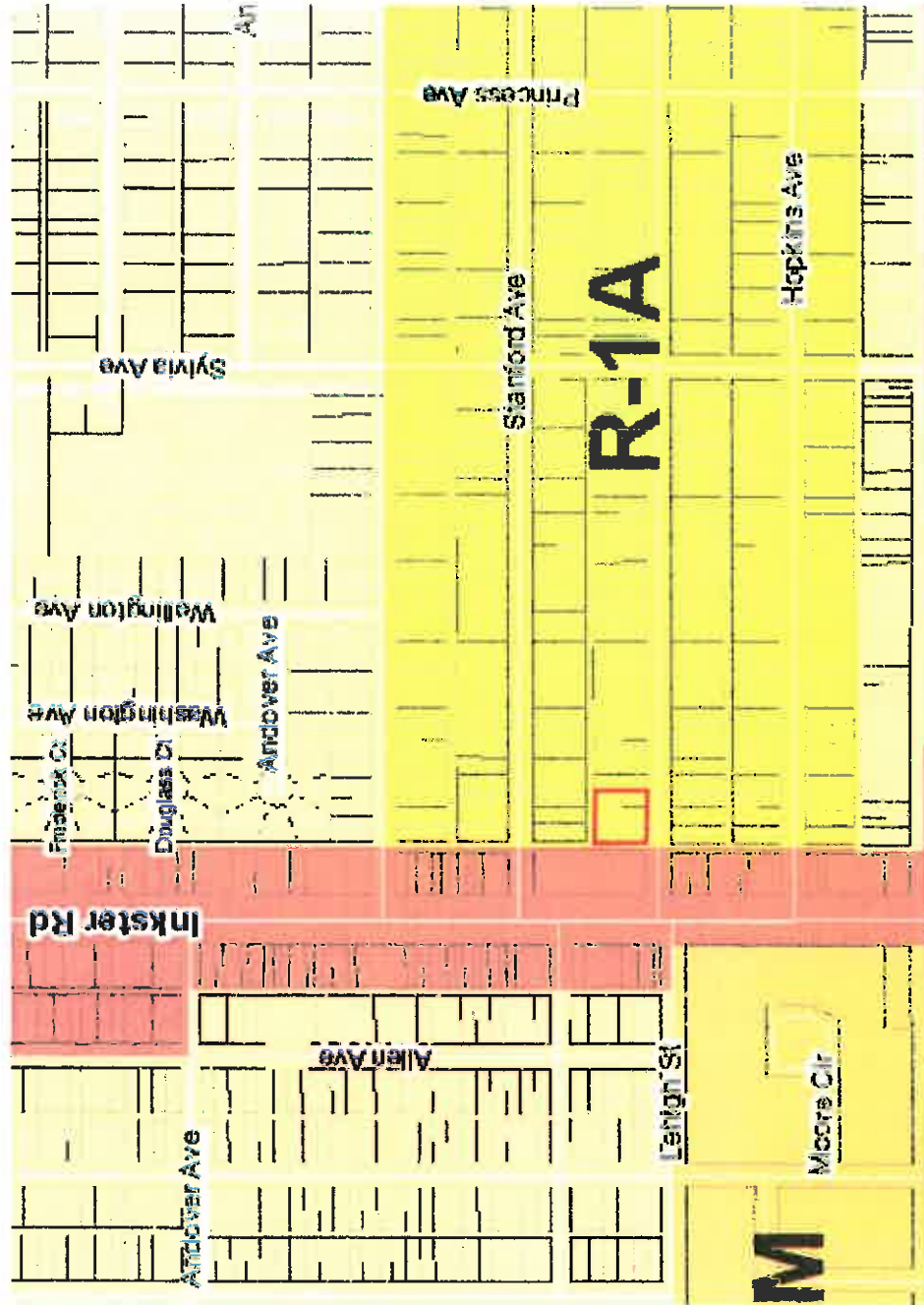


Felicia Rutledge, City Clerk
City of Inkster

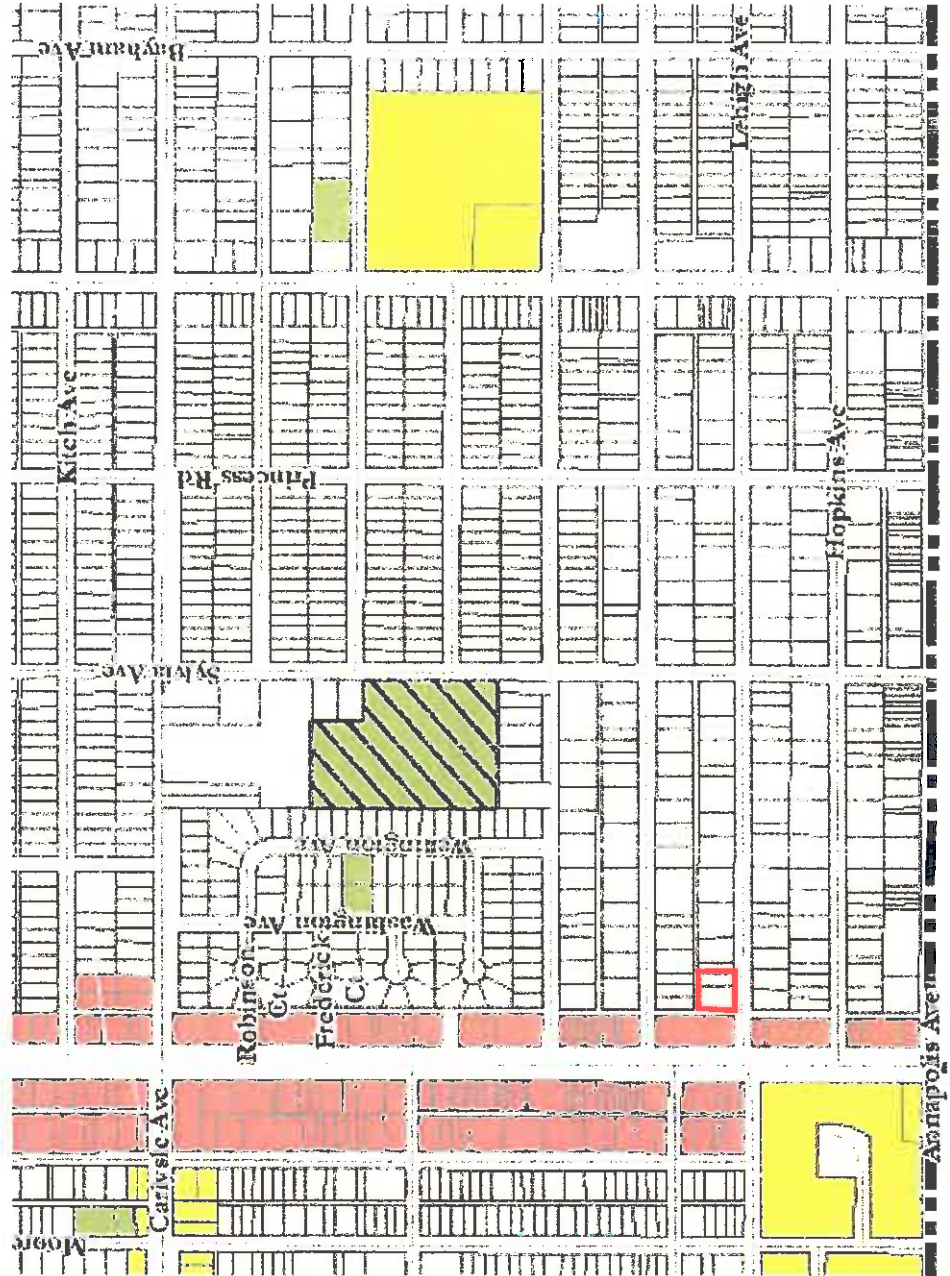
Aerial Map



Zoning Map



Future Land Use Map



REQUEST FOR COUNCIL ACTION

To: Byron H. Nolen, Mayor

Date: September 25, 2017

From: Adrianna Jordan
City Planner *af*

Date for Council Consideration: October 2, 2017

ACTION REQUESTED: Council to offer a second reading and consideration of approval of text amendments (TA 17-11) to the City's Zoning Ordinance pertaining to provisions for site plan and special land use reviews per the recommendations of the Planning Commission.

Current Action ☒ Emergency ☐ Future ☐

Funds Budgeted: If Yes ☐ Account # ☐ No ☐ N/A ☒

Mayor's Approval

Byron H. Nolen

BACKGROUND INFORMATION

On Monday, September 18, 2017, a first reading was held at City Council for the above request. A second reading and request for approval of the proposed text amendments, per the recommendation of the Planning Commission, is being requested at the Council meeting scheduled on Monday, October 2, 2017.

A public hearing was held, and the proposed text amendments were recommended for approval by the Planning Commission on Monday, September 11, 2017. No public comment was received on the amendments at the public hearing. Draft meeting minutes are attached.

Proposed modifications include changes to §155.049 "TCD Town Center District", §155.204 "Invalidation of Variances, Special Land Use, and Regulated Use Permits", deletion of §155.208 "Time Limitations on Orders", changes to §155.272 "City Planning Commission", §155.286 "Site Plan Review (All Districts)", §155.289 "Standards for Special Land Use Approval", and §155.304 "Reserved".

SCOPE OF SERVICES

N/A

JUSTIFICATION

The proposed zoning text amendments are being initiated by the City of Inkster in order to clarify and streamline the development review process. More specifically, these proposed zoning text amendments pertain to provisions for site plan review exemptions and time limits on the validity of site plan and special land use approvals.

The text amendment language is attached for review.

PROJECT OR IMPROVEMENT TASKS

1. Revitalize the Michigan Avenue Corridor and the area covered by the DDA.
2. Improve and promote the image of Inkster.

COSTS

There are no costs associated with these proposed text amendments.

PROJECT TIME TABLE

If the request is approved by Council, the amendment will be published and posted and become effective after thirty (30) days.

RESOLUTION

Resolved by _____

Seconded by _____

Yes:

No:

Absent:

**CITY OF INKSTER
PLANNING COMMISSION
MINUTES**

A regular meeting was held on **Monday, September 11, 2017**, in the Inkster City Council Chambers, located at 26215 Trowbridge, Inkster, Michigan.

A quorum was reached. Chairman Chisolm called the meeting to order at 6:31 p.m.

I. ROLL CALL

Present: Chairman Chisolm, Secretary Cain and Commissioners Davis, Garrett, Nolen, Williams and Willis, Jr.

Absent: Vice Chairman Ratliff

Others in attendance: Adrianna Jordan, City Planner
Chiffon Murray, Applicant

Public in attendance: None

II. ADOPTION OF AGENDA

MOVED by Williams, Seconded by Willis to Adopt the Agenda. **MOTION CARRIED unanimously.**

III. ADOPTION OF MINUTES OF August 28, 2017

MOVED by Garrett, Seconded by Williams to Adopt the Minutes of August 28, 2017. **MOTION CARRIED unanimously.**

IV. PUBLIC HEARING

A. Case # 17-11 (TA) – Site Plan and Special Land Use Reviews

Consideration of proposed text amendments to the City's Zoning Ordinance pertaining to provisions for site plan review exemptions and time limits on the validity of site plan and special land use approvals. Proposed modifications include changes to §155.049 "TCD Town Center District", §155.204 "Invalidation of Variances, Special Land Use, and Regulated Use Permits", deletion of §155.208 "Time Limitations on Orders", changes to §155.272 "City Planning Commission", §155.286 "Site Plan Review (All Districts)", §155.289 "Standards for Special Land Use Approval", and §155.304 "Reserved".

MOVED by Williams, Seconded by Garrett to open the Public Hearing. **MOTION CARRIED unanimously.**

Adrianna Jordan, City Planner, gave an overview of the text amendments. And also added a friendly amendment to §155.286 (C)(4)(b) to change the wording from "final" to "preliminary" review and also eliminate the reference to the Planning Commission.

Commissioners Concerns: None

Public Concerns: None

MOVED by Williams, Seconded by Garret to recommend approval of the Text Amendments 17-11 (TA) with additional friendly amendment. **MOTION CARRIED unanimously.**

B. Case # 17-12 (Z) – Reversion of Conditional Rezoning

Consideration of a reversion back to the original R-1A, One-Family Residential zoning of two parcels that were conditionally rezoned to B-2, Thoroughfare Mixed-Use District on February 6, 2017. Reversion of the subject parcels to their original zoning is triggered when a project fails to comply with the conditions of rezoning and/or is cancelled. The subject parcels are located on the north side of Lehigh Street just east of Inkster Road and are legally described as follows: 31F1765 1766 LOTS 1765 and 1766 also S ½ of ADJ VAC AlleyT2S R10E L55 P9 WCR. Property ID # 44-025-02-1765-300.

Adrianna Jordan, City Planner, gave an overview of the case. Since the Dollar General project was cancelled, the parcels that were conditionally rezoned to B-2 are now reverted back to their original zoning of R-1A.

Commissioners Concerns:

- When the parcels are reverted back to their original zoning designations, is the parcel reverted back to an easement as well? No the parcels are only reverted back to their original zoning designations

Public Concerns: None

MOVED by Garret, Seconded by Davis to recommend approval of the Reversion of Conditional Rezoning 17-12 (Z). **MOTION CARRIED unanimously.**

MOVED by Nolen, Seconded by Garret to close Public Hearing. **MOTION CARRIED unanimously.**

V. OLD BUSINESS

A. Case # 16-28 (SP) – 27436 Avondale

Consideration of a waiver of the screening wall requirements for the previously-approved site plan for an office building in the B-2, Thoroughfare Mixed-Use District. Chiffon Murray is the applicant.

Adrianna Jordan, City Planner, gave an overview of the case. Adrianna recommends approval based on the fact ordinance provision wasn't in place during the original site plan and has since been approved and due to the fact that the original fencing is in excellent shape.

MOVED by Nolen, Seconded by Cain to approve of the screening wall waiver Case 16-28 (SP). **MOTION CARRIED unanimously.**

VII. MISCELLANEOUS

NONE

VIII. ADJOURNMENT – 6:43p.m.

MOVED by Nolen, Seconded by Garrett to adjourn the Planning Commission meeting held on September 11, 2017. **MOTION CARRIED unanimously.**

Respectfully submitted,

Steven Chisholm, Chairman

Lynnette O. Cain, Secretary

Adrianna Jordan
City Planner

**Draft Zoning Text Amendments for Site Plan Review
City of Inkster
8/16/17**

Proposed ordinance changes and additions:

- In §155.049 “TCD Town Center District” modify subsection 155.049(I)(3) regarding time limits.
- In §155.204 “Invalidation of Variances, Special Land Use, and Regulated Use Permits” amend the section to delete references to variances and special land uses, and extend regulated use approval to one year.
- In §155.208 “Time Limitations on Orders” delete this section.
- In §155.272 “City Planning Commission” delete subsection 155.272(B)(6)(d) regarding time limits on approvals.
- In §155.286 “Site Plan Review (All Districts)” amend subsection 155.286(B) “Site Plan Review Applicability and Type” to increase the scope of projects considered “exempt” from site plan review, limit the validity of preliminary site plan approval to six months, and update department responsibilities for site plan review.
- In §155.289 “Standards for Special Land Use Approval” amend subsection 155.289(B) “Duration, Voiding and Extensions of Special Land Use Permit” by modifying time limits.
- In §155.304 “Reserved” amend this section by relocating the language for “Time limitations on orders” here.

All edits are **highlighted in red** with new text **underlined** and deleted text marked with a **~~strikethrough~~**.

§ 155.049 TCD TOWN CENTER DISTRICT.

(A) Intent. The TCD Town Center District intends to provide a vibrant mixed-use civic center. Experience has shown that successful cities have a town center focal point that integrates civic, convenience and community retail businesses and residences in a coordinated and pedestrian-friendly land use strategy. To this end, this district intends to achieve integrated site planning of adjoining developments to achieve a pedestrian-friendly environment, compatibility of architectural scale and character, compatibility of land uses, higher-density residential developments, support retail and civic core. In keeping with the above intent, the TCD Town Center District is intended to serve the following specific goals:

- (1) Meet the goals and intent of the master plan and provide for land uses and design that supports and furthers the concept and vision of the town center.
- (2) Realize the full economic potential of this center through coordinated mixed-use and high-intensity planning concepts.
- (3) Promote and enhance recreation opportunities through well-designed private parks in new residential communities and improved connections to the Rouge River.
- (4) Promote coordination of private and public efforts in the planning and development of needed infrastructure improvements.
- (5) Provide for orderly and integrated planning to avoid fragmentary or speculative development.
- (6) Prevent long-term vacancy, blight, decay or abandonment.

(B) Principal uses permitted. In the TCD District, no building or land, except as otherwise provided in this chapter, shall be erected or used except for one or more of the following specific purposes. Review of site architectural and landscape plans is required by the Planning Commission for change in use of existing tenant space greater than 5,000 square feet and new construction to find proper relationships between architectural scale and character; vehicular and pedestrian traffic safety; interconnected open space and recreation areas; interconnected pedestrian and non-motorized walks and paths; and appropriate mixture of land uses. Change in use of existing tenant space 5,000 square feet and under may be approved administratively by the City Planner.

- (1) Multiple-family residential buildings.
- (2) Retail businesses that are consistent with the vision of the district.
- (3) Personal service establishments.
- (4) Hotels.
- (5) Professional offices.
- (6) Financial institutions.
- (7) Restaurants (carry-out and standard); delivery services shall be accessory to the primary use only.
- (8) Public parks and parkways.
- (9) Public and civic buildings.
- (10) Child and adult day care center as a limited accessory use.
- (11) Uses similar to the above that are consistent with the vision of the district.
- (12) Uses and structures accessory to the above.
- (13) Theaters, assembly halls, and concert halls, subject to the requirements of § 155.218.
- (14) Automobile parking space to be provided as required in §§ 155.071 through 155.081, General Development Standards.
- (15) Charitable gaming room subject to the regulations of § 155.145.
- (16) Religious Institutions
- (17) Temporary Pop-Up Commercial Use.
- (18) Bus Passenger Stations

(C) Special Land Uses. Planning Commission may approve uses listed in § 155.047, B-3, General Business District (D) that are consistent with the specific goals of the TCD, Town Center District § 155.049(A), subject to the conditions set forth in this subchapter, §§ 155.111 through 155.149, Special Land Use Standards, and all applicable codes and ordinances set forth in this chapter and other codes and regulations hereinafter imposed for each use. Auto-oriented and adult business uses, including: vehicle sales, vehicle repair, vehicle wash establishments, automobile service stations, manufactured home communities, adult book stores, adult motion picture theaters, adult cabarets, and similar uses are strictly prohibited.

(D) Application procedure and submission requirements. When required, the Planning Commission shall recommend to City Council that the site plan and Special Land Use be approved, conditionally approved, or denied. Any proposed development within the boundaries zoned TCD Town Center District, including but not limited to exterior renovations, additions, new structures, new signs, and changes of uses, either existing at the time any parcel was zoned TCD Town Center District or commenced or erected thereafter, shall be subject to the provisions of this chapter. An owner or applicant shall submit a written application to the Commission describing proposed uses, design, extent, and development timetable and the legal interest of the

applicant. In addition, the applicant shall provide the following requirements along with relevant supporting documentation:

- (1) A recent "as built" survey, certified to the city and containing a metes and bounds legal description or plat description of the property exhibiting the location of all property improvements, total acreage, and site measurements.
- (2) Copies of all instruments creating restrictions hindering development of the property.
- (3) A site plan conforming to the requirements of § 155.286, Site plan review.
- (4) Buildings and development elevations from four major directions, including exterior dimensions.
- (5) Floor plans including overall floor plan, projected number of units and their projected area, and number of bedrooms per unit.
- (6) Landscape plan and schedule depicting species location, size and quantity.
- (7) Soil studies.
- (8) Signage plans.
- (9) Sight lines and public access connections to the river corridor, where applicable.
- (10) Pedestrian connections to proposed buildings and land uses, to the public sidewalk system and to adjacent properties.
- (11) Development timetable setting forth expected starting and completion dates for construction, and the date on which the project will begin operation. If the development is to be constructed in phases, a timetable showing applicable starting and completion dates for each phase shall be submitted along with the part of the overall property allocated to each phase which shall be indicated on the site plan.
- (12) A development and financial resume for the applicant and developer, other than the applicant, which demonstrates a past performance of proving a level of skill and organizational activity necessary for project completion. Significant financial documentation indicating finance capability and methods shall, in addition, be submitted.
- (13) Traffic studies indicating daily peak traffic demands and direction of such traffic as expected to be generated by the project. All traffic shall be accommodated safely and efficiently on-site and by the abutting street system. If a deficiency will occur, the applicant shall submit plans to improve the street system along with a proposal to provide feasible financing methods. Development accessing Michigan Avenue shall meet all requirements of the Michigan Department of Transportation (MDOT).
- (14) Parking spaces and data indicating the number of vehicle spaces and/or bicycle racks required for the proposed use.

The Planning Commission, upon recommendation of the City Planner may waive submissions requirements detailed in divisions (11) through (14) above, or portions thereof, if it has been determined that the information is not necessary for project evaluation or that sufficient documentation has been previously submitted. However, in all instances, the applicant shall submit at least one elevation and a site plan to scale, which shows the renovation or modification.

(E) Planning Commission review and approval. The Planning Commission shall review the project application with regard to specified standards and requirements of the TCD Town Center District and as set forth below:

- (1) The review procedure shall be conducted in conformance to § 155.288, Procedures for special land use review, and § 155.289, Standards for special land use approval.

(2) The Planning Commission shall conduct its review of all new projects or changes in site or building conditions of existing developments in conformance with the notice and public hearing requirements for special land uses subject to discretionary decisions as specified in § 155.291, Public hearing notification requirements, and in Public Act 207 of 1921, as amended.

Following the review process, the Commission may approve or deny the application based on specified standards and requirements set forth in this section. Specific conditions applied to an approved plan shall be made part of the record of approval as set forth in the approval resolution. The specified conditions shall be modified only as provided for in this section.

(F) Standards and requirements for review and approval. The Planning Commission shall make conclusions for a proposed development application based on the following standards and requirements:

(1) All proposed uses shall comply with the Master Plan and be consistent with the spirit, specific intent, and purposes of the Town Center District.

(2) The application proposal shall set forth specific written descriptions of heights, setbacks, density, parking, vehicular and pedestrian circulation, landscaping, and other design elements which affect the impact of this project with adjacent properties, to other developments in the district, to the overall plans and goals of the district and to future users and inhabitants of the development. Standards of § 155.061 are not specifically required except as contained in the proposal approved by the Commission, or in any specified condition that has been made subject in the Commission's resolution of approval. However, the requirements of §§ 155.071 through 155.076 and §§ 155.078 through 155.081, General Development Standards, must be adhered to.

(3) Planning Commission may, at the recommendation of the City Planner, modify the off-street parking requirements of § 155.077. The off-street parking space requirements established in § 155.077(B) shall be the maximum parking permitted in the TCD Town Center District. The minimum parking requirements in the TCD Town Center District shall be 100% of the off-street parking space requirements established in § 155.077(B). The off-street parking space requirements may be modified based on site uses, the provision of shared parking, and the provision of bicycle parking, and parking studies.

(4) Signs must meet the requirements of this chapter and shall be limited in size and numbers to avoid visual clutter associated with overall effect of multiple signs. Billboards are expressly prohibited.

(5) Proposed uses shall encourage pedestrian usage and encourage business patrons to remain in the district for an extended time period. Businesses that cater to transient vehicular traffic such as auto service stations or centers or similar uses are strictly prohibited.

(6) The proposed use(s) must not exceed the capacity of the existing and available public services, including utilities and public roads. However, the development proposal can contain adequate plans for providing needed services or evidence that such services will be available by the date the project is completed. This plan must meet Planning Commission's satisfaction.

(7) The project and its uses must be in compliance with all applicable federal, state and local laws and regulations.

(8) All project submission documents are subject to a review by a qualified professional city planner or other professional, who may be retained by the city for this purpose.

(G) Permit and certificate issuance.

(1) Subsequent to approval by the Commission, the Building Division shall not issue building permits or certificates of occupancy or certificates of re-occupancy until the plans and proposed uses comply with Planning Commission's resolution of approval.

(2) An applicant may file an appeal of an unfavorable determination by the City Planner or Planning Commission to the Zoning Board of Appeals. If the Board decides that the project complies with the approval resolution, then a permit or certificate shall be issued. Should the Zoning Board of Appeals sustain the determination of the City Planner or Planning Commission, the applicant may appeal their decision to the Circuit Court.

(H) Modification of approved plans.

(1) Approved development proposals may be modified by resolution of the Planning Commission after submission and review of an application in accordance with standards and requirements stated in this section.

(2) Approved development proposals may be administratively modified, upon discretion of the City Planner, provided the following conditions are met:

(a) Building or structure area or height is not increased.

(b) Dwelling unit density is not increased.

(c) Off-street parking requirements are not modified.

(d) The traffic pattern is not modified.

(e) Trip generation is not increased.

(I) Abandonment or expiration of time limits. Approval of a project and any building permit or certificate may become null and void if the following conditions arise:

(1) The approved project is abandoned.

(2) A project has not achieved its one year construction progress as set forth in the submitted development timetable upon expiration of one year after the effective date of issuance of the initial building permit.

(3) An approved project has not obtained building permits begun construction within six months of final site plan approval.

(4) The approved project has not been completed six years after the effective date of issuance of the initial building permit.

Upon application, the Commission may approve extensions, provided that the application is received by the City Planner prior to the expiration date, on display of sound reasons which meet the satisfaction of the Commission. The applicant or designee of the applicant shall appear in person to apply for an extension.

(J) Prior consultation. All persons contemplating the development of any property located within the district are advised to contact and confer with the City Planner and staff prior to investing significant amounts of time, energy, and funds in preparing extensive plans, proposals, and submissions.

(Ord. 792, passed 12-3-01; Am. Ord. 827, passed 12-7-09; Am. Ord. 836, passed 2-21-11; Am. Ord. 838, passed 8-15-11; Am. Ord. 844, passed 9-17-12; Am. Ord. 849, passed 12-17-14)

§ 155.204 INVALIDATION OF ~~VARIANCES, SPECIAL CONDITION USE, AND~~ REGULATED USE PERMITS.

(A) ~~In any case where a variance special condition use permit or regulated use permit has not been established within six months after City Council approval, the variance or specified permit shall become null and void. No order of the City Council permitting a regulated use of a building or premises shall be valid for a period longer than one year unless such regulated use is established within such period or building permits have been issued within such period to establish the regulated use.~~

(B) A ~~variance or special condition use permit or~~ regulated use permit shall be deemed to authorize only a specific ~~special land regulated~~ use. Such ~~regulated variance or special condition~~ use permit shall expire if that use shall cease for more than six consecutive months for any reason.

(Ord. 792, passed 12-3-01)

§ 155.208 TIME LIMITATIONS ON ORDERS RESERVED.

~~(A) No order of the City Council permitting the erection or alteration of buildings shall be valid for a period longer than one year unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is commenced and proceeds to completion in accordance with the terms of such permit.~~

~~(B) No order of the City Council permitting a use of a building or premises shall be valid for a period longer than one year unless such use is established within such period; provided, however, that the use of such permit is dependent upon the erection or alteration of a building such order shall continue in full force and effect if a building permit for such use, erection, or alteration is obtained within such period and such erections or alterations are commenced and proceed to completion in accordance with the terms of such permit.~~

~~(C) No order of the Zoning Board of Appeals permitting a use of a building or premises shall be valid for a period longer than one year unless such use is established within such period; provided, however, that the use of such permit is dependent upon the erection or alteration of a building such order shall continue in full force and effect if a building permit for such use, erection, or alteration is obtained within such period and such erections or alterations are commenced and proceed to completion in accordance with the terms of such permit.~~

~~(Ord. 792, passed 12-3-01)~~

§ 155.272 CITY PLANNING COMMISSION.

(A) Establishment. The City Planning Commission is hereby designated as the zoning commission specified in Section 4 of Act 207 of the Public Acts of 1921, and shall perform the duties of said zoning commission as provided in the statute in connection with the amendment of this chapter.

(1968 Code, § 9-189) (Ord. 500, passed 1-5-1976)

(B) Powers and duties. The Planning Commission shall have the following powers and duties as prescribed under this chapter:

(1) Zoning Ordinance text amendments. Submit petitions or provide recommendations on submitted petitions to City Council.

(2) Zoning map amendments (rezoning). Submit petitions or provide recommendations on submitted petitions to the zoning map to City Council.

(3) Planned development rezoning. Provide recommendations on submitted petitions for amendments to the zoning map to City Council.

(4) Planned development submission. Review applications and provide recommendations for site plan and condominium documents to City Council.

(5) Special land uses. Review applications and provide recommendations to City Council.

(6) Site plan submission. The City Planning Commission has the power and authority to review and approve, approve with conditions or deny site plans as specified in § 155.287, Standards for site plan review in addition to the following guidelines:

(a) In cases where the City Planning Commission is empowered to approve specific land uses or site plans under the provisions of this chapter, the applicant shall furnish surveys, plans or other information as required by § 155.286, Site plan review, to permit the Planning Commission proper consideration of the matter.

(b) The Planning Commission shall investigate the circumstances of each case and shall notify such parties who may, in its opinion, be affected thereby of the time and place of any hearing which may be held relative thereto as required under its rules of procedure and § 155.291, Public hearing notification, when applicable.

(c) The Planning Commission may impose such conditions or limitations in granting approval as may in its ~~judgement~~ **judgment** be necessary to fulfill the spirit and intent of this chapter.

~~(d) Any approval given by the Planning Commission under which premises are not used or work is not started within six months, or when such use or work has been abandoned for a period of six months, shall lapse and be revoked.~~

(Ord. 792, passed 12-3-01)

§ 155.286 SITE PLAN REVIEW (ALL DISTRICTS).

(A) Intent. The site plan review procedures and standards set forth herein provide a consistent and uniform method for review of proposed development plans, to ensure full compliance with the standards contained in this chapter, other applicable local ordinances, standard engineering practices, and county, state, and federal rules, and laws. The procedures set forth herein are further intended to:

- (1) Achieve efficient use of the land;
- (2) Strengthen and maintain vibrant residential neighborhoods and business districts;
- (3) Provide a mechanism for review of new development and redevelopment or reuse of existing sites to ensure compliance with current standards;
- (4) Minimize adverse impacts on adjoining or nearby properties;
- (5) Protect the natural environment; and
- (6) Encourage cooperation and consultation between the city and the applicant to facilitate development in accordance with the city's land use objectives.

(B) Site plan review applicability and type. A building permit shall not be issued until a **final** site plan is approved in accordance with the procedures and standards set forth herein, compliance with the land division, subdivision and other city ordinances and all necessary review, inspection, and permit fees have been fully paid. The extent of site plan review for various types of projects is classified into four types below.

(1) Exempt. Projects include new or expanded single-family homes on individual lots in a residential zoning district, or change in commercial business use, ownership, or tenancy without utility improvements, exterior site, building or structural alteration, and only if the commercial property has been reviewed and approved for site plan compliance with the zoning ordinance within the past 10 years.

(2) Administrative review. These projects are required to provide a site plan and may not require review by the Planning Commission; but shall undergo a formal review for approval by the ~~Community Development Department~~ **City Planner**. Projects include:

- (a) Increase in parking or loading area up to 20% of existing area;
- (b) Change in building height that does not add floor area;
- (c) Building additions to non-single-family uses that do not affect parking and meet all requirements of this chapter.

- (d) Accessory buildings and structures for non-single-family uses;
- (e) Architectural design changes to non-residential uses;
- (f) Sidewalks or pathways;
- (g) Screens or fences for non-one-family uses;
- (h) Modifications to one-family or multiple-family dwellings to comply with ADA or other barrier-free regulations;
- (i) Sign relocation or replacement;
- (j) Site improvements meeting zoning code standards; and
- (k) Waste storage relocation or installation of screening around receptacle.

(l) Minor deviations of site plans previously approved by the Planning Commission, which shall comply with all applicable city regulations. Minor deviations are defined as changes that shall not cause any of the following:

- 1. A change in character of the development.
- 2. An increase in the ratio of gross floor area to zoning-lot area.
- 3. An increase in coverage by structure unless justified by changes in other factors.
- 4. A reduction in approved open space or off-street parking and loading space unless justified by changes in other factors.

- 5. The creation of or increase in injurious effects to adjacent or contiguous land uses.

(3) Full site plan. The most involved process for larger and more intense residential and all non-residential projects not included in the other classifications. All special condition uses shall be subject to full site plan review by the Planning Commission.

(4) Planned unit development. Site plans for planned unit developments shall follow the procedure as provided in § 155.152, Planned unit development. Site condominiums shall be required to meet the same design standards as required in § 155.151, Condominium development.

(C) Planning Commission site plan review procedures and requirements. Site plans must be submitted in accordance with the following procedures and requirements. The ~~Community Development Director~~ City Planner performs an administrative review. Subsequently, the Planning Commission reviews and determines if the site plan is approved, conditionally approved, or denied.

(1) Applicant attendance. The owner of an interest in the land for which site plan approval is sought, or the designated agent of said owner shall submit the application. The application shall contain current written proof of ownership or current ownership option in the property. The applicant or a designated representative must be present at all scheduled review meetings or consideration of the plan shall be tabled due to lack of representation. Absence at two consecutive meetings without prior notice to the City Planner shall result in denial of the application. The City Planner may recommend to the Planning Commission Chairperson that the applicant's architect and/or engineer be present at the meeting in order to address technical matters related to the application.

(2) Pre-planning meeting. The applicant is encouraged to schedule a meeting with the ~~Community Development Director~~ City Planner to discuss the project, submittal requirements and review procedures. The purpose of this meeting is to discuss applicable standards and technical issues, and to determine the appropriate type of review process. If the project is determined to be eligible for administrative approval, the procedures of this section shall be followed; in other cases, the process shall proceed as described below.

(3) Preliminary site plan submittal. The applicant shall submit four copies (five if in the

Downtown Development Area) of the following items to the **Planning and** Community Development Department for Administrative Review at least two weeks prior to the scheduled Planning Commission meeting for the subject site plan:

- (a) A complete application form supplied by the city.
- (b) A complete site plan that includes the information listed in division (E) of this section.
- (c) Any additional information the Planning Commission finds necessary to make the determinations required herein.

(4) Technical (staff) review.

(a) The **Planning and** Community Development Department shall forward the application and site plan(s) to the city's public safety officials, Department of Public Works and applicable consultants. All reviews shall be submitted back to the **Planning and** Community Development Department.

(b) Upon completion of the technical review, the applicant shall submit 11 copies of the above documents, including possible changes by the **Planning Commission and/or Planning and** Community Development Department to the Planning Commission for **final preliminary** review.

(5) Planning Commission consideration of preliminary site plan. Following technical review and comment, and compliance with administrative procedures, the site plan shall be placed on the agenda of the Planning Commission. The Planning Commission shall review the application for site plan approval, together with the reports and recommendations from staff, consultants and other reviewing agencies, as appropriate. The Planning Commission shall then make a determination based on the requirements and standards of this chapter. The Planning Commission is authorized to postpone, grant approval, approve subject to revisions or deny as follows:

(a) Postpone. The application may be postponed if it is determined to be incomplete, the applicant has not fully responded to deficiencies identified in the technical review, code interpretation is needed from the Zoning Board of Appeals, or that revisions are necessary to bring the site plan into compliance with applicable standards and regulations. The Planning Commission shall direct the applicant to prepare additional information, revise the site plan or direct the city staff to conduct additional analysis. The applicant shall be required to prepare revised plans accompanied by a complete list of all changes, certified as such by the applicant's design professional. Full sets of plans must be resubmitted.

(b) Approval. Upon determination that all requirements for site plan approval, as set forth herein, are met and a recommendation has been forwarded to the Planning Commission by all reviewing agencies of the city, approval shall be granted subject to the applicant providing copies of all required outside agency approvals. In those instances where approval authority is vested with the City Council, the Planning Commission shall make a recommendation to City Council.

(c) Approval subject to revisions. Upon determination that a site plan is in compliance except for minor revisions, said revisions shall be identified and the applicant shall be given the opportunity to correct the site plan prior to applying for final site plan approval. The applicant shall submit, with the final site plan, a complete list of all changes, certified by the applicant's design professional, to the **Planning and** Community Development Department for final approval after said revisions have been completed. At its discretion, the Planning Commission may require the right to review the revised final site plan.

(d) Denial of approval. Upon determination that a site plan does not comply with standards and regulations set forth in this chapter, requires extensive revision in order to comply

with said standards and regulations, or the applicant has not satisfactorily addressed all reasons for postponing action, site plan approval shall be denied. The applicant must revise the plans and resubmit if still interested in pursuing the project. A re-submittal shall be considered a new site plan and be required to re-initiate the full site plan review process.

(6) Effect of site plan review action. Any preliminary site plan approved under this provision shall expire after ~~one-year~~ **six months** from the date of such approval unless final site plan approval has been issued. If Any final site plan approval shall expire construction has not commenced within after six months if building permits have not been issued one-year-of-site-plan approval by the Planning Commission or the City Community Development Department (as applicable); Should final site approval becomes null and void, ~~and~~ a new application for site plan review shall be required. The applicant may request a six month extension by the Planning Commission or the Planning and Community Development Department (as applicable), provided a written request is received before the expiration date and the site plan complies with current standards (i.e. any amendments to the zoning code since the site plan was approved). Applicant or designated representative of the applicant shall appear in front of the appropriate body to be eligible to receive an extension. This limitation shall not apply to preliminary planned development site plans accompanying approved planned development rezoning.

(7) Final site plans (detailed construction, landscape and engineering plans). Except where otherwise set forth in this chapter, final site plan approval may be given administratively when all conditions set forth herein for final site plans are complied with, except the Planning Commission may, at the time of preliminary site plan approval, require final site plan approval by the Commission as well. The ~~Community Development Department~~ City Planner shall grant final site plan approval where the following requirements are met:

(a) All local, county and state requirements as may apply to the proposed use are met. The applicant shall be required to obtain all other necessary agency permits from the Michigan Department of Environmental Quality, Wayne County Road Commission, Drain Commission, Environmental Department and Health Department, and all applicable utility companies. Copies of applications and approvals from all applicable outside agencies shall accompany submission of the application and final site plan to the city.

(b) All applicable engineering requirements are met. Complete engineering plans shall be submitted to the Department of Public Service for approval.

(c) The design shown on the final site plan shall remain unchanged from the approved preliminary site plan. Upon determination that the final site plan does not comply with the conditions of preliminary site plan approval or that required engineering plan revisions alter the site plan configuration approved by the Planning Commission, the applicant shall be required to revise the site plan and engineering plans and resubmit the site plan to the body that approved the site plan for review and approval as an amended site plan.

(8) Final site plan approval, except as specifically permitted in divisions (a) and (b) below, shall not be given until all the above requirements are met. No work shall commence on any site, except as specifically permitted herein, or any buildings requiring site plan approval and no permits shall be issued until after final site plan approval is granted.

(a) Upon request, the city may permit, when justifiable conditions are found to exist, and after preliminary site plan approval has been given, the movement of soil on the site, prior to final site plan approval, provided:

1. A grading and soil erosion and sedimentation control plan, drawn to local specifications and, when necessary, to county specifications, has been reviewed and approved;

and

2. A soil erosion permit, when required, has been secured.

(b) Upon request of the applicant, the city may permit the layout of footings and the construction of foundation walls prior to final site plan approval, provided:

1. When justifiable conditions are found to exist;
2. Preliminary site plan approval has been given;
3. A grading and soil erosion and sedimentation control plan, drawn to local specifications and, when necessary, to county specifications, has been reviewed and approved;
4. A soil erosion permit, when required, has been secured;
5. Detailed engineering plans for all above ground and below ground utilities have been submitted for review and approval; and
6. Footing and foundation design plans have been approved by all applicable state, county, local departments and consultants.

(9) Completion of site design in accordance with approved site plan.

(a) Following approval of the site plan and final approval of the engineering plans by the Department of Public Services and the **Planning and** Community Development Department, a building permit may be obtained. It shall be the responsibility of the applicant to obtain all other applicable city, county, state, federal or utility permits prior to issuance of a building permit.

(b) The approval of any **final** site plan under this provision, other than subdivisions (subdivisions shall follow the procedures of the Land Division and Subdivision Acts), shall expire six months after the date of such approval, ~~unless building permits have been issued actual construction and development has commenced~~ in accordance with the site plan. If ~~construction and development is commenced~~ **building permits have been issued** within the six month period, then the approval shall continue ~~as long as the building permits remain valid for a period of six months from the approval date. However, a lapse of more than six months in continuous substantial construction and development shall cause the approval to expire.~~ The Building Official or other official responsible for code enforcement shall not issue a building permit for any type of construction on the basis of the approved site plan after the approval has expired unless the plan has received an extension from the Planning Commission or City Council. Fees for review of an expired site plan may be waived or reduced in those instances where no substantial change in conditions of the site plan or of abutting uses has taken place. In those instances where substantial conditions have changed, the fee for review of an expired site plans shall be the same as for the initial submittal.

(c) It shall be the responsibility of the owner of a property for which site plan approval has been granted to maintain the property in accordance with the approved site design on a continuing basis until the property is razed, or until new zoning regulations supersede the regulations upon which site approval was based, or until a new site design approval is sought. Such maintenance shall include all building and site elements depicted on the site plan including parking configuration, lighting and landscaping. Any property owner who fails to maintain a site as approved shall be deemed in violation of the applicable use provisions of this chapter and shall be subject to penalties.

(d) A development agreement with suitable guarantee and performance bond may be required by the city to assure compliance with an approved final site plan.

(D) Administrative plan review. For uses and projects eligible for administrative review, the following procedure shall apply:

- (1) Submittal requirements. ~~Five~~ **Four** copies (~~five if in the Downtown Development Area~~)

of the site plan that contains the information listed in division (E) below, shall be submitted to the **Planning and** Community Development Department.

(2) Review. The **Planning and** Community Development Department shall review and either approve the site plan, approve the site plan with a condition that certain revisions be made, or deny the site plan.

(3) Appeal. Either the **Planning and** Community Development Department, Building Department or applicant shall have the option to request site plan review by the Planning Commission.

(4) Issuance of building permit. A building permit shall be issued following review and approval of any engineering or construction plans by the Building Department or **Planning and** Community Development Department, as appropriate.

(E) Submittal requirements. The following information shall be included with and as part of a site plan submitted for review. The Planning Commission, upon recommendation of the City Planner, shall not review applications considered to be incomplete by the **Planning and** Community Development Department. The Planning Commission may waive information considered not applicable to the proposed site plan.

(1) Application form. Including written proof of property ownership or option to purchase (with specified time limit) and signed authorization designating a representative.

(2) Site plan description and identification data.

(a) Site plans shall consist of an overall plan for the entire development, drawn to an engineer's scale of not less than 1 inch = 50 feet for property less than 3 acres, or 1 inch = 100 feet for property 3 acres or more in size. Sheet size shall be at least 24 x 36 inches. If a large development is shown in sections on multiple sheets, then one overall composite sheet shall be included;

(b) Written project description, including proposed use, building(s) and site improvements;

(c) Title block with sheet number/title; name, address and telephone number of the applicant and firm or individual who prepared the plans; and date(s) of submission and any revisions (month, day, year);

(d) Scale and north-point;

(e) Location map drawn to a separate scale with north-point, showing surrounding land, water features, zoning and streets within a quarter mile;

(f) Legal and common description of property;

(g) Identification and seal of architect, engineer, land surveyor, or landscape architect who prepared drawings;

(h) Zoning classification of petitioner's parcel and all abutting parcels;

(i) Proximity to section corner and major thoroughfares; and

(j) Net acreage (minus rights-of-way) and total acreage.

(3) Site analysis.

(a) Survey of existing lot lines, building lines, structures, parking areas and other improvements on the site and within 100 feet of the site;

(b) Surrounding land uses and zoning;

(c) All existing easements;

(d) Existing roadways and driveways within 100 feet of the site;

(e) Existing sidewalks and non-motorized pathways.

(4) Site plan.

- (a) Proposed lot lines, lot dimensions, property lines and setback dimensions;
- (b) Structures, and other improvements;
- (c) Proposed easements;
- (d) Location of exterior lighting (site and building lighting) in accordance with site lighting standards;
- (e) Location of trash receptacle(s) and transformer pad(s) and method of screening;
- (f) Extent of any outdoor sales or display area.
- (5) Access and circulation.
 - (a) Dimensions, curve radii and centerlines of existing and proposed access points, roads and road rights-of-way or access easements;
 - (b) Opposing driveways and intersections within 100 feet of site;
 - (c) Cross section details of proposed roads, driveways, parking lots, sidewalks and non-motorized paths illustrating materials and thickness;
 - (d) Dimensions of acceleration, deceleration, and passing lanes;
 - (e) Dimensions of parking spaces, islands, circulation aisles and loading zones;
 - (f) Dimensions and details of wall and sidewalk protection;
 - (g) Calculations for required number of parking and loading spaces;
 - (h) Designation of fire lanes;
 - (i) Traffic regulatory signs and pavement markings;
 - (j) Location of existing and proposed sidewalks/pathways within the site or right-of-way;
 - (k) Location, height, and outside dimensions of all storage areas and facilities.
- (6) Landscape plans.
 - (a) Location of existing and proposed lawns and landscaped areas;
 - (b) Planting plan, including location and type of all proposed shrubs, trees, and other live plant material;
 - (c) Planting list for proposed landscape materials with caliper size or height of material, method of installation, botanical and common names, and quantity;
 - (d) Proposed dates of plant installation;
 - (e) Description of methods to preserve existing plant materials;
 - (f) Landscape maintenance schedule; and
 - (g) A bond held in escrow may be required for up to three years to ensure landscape health and maintenance.
- (7) Building and structure details.
 - (a) Location, height, and outside dimensions of all existing and proposed buildings or structures;
 - (b) Building floor plans and total floor area;
 - (c) Details on accessory structures and any screening;
 - (d) Location, size, height, and lighting of all proposed site and wall signs;
 - (e) Location, size, height and material of construction for all obscuring walls, berms and fences with cross-sections, where required;
 - (f) Building facade elevations for all sides, drawn at an appropriate scale;
 - (g) Description of exterior building materials and colors (samples may be required).
- (8) Drainage, soil erosion, sedimentation control and utilities.
 - (a) Location and size of existing and proposed storm sewers;
 - (b) Soil erosion and sedimentation control measures;
 - (c) Location of existing and proposed sanitary sewers;

- (d) Location and size of existing and proposed water mains, well sites, water service and fire hydrants;
 - (e) Location of existing and proposed gas, electric and telephone lines, above and below ground;
 - (f) Location of transformers and utility boxes; and
 - (g) Assessment of potential impacts from the use, storage, processing, or movement of hazardous materials or chemicals, if applicable.
 - (9) Lighting plan.
 - (a) Location and height of all freestanding, building-mounted and canopy light fixtures on the site plan and building elevations;
 - (b) Photometric grid overlaid on the proposed site plan indicating the overall light intensity throughout the site (in foot-candles);
 - (c) Specifications and details for the type of fixture being proposed including the total lumen output, type of lamp and method of shielding; and
 - (d) Use of the fixture proposed.
 - (10) Additional information may be required as determined by the city Planning and Community Development Department, Building Department, Planning Commission and other applicable city departments and codes, to properly review an application.
- (Ord. 792, passed 12-3-01)

§ 155.289 STANDARDS FOR SPECIAL LAND USE APPROVAL.

- (A) Basis of determinations. The City Council and Planning Commission shall review the proposed special use in terms of any specific requirements stated within this chapter and shall establish that such use and the proposed location:
- (1) Will be harmonious and in accordance with the goals, policies and actions of the Master Plan;
 - (2) Will be designed, constructed, operated, and maintained so as to be visually and physically harmonious and appropriate in appearance with the existing or intended character of the general vicinity and not change the essential scale and character of the area;
 - (3) Will be a visual, physical and economic improvement in relation to property in the immediate vicinity and to the city as a whole;
 - (4) Will be served adequately by essential public services and facilities or that the persons responsible for the establishment of the proposed use will adequately provide any such service or facility;
 - (5) Will not detract from the desirability and orderly function of residential or business uses. Discretion shall be given to the impact of the proposed use upon existing uses, which may relate to traffic generation, sound, artificial lighting, odors, emission of exhaust gases, pedestrian traffic, hours and days of operation, creation of a public or private nuisance, opportunity for crime or criminal activity, congregation of individuals for purposes other than intended by the proposed use, and similar factors generated by the proposed use. The factors stated herein are not intended as a limitation upon the possible considerations and are by way of example only.
 - (6) Will not erode or reduce the economic viability of other existing land uses. Consideration shall be given to the compatibility of other existing uses with the proposed use and maintaining land values within the city.
 - (7) Will not impose additional service demands upon the city or its anticipated future resources.

(8) Will further and enhance the health, safety, welfare, morals, character, comfort, convenience, and policies of the city, will not create excessive additional public costs or be detrimental to the economic welfare of the city.

(9) Will be consistent with the intent and purposes of this chapter, and comply with all specific standards as established for said use by this chapter.

(B) Duration, voiding and extensions of special land use permit. Unless otherwise specified by the City Council during initial approval of the special land use, any special land use permit granted under this section shall be null and void unless the proposed ~~development shall have its first building inspection within one year from the date of the granting of the permit. special land use is established within one year or building permits have been issued within such period to establish the special land use.~~ If an extension is needed, the applicant may request an extension of the final site plan approval associated with the special land use from the Planning Commission City Council. This request shall be made prior to the expiration of their current final site plan approval and special land use permit. The ~~City Council~~ Planning Commission may grant ~~a~~ six month extension ~~thereof~~ for good cause of the final site plan approval and its associated special land use permit. for a period not to exceed one year.

(C) The Community Development Director may suspend or revoke a permit issued under the provisions of this chapter whenever the permit is issued erroneously on the basis of incorrect information supplied by the applicant or his agent and is in violation of any of the provisions of this chapter and other ordinances or regulations of the city.

(D) Reapplication. No application for a special use permit which has been denied wholly or in part shall be resubmitted until the expiration of one year or more from the date of such denial, except on grounds of newly discovered evidence or change of conditions found to be sufficient to justify reconsideration by the Planning Commission and City Council.

(Ord. 792, passed 12-3-01)

§ 155.304 RESERVED. TIME LIMITATIONS ON ORDERS.

(A) No order of the City Council permitting the erection or alteration of buildings shall be valid for a period longer than one year unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is commenced and proceeds to completion in accordance with the terms of such permit.

(B) No order of the City Council permitting a use of a building or premises shall be valid for a period longer than one year unless such use is established within such period; provided, however, that the use of such permit is dependent upon the erection or alteration of a building such order shall continue in full force and effect if a building permit for such use, erection, or alteration is obtained within such period and such erections or alterations are commenced and proceed to completion in accordance with the terms of such permit.

(C) No order of the Zoning Board of Appeals permitting a use of a building or premises shall be valid for a period longer than one year unless such use is established within such period; provided, however, that the use of such permit is dependent upon the erection or alteration of a building such order shall continue in full force and effect if a building permit for such use, erection, or alteration is obtained within such period and such erections or alterations are commenced and proceed to completion in accordance with the terms of such permit.

(Ord. 792, passed 12-3-01)

**Draft CLEAN Zoning Text Amendments for Site Plan Review
City of Inkster
8/16/17**

Proposed ordinance changes and additions:

- In §155.049 “TCD Town Center District” modify subsection 155.049(I)(3) regarding time limits.
- In §155.204 “Invalidation of Variances, Special Land Use, and Regulated Use Permits” amend the section to delete references to variances and special land uses, and extend regulated use approval to one year.
- In §155.208 “Time Limitations on Orders” delete this section.
- In §155.272 “City Planning Commission” delete subsection 155.272(B)(6)(d) regarding time limits on approvals.
- In §155.286 “Site Plan Review (All Districts)” amend subsection 155.286(B) “Site Plan Review Applicability and Type” to increase the scope of projects considered “exempt” from site plan review, limit the validity of preliminary site plan approval to six months, and update department responsibilities for site plan review.
- In §155.289 “Standards for Special Land Use Approval” amend subsection 155.289(B) “Duration, Voiding and Extensions of Special Land Use Permit” by modifying time limits.
- In §155.304 “Reserved” amend this section by relocating the language for “Time limitations on orders” here.

§ 155.049 TCD TOWN CENTER DISTRICT.

(A) Intent. The TCD Town Center District intends to provide a vibrant mixed-use civic center. Experience has shown that successful cities have a town center focal point that integrates civic, convenience and community retail businesses and residences in a coordinated and pedestrian-friendly land use strategy. To this end, this district intends to achieve integrated site planning of adjoining developments to achieve a pedestrian-friendly environment, compatibility of architectural scale and character, compatibility of land uses, higher-density residential developments, support retail and civic core. In keeping with the above intent, the TCD Town Center District is intended to serve the following specific goals:

- (1) Meet the goals and intent of the master plan and provide for land uses and design that supports and furthers the concept and vision of the town center.
- (2) Realize the full economic potential of this center through coordinated mixed-use and high-intensity planning concepts.
- (3) Promote and enhance recreation opportunities through well-designed private parks in new residential communities and improved connections to the Rouge River.
- (4) Promote coordination of private and public efforts in the planning and development of needed infrastructure improvements.
- (5) Provide for orderly and integrated planning to avoid fragmentary or speculative development.
- (6) Prevent long-term vacancy, blight, decay or abandonment.

(B) Principal uses permitted. In the TCD District, no building or land, except as otherwise provided in this chapter, shall be erected or used except for one or more of the following specific

purposes. Review of site architectural and landscape plans is required by the Planning Commission for change in use of existing tenant space greater than 5,000 square feet and new construction to find proper relationships between architectural scale and character; vehicular and pedestrian traffic safety; interconnected open space and recreation areas; interconnected pedestrian and non-motorized walks and paths; and appropriate mixture of land uses. Change in use of existing tenant space 5,000 square feet and under may be approved administratively by the City Planner.

- (1) Multiple-family residential buildings.
- (2) Retail businesses that are consistent with the vision of the district.
- (3) Personal service establishments.
- (4) Hotels.
- (5) Professional offices.
- (6) Financial institutions.
- (7) Restaurants (carry-out and standard); delivery services shall be accessory to the primary use only.
- (8) Public parks and parkways.
- (9) Public and civic buildings.
- (10) Child and adult day care center as a limited accessory use.
- (11) Uses similar to the above that are consistent with the vision of the district.
- (12) Uses and structures accessory to the above.
- (13) Theaters, assembly halls, and concert halls, subject to the requirements of § 155.218.
- (14) Automobile parking space to be provided as required in §§ 155.071 through 155.081, General Development Standards.
- (15) Charitable gaming room subject to the regulations of § 155.145.
- (16) Religious Institutions
- (17) Temporary Pop-Up Commercial Use.
- (18) Bus Passenger Stations

(C) Special Land Uses. Planning Commission may approve uses listed in § 155.047, B-3, General Business District (D) that are consistent with the specific goals of the TCD, Town Center District § 155.049(A), subject to the conditions set forth in this subchapter, §§ 155.111 through 155.149, Special Land Use Standards, and all applicable codes and ordinances set forth in this chapter and other codes and regulations hereinafter imposed for each use. Auto-oriented and adult business uses, including: vehicle sales, vehicle repair, vehicle wash establishments, automobile service stations, manufactured home communities, adult book stores, adult motion picture theaters, adult cabarets, and similar uses are strictly prohibited.

(D) Application procedure and submission requirements. When required, the Planning Commission shall recommend to City Council that the site plan and Special Land Use be approved, conditionally approved, or denied. Any proposed development within the boundaries zoned TCD Town Center District, including but not limited to exterior renovations, additions, new structures, new signs, and changes of uses, either existing at the time any parcel was zoned TCD Town Center District or commenced or erected thereafter, shall be subject to the provisions of this chapter. An owner or applicant shall submit a written application to the Commission describing proposed uses, design, extent, and development timetable and the legal interest of the applicant. In addition, the applicant shall provide the following requirements along with relevant supporting documentation:

- (1) A recent “as built” survey, certified to the city and containing a metes and bounds legal description or plat description of the property exhibiting the location of all property improvements, total acreage, and site measurements.
- (2) Copies of all instruments creating restrictions hindering development of the property.
- (3) A site plan conforming to the requirements of § 155.286, Site plan review.
- (4) Buildings and development elevations from four major directions, including exterior dimensions.
- (5) Floor plans including overall floor plan, projected number of units and their projected area, and number of bedrooms per unit.
- (6) Landscape plan and schedule depicting species location, size and quantity.
- (7) Soil studies.
- (8) Signage plans.
- (9) Sight lines and public access connections to the river corridor, where applicable.
- (10) Pedestrian connections to proposed buildings and land uses, to the public sidewalk system and to adjacent properties.
- (11) Development timetable setting forth expected starting and completion dates for construction, and the date on which the project will begin operation. If the development is to be constructed in phases, a timetable showing applicable starting and completion dates for each phase shall be submitted along with the part of the overall property allocated to each phase which shall be indicated on the site plan.
- (12) A development and financial resume for the applicant and developer, other than the applicant, which demonstrates a past performance of proving a level of skill and organizational activity necessary for project completion. Significant financial documentation indicating finance capability and methods shall, in addition, be submitted.
- (13) Traffic studies indicating daily peak traffic demands and direction of such traffic as expected to be generated by the project. All traffic shall be accommodated safely and efficiently on-site and by the abutting street system. If a deficiency will occur, the applicant shall submit plans to improve the street system along with a proposal to provide feasible financing methods. Development accessing Michigan Avenue shall meet all requirements of the Michigan Department of Transportation (MDOT).
- (14) Parking spaces and data indicating the number of vehicle spaces and/or bicycle racks required for the proposed use.

The Planning Commission, upon recommendation of the City Planner may waive submissions requirements detailed in divisions (11) through (14) above, or portions thereof, if it has been determined that the information is not necessary for project evaluation or that sufficient documentation has been previously submitted. However, in all instances, the applicant shall submit at least one elevation and a site plan to scale, which shows the renovation or modification.

(E) Planning Commission review and approval. The Planning Commission shall review the project application with regard to specified standards and requirements of the TCD Town Center District and as set forth below:

- (1) The review procedure shall be conducted in conformance to § 155.288, Procedures for special land use review, and § 155.289, Standards for special land use approval.
- (2) The Planning Commission shall conduct its review of all new projects or changes in site or building conditions of existing developments in conformance with the notice and public hearing

requirements for special land uses subject to discretionary decisions as specified in § 155.291, Public hearing notification requirements, and in Public Act 207 of 1921, as amended.

Following the review process, the Commission may approve or deny the application based on specified standards and requirements set forth in this section. Specific conditions applied to an approved plan shall be made part of the record of approval as set forth in the approval resolution. The specified conditions shall be modified only as provided for in this section.

(F) Standards and requirements for review and approval. The Planning Commission shall make conclusions for a proposed development application based on the following standards and requirements:

(1) All proposed uses shall comply with the Master Plan and be consistent with the spirit, specific intent, and purposes of the Town Center District.

(2) The application proposal shall set forth specific written descriptions of heights, setbacks, density, parking, vehicular and pedestrian circulation, landscaping, and other design elements which affect the impact of this project with adjacent properties, to other developments in the district, to the overall plans and goals of the district and to future users and inhabitants of the development. Standards of § 155.061 are not specifically required except as contained in the proposal approved by the Commission, or in any specified condition that has been made subject in the Commission's resolution of approval. However, the requirements of §§ 155.071 through 155.076 and §§ 155.078 through 155.081, General Development Standards, must be adhered to.

(3) Planning Commission may, at the recommendation of the City Planner, modify the off-street parking requirements of § 155.077. The off-street parking space requirements established in § 155.077(B) shall be the maximum parking permitted in the TCD Town Center District. The minimum parking requirements in the TCD Town Center District shall be 100% of the off-street parking space requirements established in § 155.077(B). The off-street parking space requirements may be modified based on site uses, the provision of shared parking, and the provision of bicycle parking, and parking studies.

(4) Signs must meet the requirements of this chapter and shall be limited in size and numbers to avoid visual clutter associated with overall effect of multiple signs. Billboards are expressly prohibited.

(5) Proposed uses shall encourage pedestrian usage and encourage business patrons to remain in the district for an extended time period. Businesses that cater to transient vehicular traffic such as auto service stations or centers or similar uses are strictly prohibited.

(6) The proposed use(s) must not exceed the capacity of the existing and available public services, including utilities and public roads. However, the development proposal can contain adequate plans for providing needed services or evidence that such services will be available by the date the project is completed. This plan must meet Planning Commission's satisfaction.

(7) The project and its uses must be in compliance with all applicable federal, state and local laws and regulations.

(8) All project submission documents are subject to a review by a qualified professional city planner or other professional, who may be retained by the city for this purpose.

(G) Permit and certificate issuance.

(1) Subsequent to approval by the Commission, the Building Division shall not issue building permits or certificates of occupancy or certificates of re-occupancy until the plans and proposed uses comply with Planning Commission's resolution of approval.

(2) An applicant may file an appeal of an unfavorable determination by the City Planner or Planning Commission to the Zoning Board of Appeals. If the Board decides that the project

complies with the approval resolution, then a permit or certificate shall be issued. Should the Zoning Board of Appeals sustain the determination of the City Planner or Planning Commission, the applicant may appeal their decision to the Circuit Court.

(H) Modification of approved plans.

(1) Approved development proposals may be modified by resolution of the Planning Commission after submission and review of an application in accordance with standards and requirements stated in this section.

(2) Approved development proposals may be administratively modified, upon discretion of the City Planner, provided the following conditions are met:

(a) Building or structure area or height is not increased.

(b) Dwelling unit density is not increased.

(c) Off-street parking requirements are not modified.

(d) The traffic pattern is not modified.

(e) Trip generation is not increased.

(I) Abandonment or expiration of time limits. Approval of a project and any building permit or certificate may become null and void if the following conditions arise:

(1) The approved project is abandoned.

(2) A project has not achieved its one year construction progress as set forth in the submitted development timetable upon expiration of one year after the effective date of issuance of the initial building permit.

(3) An approved project has not obtained building permits within six months of final site plan approval.

(4) The approved project has not been completed six years after the effective date of issuance of the initial building permit.

Upon application, the Commission may approve extensions, provided that the application is received by the City Planner prior to the expiration date, on display of sound reasons which meet the satisfaction of the Commission. The applicant or designee of the applicant shall appear in person to apply for an extension.

(J) Prior consultation. All persons contemplating the development of any property located within the district are advised to contact and confer with the City Planner and staff prior to investing significant amounts of time, energy, and funds in preparing extensive plans, proposals, and submissions.

(Ord. 792, passed 12-3-01; Am. Ord. 827, passed 12-7-09; Am. Ord. 836, passed 2-21-11; Am. Ord. 838, passed 8-15-11; Am. Ord. 844, passed 9-17-12; Am. Ord. 849, passed 12-17-14)

§ 155.204 INVALIDATION OF REGULATED USE PERMITS.

(A) No order of the City Council permitting a regulated use of a building or premises shall be valid for a period longer than one year unless such regulated use is established within such period or building permits have been issued within such period to establish the regulated use.

(B) A regulated use permit shall be deemed to authorize only a specific regulated use. Such regulated use permit shall expire if that use shall cease for more than six consecutive months for any reason.

(Ord. 792, passed 12-3-01)

§ 155.208 RESERVED.

§ 155.272 CITY PLANNING COMMISSION.

(A) Establishment. The City Planning Commission is hereby designated as the zoning commission specified in Section 4 of Act 207 of the Public Acts of 1921, and shall perform the duties of said zoning commission as provided in the statute in connection with the amendment of this chapter.

(1968 Code, § 9-189) (Ord. 500, passed 1-5-1976)

(B) Powers and duties. The Planning Commission shall have the following powers and duties as prescribed under this chapter:

(1) Zoning Ordinance text amendments. Submit petitions or provide recommendations on submitted petitions to City Council.

(2) Zoning map amendments (rezoning). Submit petitions or provide recommendations on submitted petitions to the zoning map to City Council.

(3) Planned development rezoning. Provide recommendations on submitted petitions for amendments to the zoning map to City Council.

(4) Planned development submission. Review applications and provide recommendations for site plan and condominium documents to City Council.

(5) Special land uses. Review applications and provide recommendations to City Council.

(6) Site plan submission. The City Planning Commission has the power and authority to review and approve, approve with conditions or deny site plans as specified in § 155.287, Standards for site plan review in addition to the following guidelines:

(a) In cases where the City Planning Commission is empowered to approve specific land uses or site plans under the provisions of this chapter, the applicant shall furnish surveys, plans or other information as required by § 155.286, Site plan review, to permit the Planning Commission proper consideration of the matter.

(b) The Planning Commission shall investigate the circumstances of each case and shall notify such parties who may, in its opinion, be affected thereby of the time and place of any hearing which may be held relative thereto as required under its rules of procedure and § 155.291, Public hearing notification, when applicable.

(c) The Planning Commission may impose such conditions or limitations in granting approval as may in its judgment be necessary to fulfill the spirit and intent of this chapter.

(Ord. 792, passed 12-3-01)

§ 155.286 SITE PLAN REVIEW (ALL DISTRICTS).

(A) Intent. The site plan review procedures and standards set forth herein provide a consistent and uniform method for review of proposed development plans, to ensure full compliance with the standards contained in this chapter, other applicable local ordinances, standard engineering practices, and county, state, and federal rules, and laws. The procedures set forth herein are further intended to:

- (1) Achieve efficient use of the land;
- (2) Strengthen and maintain vibrant residential neighborhoods and business districts;
- (3) Provide a mechanism for review of new development and redevelopment or reuse of existing sites to ensure compliance with current standards;
- (4) Minimize adverse impacts on adjoining or nearby properties;
- (5) Protect the natural environment; and
- (6) Encourage cooperation and consultation between the city and the applicant to facilitate development in accordance with the city's land use objectives.

(B) Site plan review applicability and type. A building permit shall not be issued until a final site plan is approved in accordance with the procedures and standards set forth herein, compliance with the land division, subdivision and other city ordinances and all necessary review, inspection, and permit fees have been fully paid. The extent of site plan review for various types of projects is classified into four types below.

(1) Exempt. Projects include new or expanded single-family homes on individual lots in a residential zoning district, or change in commercial business use, ownership, or tenancy without utility improvements, exterior site, building or structural alteration, and only if the commercial property has been reviewed and approved for site plan compliance with the zoning ordinance within the past 10 years.

(2) Administrative review. These projects are required to provide a site plan and may not require review by the Planning Commission; but shall undergo a formal review for approval by the City Planner. Projects include:

- (a) Increase in parking or loading area up to 20% of existing area;
- (b) Change in building height that does not add floor area;
- (c) Building additions to non-single-family uses that do not affect parking and meet all requirements of this chapter.
- (d) Accessory buildings and structures for non-single-family uses;
- (e) Architectural design changes to non-residential uses;
- (f) Sidewalks or pathways;
- (g) Screens or fences for non-one-family uses;
- (h) Modifications to one-family or multiple-family dwellings to comply with ADA or other barrier-free regulations;
- (i) Sign relocation or replacement;
- (j) Site improvements meeting zoning code standards; and
- (k) Waste storage relocation or installation of screening around receptacle.
- (l) Minor deviations of site plans previously approved by the Planning Commission, which shall comply with all applicable city regulations. Minor deviations are defined as changes that shall not cause any of the following:
 - 1. A change in character of the development.
 - 2. An increase in the ratio of gross floor area to zoning-lot area.
 - 3. An increase in coverage by structure unless justified by changes in other factors.
 - 4. A reduction in approved open space or off-street parking and loading space unless justified by changes in other factors.
 - 5. The creation of or increase in injurious effects to adjacent or contiguous land uses.

(3) Full site plan. The most involved process for larger and more intense residential and all non-residential projects not included in the other classifications. All special condition uses shall be subject to full site plan review by the Planning Commission.

(4) Planned unit development. Site plans for planned unit developments shall follow the procedure as provided in § 155.152, Planned unit development. Site condominiums shall be required to meet the same design standards as required in § 155.151, Condominium development.

(C) Planning Commission site plan review procedures and requirements. Site plans must be submitted in accordance with the following procedures and requirements. The City Planner performs an administrative review. Subsequently, the Planning Commission reviews and determines if the site plan is approved, conditionally approved, or denied.

(1) Applicant attendance. The owner of an interest in the land for which site plan approval is sought, or the designated agent of said owner shall submit the application. The application shall contain current written proof of ownership or current ownership option in the property. The applicant or a designated representative must be present at all scheduled review meetings or consideration of the plan shall be tabled due to lack of representation. Absence at two consecutive meetings without prior notice to the City Planner shall result in denial of the application. The City Planner may recommend to the Planning Commission Chairperson that the applicant's architect and/or engineer be present at the meeting in order to address technical matters related to the application.

(2) Pre-planning meeting. The applicant is encouraged to schedule a meeting with the City Planner to discuss the project, submittal requirements and review procedures. The purpose of this meeting is to discuss applicable standards and technical issues, and to determine the appropriate type of review process. If the project is determined to be eligible for administrative approval, the procedures of this section shall be followed; in other cases, the process shall proceed as described below.

(3) Preliminary site plan submittal. The applicant shall submit four copies (five if in the Downtown Development Area) of the following items to the Planning and Community Development Department for Administrative Review at least two weeks prior to the scheduled Planning Commission meeting for the subject site plan:

- (a) A complete application form supplied by the city.
- (b) A complete site plan that includes the information listed in division (E) of this section.
- (c) Any additional information the Planning Commission finds necessary to make the determinations required herein.

(4) Technical (staff) review.

(a) The Planning and Community Development Department shall forward the application and site plan(s) to the city's public safety officials, Department of Public Works and applicable consultants. All reviews shall be submitted back to the Planning and Community Development Department.

(b) Upon completion of the technical review, the applicant shall submit 11 copies of the above documents, including possible changes by the Planning and Community Development Department to the Planning Commission for preliminary review.

(5) Planning Commission consideration of preliminary site plan. Following technical review and comment, and compliance with administrative procedures, the site plan shall be placed on the agenda of the Planning Commission. The Planning Commission shall review the application for site plan approval, together with the reports and recommendations from staff, consultants and other reviewing agencies, as appropriate. The Planning Commission shall then make a determination based on the requirements and standards of this chapter. The Planning Commission is authorized to postpone, grant approval, approve subject to revisions or deny as follows:

(a) Postpone. The application may be postponed if it is determined to be incomplete, the applicant has not fully responded to deficiencies identified in the technical review, code interpretation is needed from the Zoning Board of Appeals, or that revisions are necessary to bring the site plan into compliance with applicable standards and regulations. The Planning Commission shall direct the applicant to prepare additional information, revise the site plan or direct the city staff to conduct additional analysis. The applicant shall be required to prepare revised plans accompanied by a complete list of all changes, certified as such by the applicant's

design professional. Full sets of plans must be resubmitted.

(b) Approval. Upon determination that all requirements for site plan approval, as set forth herein, are met and a recommendation has been forwarded to the Planning Commission by all reviewing agencies of the city, approval shall be granted subject to the applicant providing copies of all required outside agency approvals. In those instances where approval authority is vested with the City Council, the Planning Commission shall make a recommendation to City Council.

(c) Approval subject to revisions. Upon determination that a site plan is in compliance except for minor revisions, said revisions shall be identified and the applicant shall be given the opportunity to correct the site plan prior to applying for final site plan approval. The applicant shall submit, with the final site plan, a complete list of all changes, certified by the applicant's design professional, to the Planning and Community Development Department for final approval after said revisions have been completed. At its discretion, the Planning Commission may require the right to review the revised final site plan.

(d) Denial of approval. Upon determination that a site plan does not comply with standards and regulations set forth in this chapter, requires extensive revision in order to comply with said standards and regulations, or the applicant has not satisfactorily addressed all reasons for postponing action, site plan approval shall be denied. The applicant must revise the plans and resubmit if still interested in pursuing the project. A re-submittal shall be considered a new site plan and be required to re-initiate the full site plan review process.

(6) Effect of site plan review action. Any preliminary site plan approved under this provision shall expire after six months from the date of such approval unless final site plan approval has been issued. Any final site plan approval shall expire after six months if building permits have not been issued. Should final site approval become null and void, a new application for site plan review shall be required. The applicant may request a six month extension by the Planning Commission or the Planning and Community Development Department (as applicable), provided a written request is received before the expiration date and the site plan complies with current standards (i.e. any amendments to the zoning code since the site plan was approved). Applicant or designated representative of the applicant shall appear in front of the appropriate body to be eligible to receive an extension. This limitation shall not apply to preliminary planned development site plans accompanying approved planned development rezoning.

(7) Final site plans (detailed construction, landscape and engineering plans). Except where otherwise set forth in this chapter, final site plan approval may be given administratively when all conditions set forth herein for final site plans are complied with, except the Planning Commission may, at the time of preliminary site plan approval, require final site plan approval by the Commission as well. The City Planner shall grant final site plan approval where the following requirements are met:

(a) All local, county and state requirements as may apply to the proposed use are met. The applicant shall be required to obtain all other necessary agency permits from the Michigan Department of Environmental Quality, Wayne County Road Commission, Drain Commission, Environmental Department and Health Department, and all applicable utility companies. Copies of applications and approvals from all applicable outside agencies shall accompany submission of the application and final site plan to the city.

(b) All applicable engineering requirements are met. Complete engineering plans shall be submitted to the Department of Public Service for approval.

(c) The design shown on the final site plan shall remain unchanged from the approved preliminary site plan. Upon determination that the final site plan does not comply with the conditions of preliminary site plan approval or that required engineering plan revisions alter the site plan configuration approved by the Planning Commission, the applicant shall be required to revise the site plan and engineering plans and resubmit the site plan to the body that approved the site plan for review and approval as an amended site plan.

(8) Final site plan approval, except as specifically permitted in divisions (a) and (b) below, shall not be given until all the above requirements are met. No work shall commence on any site, except as specifically permitted herein, or any buildings requiring site plan approval and no permits shall be issued until after final site plan approval is granted.

(a) Upon request, the city may permit, when justifiable conditions are found to exist, and after preliminary site plan approval has been given, the movement of soil on the site, prior to final site plan approval, provided:

1. A grading and soil erosion and sedimentation control plan, drawn to local specifications and, when necessary, to county specifications, has been reviewed and approved; and

2. A soil erosion permit, when required, has been secured.

(b) Upon request of the applicant, the city may permit the layout of footings and the construction of foundation walls prior to final site plan approval, provided:

1. When justifiable conditions are found to exist;

2. Preliminary site plan approval has been given;

3. A grading and soil erosion and sedimentation control plan, drawn to local specifications and, when necessary, to county specifications, has been reviewed and approved;

4. A soil erosion permit, when required, has been secured;

5. Detailed engineering plans for all above ground and below ground utilities have been submitted for review and approval; and

6. Footing and foundation design plans have been approved by all applicable state, county, local departments and consultants.

(9) Completion of site design in accordance with approved site plan.

(a) Following approval of the site plan and final approval of the engineering plans by the Department of Public Services and the Planning and Community Development Department, a building permit may be obtained. It shall be the responsibility of the applicant to obtain all other applicable city, county, state, federal or utility permits prior to issuance of a building permit.

(b) The approval of any final site plan under this provision, other than subdivisions (subdivisions shall follow the procedures of the Land Division and Subdivision Acts), shall expire six months after the date of such approval, unless building permits have been issued in accordance with the site plan. If building permits have been issued within the six month period, then the approval shall continue as long as the building permits remain valid. The Building Official or other official responsible for code enforcement shall not issue a building permit for any type of construction on the basis of the approved site plan after the approval has expired unless the plan has received an extension from the Planning Commission or City Council. Fees for review of an expired site plan may be waived or reduced in those instances where no substantial change in conditions of the site plan or of abutting uses has taken place. In those instances where substantial conditions have changed, the fee for review of an expired site plans shall be the same as for the initial submittal.

(c) It shall be the responsibility of the owner of a property for which site plan approval has

been granted to maintain the property in accordance with the approved site design on a continuing basis until the property is razed, or until new zoning regulations supersede the regulations upon which site approval was based, or until a new site design approval is sought. Such maintenance shall include all building and site elements depicted on the site plan including parking configuration, lighting and landscaping. Any property owner who fails to maintain a site as approved shall be deemed in violation of the applicable use provisions of this chapter and shall be subject to penalties.

(d) A development agreement with suitable guarantee and performance bond may be required by the city to assure compliance with an approved final site plan.

(D) Administrative plan review. For uses and projects eligible for administrative review, the following procedure shall apply:

(1) Submittal requirements. Four copies (five if in the Downtown Development Area) of the site plan that contains the information listed in division (E) below, shall be submitted to the Planning and Community Development Department.

(2) Review. The Planning and Community Development Department shall review and either approve the site plan, approve the site plan with a condition that certain revisions be made, or deny the site plan.

(3) Appeal. Either the Planning and Community Development Department, Building Department, or applicant shall have the option to request site plan review by the Planning Commission.

(4) Issuance of building permit. A building permit shall be issued following review and approval of any engineering or construction plans by the Building Department or Planning and Community Development Department, as appropriate.

(E) Submittal requirements. The following information shall be included with and as part of a site plan submitted for review. The Planning Commission, upon recommendation of the City Planner, shall not review applications considered to be incomplete by the Planning and Community Development Department. The Planning Commission may waive information considered not applicable to the proposed site plan.

(1) Application form. Including written proof of property ownership or option to purchase (with specified time limit) and signed authorization designating a representative.

(2) Site plan description and identification data.

(a) Site plans shall consist of an overall plan for the entire development, drawn to an engineer's scale of not less than 1 inch = 50 feet for property less than 3 acres, or 1 inch = 100 feet for property 3 acres or more in size. Sheet size shall be at least 24 x 36 inches. If a large development is shown in sections on multiple sheets, then one overall composite sheet shall be included;

(b) Written project description, including proposed use, building(s) and site improvements;

(c) Title block with sheet number/title; name, address and telephone number of the applicant and firm or individual who prepared the plans; and date(s) of submission and any revisions (month, day, year);

(d) Scale and north-point;

(e) Location map drawn to a separate scale with north-point, showing surrounding land, water features, zoning and streets within a quarter mile;

(f) Legal and common description of property;

(g) Identification and seal of architect, engineer, land surveyor, or landscape architect who

prepared drawings;

- (h) Zoning classification of petitioner's parcel and all abutting parcels;
- (i) Proximity to section corner and major thoroughfares; and
- (j) Net acreage (minus rights-of-way) and total acreage.

(3) Site analysis.

(a) Survey of existing lot lines, building lines, structures, parking areas and other improvements on the site and within 100 feet of the site;

- (b) Surrounding land uses and zoning;
- (c) All existing easements;
- (d) Existing roadways and driveways within 100 feet of the site;
- (e) Existing sidewalks and non-motorized pathways.

(4) Site plan.

(a) Proposed lot lines, lot dimensions, property lines and setback dimensions;

(b) Structures, and other improvements;

(c) Proposed easements;

(d) Location of exterior lighting (site and building lighting) in accordance with site lighting standards;

- (e) Location of trash receptacle(s) and transformer pad(s) and method of screening;
- (f) Extent of any outdoor sales or display area.

(5) Access and circulation.

(a) Dimensions, curve radii and centerlines of existing and proposed access points, roads and road rights-of-way or access easements;

(b) Opposing driveways and intersections within 100 feet of site;

(c) Cross section details of proposed roads, driveways, parking lots, sidewalks and non-motorized paths illustrating materials and thickness;

- (d) Dimensions of acceleration, deceleration, and passing lanes;
- (e) Dimensions of parking spaces, islands, circulation aisles and loading zones;
- (f) Dimensions and details of wall and sidewalk protection;
- (g) Calculations for required number of parking and loading spaces;
- (h) Designation of fire lanes;
- (i) Traffic regulatory signs and pavement markings;
- (j) Location of existing and proposed sidewalks/pathways within the site or right-of-way;
- (k) Location, height, and outside dimensions of all storage areas and facilities.

(6) Landscape plans.

(a) Location of existing and proposed lawns and landscaped areas;

(b) Planting plan, including location and type of all proposed shrubs, trees, and other live plant material;

(c) Planting list for proposed landscape materials with caliper size or height of material, method of installation, botanical and common names, and quantity;

(d) Proposed dates of plant installation;

(e) Description of methods to preserve existing plant materials;

(f) Landscape maintenance schedule; and

(g) A bond held in escrow may be required for up to three years to ensure landscape health and maintenance.

(7) Building and structure details.

- (a) Location, height, and outside dimensions of all existing and proposed buildings or

structures;

- (b) Building floor plans and total floor area;
 - (c) Details on accessory structures and any screening;
 - (d) Location, size, height, and lighting of all proposed site and wall signs;
 - (e) Location, size, height and material of construction for all obscuring walls, berms and fences with cross-sections, where required;
 - (f) Building facade elevations for all sides, drawn at an appropriate scale;
 - (g) Description of exterior building materials and colors (samples may be required).
- (8) Drainage, soil erosion, sedimentation control and utilities.
- (a) Location and size of existing and proposed storm sewers;
 - (b) Soil erosion and sedimentation control measures;
 - (c) Location of existing and proposed sanitary sewers;
 - (d) Location and size of existing and proposed water mains, well sites, water service and fire hydrants;
 - (e) Location of existing and proposed gas, electric and telephone lines, above and below ground;
 - (f) Location of transformers and utility boxes; and
 - (g) Assessment of potential impacts from the use, storage, processing, or movement of hazardous materials or chemicals, if applicable.
- (9) Lighting plan.
- (a) Location and height of all freestanding, building-mounted and canopy light fixtures on the site plan and building elevations;
 - (b) Photometric grid overlaid on the proposed site plan indicating the overall light intensity throughout the site (in foot-candles);
 - (c) Specifications and details for the type of fixture being proposed including the total lumen output, type of lamp and method of shielding; and
 - (d) Use of the fixture proposed.
- (10) Additional information may be required as determined by the Planning and Community Development Department, Building Department, Planning Commission and other applicable city departments and codes, to properly review an application.
(Ord. 792, passed 12-3-01)

§ 155.289 STANDARDS FOR SPECIAL LAND USE APPROVAL.

(A) Basis of determinations. The City Council and Planning Commission shall review the proposed special use in terms of any specific requirements stated within this chapter and shall establish that such use and the proposed location:

- (1) Will be harmonious and in accordance with the goals, policies and actions of the Master Plan;
- (2) Will be designed, constructed, operated, and maintained so as to be visually and physically harmonious and appropriate in appearance with the existing or intended character of the general vicinity and not change the essential scale and character of the area;
- (3) Will be a visual, physical and economic improvement in relation to property in the immediate vicinity and to the city as a whole;
- (4) Will be served adequately by essential public services and facilities or that the persons responsible for the establishment of the proposed use will adequately provide any such service or facility;

- (5) Will not detract from the desirability and orderly function of residential or business uses. Discretion shall be given to the impact of the proposed use upon existing uses, which may relate to traffic generation, sound, artificial lighting, odors, emission of exhaust gases, pedestrian traffic, hours and days of operation, creation of a public or private nuisance, opportunity for crime or criminal activity, congregation of individuals for purposes other than intended by the proposed use, and similar factors generated by the proposed use. The factors stated herein are not intended as a limitation upon the possible considerations and are by way of example only.
- (6) Will not erode or reduce the economic viability of other existing land uses. Consideration shall be given to the compatibility of other existing uses with the proposed use and maintaining land values within the city.
- (7) Will not impose additional service demands upon the city or its anticipated future resources.
- (8) Will further and enhance the health, safety, welfare, morals, character, comfort, convenience, and policies of the city, will not create excessive additional public costs or be detrimental to the economic welfare of the city.
- (9) Will be consistent with the intent and purposes of this chapter, and comply with all specific standards as established for said use by this chapter.
- (B) Duration, voiding and extensions of special land use permit. Unless otherwise specified by the City Council during initial approval of the special land use, any special land use permit granted under this section shall be null and void unless the proposed special land use is established within one year or building permits have been issued within such period to establish the special land use. If an extension is needed, the applicant may request an extension of the final site plan approval associated with the special land use from the Planning Commission. This request shall be made prior to the expiration of their current final site plan approval and special land use permit. The Planning Commission may grant a six month extension for good cause of the final site plan approval and its associated special land use permit.
- (C) The Community Development Director may suspend or revoke a permit issued under the provisions of this chapter whenever the permit is issued erroneously on the basis of incorrect information supplied by the applicant or his agent and is in violation of any of the provisions of this chapter and other ordinances or regulations of the city.
- (D) Reapplication. No application for a special use permit which has been denied wholly or in part shall be resubmitted until the expiration of one year or more from the date of such denial, except on grounds of newly discovered evidence or change of conditions found to be sufficient to justify reconsideration by the Planning Commission and City Council.
- (Ord. 792, passed 12-3-01)

§ 155.304 TIME LIMITATIONS ON ORDERS.

- (A) No order of the City Council permitting the erection or alteration of buildings shall be valid for a period longer than one year unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is commenced and proceeds to completion in accordance with the terms of such permit.
- (B) No order of the City Council permitting a use of a building or premises shall be valid for a period longer than one year unless such use is established within such period; provided, however, that the use of such permit is dependent upon the erection or alteration of a building such order shall continue in full force and effect if a building permit for such use, erection, or alteration is obtained within such period and such erections or alterations are commenced and proceed to completion in accordance with the terms of such permit.

(C) No order of the Zoning Board of Appeals permitting a use of a building or premises shall be valid for a period longer than one year unless such use is established within such period; provided, however, that the use of such permit is dependent upon the erection or alteration of a building such order shall continue in full force and effect if a building permit for such use, erection, or alteration is obtained within such period and such erections or alterations are commenced and proceed to completion in accordance with the terms of such permit.
(Ord. 792, passed 12-3-01)