INKSTER CITY COUNCIL

February 17, 2020
26215 Trowbridge, Inkster, MI 48141
(313) 563-4232 www.cityofinkster.com

Mayor – Patrick Wimberly
Mayor Pro Tem – Kim Howard, District V

Council Members:
George Williams, District I
La'Gina Washington, District II
Sandra K. Watley., District III
Steven Chisholm, District IV
Dennard Shaw, District VI

FELICIA RUTLEDGE CITY CLERK	PATRICK WIMBERLY 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

   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

February 17, 2020

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. Farmer's Market Feasibility Study – The Kidney Foundation
   B. National Women's Build Day – Habitat for Humanity
   C. Ring doorbell Neighborhood App. – Officer Lebo

4. Public Hearing

5. Consent Agenda

   A. February 3, 2020 Regular City Council Meeting Minutes. Pg. 1

6. Boards and Commissions

   A. Update of current list of appointments to Boards & Commissions. Pg. 6

7. Previous Business

   A. Consideration and approval for a separation agreement with Buccilli Group for City of Inkster building services to end .on March 31, 2020. ***(Remove from Table)***

8. Ordinance(s)

   A. First Reading(s)

   B. Second Reading(s)

      1. Council to offer a ***second*** reading and ***approval*** of text amendments (TA 18-28) to the City's Zoning Ordinance pertaining to provisions for social clubs per the recommendations of the Planning Commission. Pg. 13

2. Council to offer a ***second*** reading and ***approval*** of text amendments (TA 19-25) to the City's Zoning Ordinance pertaining to provisions for Mixed-Use and Special Land Uses per the recommendations of the Planning Commission.

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9. New Business

   A. Discussion/Action: (Mayor) Consideration and approval for entering into a Memorandum of Understanding (MOU) with WCD3.

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

February 3, 2020

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 3, 2020

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

A. Agenda Discussion

Moved by Councilmember Shaw, Seconded by Councilmember Watley to go into Executive Session 6:47 p.m. to discuss pending litigation, personnel and land sales in accordance with MCL 15.286 (e). Motion carried unanimously

Moved by Councilmember Shaw, Seconded by Councilmember Chisholm to come out of Executive Session 7:30 p.m. carried unanimously

Call Meeting to Order

Mayor Pro-Tem Howard called the meeting to order at 7:39p.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 Reverend George Williams

Roll Call

Mayor Wimberly	Exc. Absence	Councilwoman Howard	Present
Councilwoman Watley	Present	Councilman Williams	Present
Councilwoman Washington	Present	Councilman Chisholm	Present
Councilman Shaw	Present		

Approval of Agenda

Moved by Councilmember Williams, Seconded by Councilmember Shaw to approve the agenda with the deletion of item "A" under Presentations and the addition of item "A" under Presentations and with the additions of items "D" and "E" under New Business.
Resolution 02-20-21R - Motion carried.

Presentations/Discussion

~~A. Ring Neighborhood Doorbell App – Officer Lebo~~ ***(Removed)***
A. Lower River Rouge Water Trail – Sally Patrella

Public Hearings

Consent Agenda

A. January 21, 2020 Regular City Council Meeting Minutes.
B. Receive and File Meeting Dates for Parks and Recreation 2020 Calendar
C. Allen Brother's and Attorney's PLLC Invoice 23,059.49

Moved by Councilmember Chisholm, Seconded by Councilmember Shaw to approve the Consent Agenda.
Resolution 02-20-22R – Motion carried.

Boards and Commission

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

Moved by Councilmember Williams, Seconded by Councilmember Shaw to appoint Ned Sanders to the Board of Review
Resolution 02-20-23R – Motion carried.

NOMINATIONS
Housing
1. Tim Williams
2. Will Miller
3. Antonio Robb, Sr.

Cable
1. Tyress Wimberly

Planning Commission
1. Byron Nolen
2. Gary Johnson

Board of Review
1. Ned Sanders- appointed

Previous Business

Ordinance(s)

A. First Reading(s)

1. Council to offer a first reading of text amendments (TA 19-25) to the City's Zoning Ordinance pertaining to provisions for Mixed-Use and Special Land Uses per the recommendations of the Planning Commission.

2. Council to offer a first reading of text amendments (TA 18-28) to the City's Zoning Ordinance pertaining to provisions for social clubs per the recommendations of the Planning Commission.

B. Second Reading(s)

New Business

A. Discussion/Action: Consideration and approval for entering into an IGA agreement with the Charter County of Wayne for improvements to Booker T. Dozier Recreation Center.

Moved by Councilmember Williams, Seconded by Councilmember Chisholm to approve entering into an IGA agreement with the Charter County of Wayne for improvements to Booker T. Dozier Recreation Center.
Resolution 02-20-24R – Motion carried

B. Discussion/Action: (Jerome Bivins) Consideration and approval authorizing the Director of DPS, as a representative of the City, to make an application to the Michigan Department of Transportation for necessary annual permit to work within the State trunk line right of way on behalf of the City of Inkster. Also consider adopting the attached resolution to be submitted to MDOT as part of requirement to submit the permit application.

Moved by Councilmember Shaw, Seconded by Councilmember Williams to approve authorizing the Director of DPS, as a representative of the City, to make an application to the Michigan Department of Transportation for necessary annual permit to work within the State trunk line right of way on behalf of the City of Inkster. Also consider adopting the attached resolution to be submitted to MDOT as part of requirement to submit the permit application.
Resolution 02-20-25R- Motion carried

C. Discussion/Action: (City Council) Consideration and approval for a separation agreement with Buccilli Group for City of Inkster building services to end .on March 29, 2020.

Moved by Councilmember Shaw, Seconded by Councilmember Chisholm to *TABLE* a separation agreement with Buccilli Group for City of Inkster building services to end on March 31, 2020.
Resolution 02-20-26R – Motion carried

D. Discussion/Action: (City Council) Consideration and approval to vote in accordance with the vote taken in closed session (McGill)

Moved by Councilmember Watley, Seconded by Councilmember Chisholm to vote in accordance with the vote taken in closed session. (McGill)
Resolution 02-20-27R – Motion carried

E. Discussion/Action: (City Council) Consideration and approval to vote in accordance with the vote taken in closed session (Bevins)

Moved by Councilmember Watley, Seconded by Councilmember Shaw to vote in accordance with the vote taken in closed session. (Bevins)
Resolution 02-20-28R – Motion carried

Public Participation

- **Mary McClendon** – Announced Commissioner Glenn Anderson's coffee hours. She further asked residents to report snow issues at compass.waynecounty.com
- **State Representative, Jewell Jones** – Stated there are Boards and Commissions open for state levels. He asked if persons are interested in serving to please contact his office. He further discussed legislative issues.
- **Curtisene Barge** – Announced the Census 2020 complete count. She stated a job fair would be hosted at the Recreation Complex on February 6, 2020 from 11:00 a.m. until 5:00 p.m. She

stated that residents needed to think about the Census as getting eighteen hundred dollars per person for ten years.

- **Officer Wall –** Stated that the Code Enforcement office is partnering with Tailwaggers with an outreach program.
- **Monay Thomas –** Stated she is still having issue on Gertrude Ct. with her mother's garage. She stated Middlebelt Baptist still has not done anything to assist with the flooding problem. She further stated that former Councilman Oden, Councilwoman Washington and DPS Director Jerome Bivins did come out and look at her mother's property.
- **Octavia Smith –** Thanked the Fire Department and residents for assisting the Inkster Task Force with the Winter Blast. She announced that Western Wayne Family Center is providing health services and free Zumba and Yoga classes. She further announced Western Wayne Family Health Services is having a hiring fair on February 21, 2020 from 1:00 p.m. until 5:00 p.m. She lastly announced the Inkster Chamber Annual Business event in March.
- **Gabe Henderson –** Announced the Rise Program at the Booker Dozier on Tuesdays. He asked about raising chickens in Inkster.
- **Harold Beacon, Sr. –** Stated that every time it rains his basement floods. He stated he does not believe it is an act of God and asked the city for assistance.
- **LaWanda Johnson –** Stated she wishes to host a peaceful March at the old 22nd District Court on June 20, 2020. Staff stated she needed a diagram and what roads and streets she would be using. Also further to contact the Clerk's office.
- **Shirley Hankerson –** Stated the Parks and Recreation Commissioners would like to be kept in the loop on any Parks and Recreation improvements and projects.
- **Will Miller –** Announced the upcoming Board of Review on March 9th, March 16th and March 17th, 2020.

City Clerk

- Showed residents the new AV Envelopes and new Ballot Return envelopes. She further stated she did a PSA that will be on the website.

City Treasurer

- Announced the winter tax due date as February 15, 2020. He said that is a Saturday and city offices are closed so they will be accepting payments up until February 17, 2020. After that winter and summer taxes will be delinquent after February 28, 2020.

Mayor and Council

- **Councilwoman Washington –** Announced the Middlebelt Manor Block Club Black History program on February 22, 2020 at the Booker Dozier Recreation Complex. She further stated the secretary of state is hiring for the redistricting committee. She stated she will follow up with the Thomas family on Gertrude Court.
- **Councilman Chisholm –** Announced the Planning Commission meetings are the second and fourth Monday's of the month. He encouraged residents to attend. He further stated there would be a Planning Commission meeting on February 18, 2020 instead of February 10, 2020.
- **Councilman Williams –** Thanked Senator, Betty Jean Alexander for reaching out when resident's homes caught on fire. He further thanked the Red Cross, Vincent DePaul and Housing Director, Paul Bollinger. He lastly stated that a joint meeting needed to be had

Adjournment

There being no further business to come before Council, on a motion duly made

By Councilmember Shaw, Seconded by Councilmember Chisholm and carried,

the Regular Council meeting of February 3, 2020 was adjourned at 9:09 p.m.

Inkster
Discover. Grow. Unite.

Felicia Rutledge, City Clerk
City of Inkster

February 17, 2020

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. 8/06/20
Doris Horne	Exp. 08/06/20
Henry Wade	Exp. 08/06/20
Toni Bailey	Exp. 07/15/21
Roosevelt Stubbs	Exp. 04/15/2021
Gabe Henderson	Exp. 08/06/20
Jean Liddell	Exp. 08/06/20
Iris Long	Exp. 01/06/22
June Patter son	Exp. 01/06/22
Debra Owens	Exp. 05/21/20
Chuck Coleman	Exp. 08/20/20

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. 01/06/21
Lenoria Warmack	Exp. 12/16/20
Ned Sanders	Exp. 02/03/21
Peggy Bishop (Alternate)	Exp. 10/72020

BEAUTIFICATION COMMITTEE

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

2 Year Term

Toni Bailey	Exp. 07/16/20
Kathleen Gibbs	Exp. 01/21/22
Gabe Henderson	Exp. 02/18/21
Avis Love	Exp. 01/06/22
George Williams	Exp. 11/6/19 – **Expired**
Lenoria Warmack	Exp. 12/16/21
Vacant	
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BUILDING AUTHORITY COMMISSION - *INACTIVE*

[MEETINGS: Second Monday in January]

3 Year Term	5 Members	State Law and Resolution 74-1-39
Nathaniel Elcock		Exp. 12/31/05
Hersey Bryant, (C)		Exp. 12/31/00
Horace Wells		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
Vacant		**Ex. Officio**
Troy Seaton	Dist. 1	Exp. 01/17/20-**Expired**
Phineas Cody	Dist. 3	Exp. 10/07/22
Octavia Smith	Dist. 4	Exp. 07/03/20
Thelma Jean Overman	Dist. 5	Exp. 02/06/20
Connie R. Mitchell	Dist. 6	Exp. 02/04/22
Sandra Watley	**Mayoral**	Exp. 01/06/23
Steven Chisholm	At-Large	Exp. 01/17/20- **Expired**

CIVIL SERVICE COMMISSION AND BOARD OF ETHICS

[MEETINGS: Monthly]

3 Year Term	3 Members	Ordinances 237 & 559
Vacant		
Vacant - (Employee Representative)		
Vacant (Commission Appointment)		

CONDEMNATION BOARD

[MEETINGS: AS NEEDED]

	5 Members	Ordinance 150.140 thru 150.145
Mark Minch (Building Contractor)		Exp. **Tenure**
Deborah Owens (General Member)		Exp. 01/22 (2 Year Term
Guy Borrusch General Member)		Exp. 9/19 (2 Year Term)-**Expired**
Tom Michelini Contractor)		Exp. 01/23 (3 Year Term)
James Garett (Engineer)		Exp. 9/20 (3 Year Term)-**RESIGNED**
Charles Rizzo (Alternate)		Exp. 01/21

CONSTRUCTION BOARD OF APPEALS/PROPERTY MAINTENANCE BOARD

[MEETINGS: As required]

3 Year Term	3 Members	Ordinance
Shirley Hankerson		Exp. 12/21
Yvette Brock		Exp. 12/21
Charles Rizzo		Exp. 12/21
Rebecca Daniels		Exp. 02/22
Tom Michelini		Exp. 04/19-Expired
– Building 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		Term
Martha Theis		Exp. 12/17/22
Angela Dodson		Exp. 02/19/22
Barbara Cooper		Exp. 10/7/23
Octavia Smith		Exp. 10/21/23
Sonja Jennings		Exp. 11/4/23
Randa Davis		Exp. 11/4/23
Mel Ogbonaya		Exp. 07/20/19 -RESIGNED
Winston Wade		Exp. 07/17/21
Rerhi Onomake (Treasurer)		Exp. 3/16/19-Expired
Uche Ndubuisi		Exp. 7/20/19-Expired
Clarence Oden		Exp. 7/1/23

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
Bishop Walter Starghill, Jr.		Exp. 06/07/16-Expired
Octavia Smith		Exp. 10/21/25
Angela Dotson		Exp. 10/21/25
Deborah Walker		Exp. 06/07/16-Expired
Mary Weislo		Exp. 03/07/17-Expired
Cassandra Leonard		Exp. 06/07/16-Expired
Herbert Johnson		Exp. 06/07/16-Expired
Dennis Weislo		Exp. 06/07/19-Expired
Charmaine Kennedy		Exp. 01/17/23
Connie R. Mitchell		Exp. 02/06/23

ELECTRICAL EXAMINING BOARD-*INACTIVE*

Indefinite Terms	4 Members	State Law and Ordinance 616
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)	Kim Howard
City Attorney	Tenure
City Clerk	Tenure
LaGina Washington (Mayor and Council appointee)	12/22 – **will need to resign**

HOUSING AND REDEVELOPMENT

[MEETINGS: Third Tuesday of each month at 6:30 p.m., 4500 Inkster Road]
5 Year Term 5 Members State Law and Ordinance 99

[redacted]	Exp. 05/24 **Resigned**
Mable Stroman	Exp. 3/22
Ellis Clifton	Exp. 5/24
DaSalla Scott	Exp. 9/20 (Resident Housing)
Yvette Brock	Exp. 10/24

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- **Expired**
Rhoda Littles	Dist. 2	Exp. 10/24/21
Ruth E. Williams	Dist. 3	Exp. 02/06/19 – **Expired**
Vacant	Dist. 4	
Vacant	Dist. 5	
June Liddell	Dist. 6	Exp. 10/21/21
George Mitchell		Exp. 10/21/21
Gabe Henderson	Dist. ???	Exp. 08/20/20

LIBRARY BOARD 4 year term -Elected

Michael Wells	Exp. 2023
Timothy Williams	Exp. 2023
DeAndra Crystal-Rikay Watley	Exp. 2023
Stephanie Abernathy-Lane	Exp. 2023
Doyse A. Thompson	Exp. 2023
Ruth E. Williams	Exp. 2023

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-**Expired**
Curtistine Barge	Dist. 2	Exp. 1/20/18-**Expired**
Brittni Abiolu	Dist. 3	Exp. 3/7/18-**Expired**
Olubisi B. Ajetunmobi	Dist. 4	Exp. 1/20/18-**Expired**
Vacant	Dist. 5	
Barbara Cooper	Dist. 6	Exp. 5/2/18-**Expired**
Marie Jenkins	**Mayoral**	Exp. 1/20/18-**Expired**

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
Courtney Owens		Exp. 12/16/2026
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
VACANT	Dist. 1	Exp. 03/20/19
Opal Nolen	Dist. 2	Exp. 11/6/19- **Expired**
Tania James	Dist. 3	Exp. 04/01/21
LaWanna Abney-Mitchell	Dist. 4	Exp. 02/19/20
VACANT	Dist. 5	**Exp. 02/19/20**
Connie R. Mitchell	Dist. 6	Ex. 11/18/21
Ashawanna Butts	Mayoral	Exp. 01/21/22
Shirley Hankerson	Mayoral	Exp. 4/15/21
Ned Sanders	Council	Exp. 07/07/19- **Expired**

PARKS AND RECREATION YOUTH COMMISSION

2 Year Term	6 Members	
Alisa Todd	Dist. 1	Exp. 3/7/18-**Expired**
Katrina Coats	Dist. 2	Exp. 3/7/18-**Expired**
Zeavean Johnson	Dist. 3	Exp. 3/7/18-**Expired**
William Grubbs	Dist. 4	Exp. 3/7/18-**Expired**
Taylor Todd	Dist. 5	Exp. 3/7/18-**Expired**
Demon Zimmerman	Dist. 6	Exp. 3/7/18-**Expired**
Tiwain Smith	**Mayoral**	Exp. 3/7/18-**Expired**

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
Patrick Wimberly (Mayor)		Tenure
Darryl Davis (City appointee)		Exp. 3/22
Lyndon Jones		Exp. 11/22 -RESIGNED
Mack Willis		Exp. 2/20-**EXPIRED**
James Garrett		Exp. 09/20 -RESIGNED
William Ratliff (Vice-Chair)		Exp. 07/22
Lynette Cain (Secretary)		Exp. 07/22
Steven Chisholm (Chair)		Exp. 07/22
Kim Falson		Exp. 01/21

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. 12/19
Barry O'Bryan	Police Rep	
Jason Kaye	Fire Rep	
Sandra K.Watley	**City Council Rep**	Exp. 12/20

Velma Overman — Board of Trustee Rep

WATER REVIEW COMMITTEE- INACTIVE

[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

ZONING BOARD OF APPEALS (ZBA)

[MEETINGS: First Thursday of each month at 6:00 P.M., City Council Chambers]

3 Year Term — 7 Members — State Law and Ordinance 277

Ruth E. Williams	Dist. 1	Exp. 12/16/22
Clarence Oden, Jr. (VC)	Dist. 2	Exp. 04/03/20???
James Cross	Dist. 3	Exp. 07/01/16 Expired
Roosevelt Stubbs (S)	Dist. 4	Exp. 08/21/20
Vanola Williams	Dist. 5	Exp. 02/06/20
Norma McDaniel	Dist. 6	Exp. 12/16/22
Teresa Patton		Exp. 08/06/21
Mac Willis		Exp. 11/05/21
Dorsey Williams		Exp. 07/1/22

Nankin Transit

[Meetings: Third Thursday of each month at 5:45 p.m., Nankin Transit [Jefferson Barns Community CTR. 32150 Dorsey Westland, MI. 48186]

Mayor Pro-Tem Timothy Williams	Exp. Tenure - (Tenure is up)
Denise Champagne, Community Appointee	Exp. (Appointed in 2009)

2015 Community Development Block Grant Advisory Council (CDBG)

[Meetings: Dates and times are quarterly and locations are various]

Timothy Williams, Council Appointee	Exp. Tenure- No longer on City Council
Clarence Oden (Alternate)	Exp. Tenure-No Longer on City Council

COMMITTEES FORMED BY COUNCIL RESOLUTIONS

TAX INCREMENT FINANCE AUTHORITY

[MEETINGS: Second Thursday of each month at 6:30 P.M., City Hall Council]

6 Year Term — 13 Members — Resolution 85-8-331

Connie R. Mitchell	Tenure
Avis Love	Exp. 03/20/23
Rerhi Onomake	Exp. 03/16/21
Vacant	Exp.
Charmaine Kennedy	Exp. 02/20/21
Mary Welslow (Treasurer)	Exp. 06/06/22
Winnie Nwankwo	Exp. 05/18/21

BROWNFIELD REDEVELOPMENT AUTHORITY

[MEETINGS: Second Tuesday of each month at 5:00 P.M., City Hall Council Chambers]

Terms 1, 2 and 3 years Up to 9 members Resolution 02-9-458

Timothy Willard, City Council Representative	Tenure (Tenure is up)
Darin Carrington, Treasurer	Tenure
Vacant Community	Tenure
Tonia C. Williams	Exp. 02/20/19
Vacant	Exp. 11/6/20

NOTES:

Vacancies and/or Expired terms

*Has not taken the oath

REQUEST FOR COUNCIL ACTION

To: Patrick Wimberly, Mayor **Date: February 11, 2020**

From: Adrianna Jordan
City Planner

Date for Council Consideration: February 17, 2020

ACTION REQUESTED: Council to offer a second reading and request of approval of text amendments (TA 18-28) to the City's Zoning Ordinance pertaining to provisions for social clubs per the recommendations of the Planning Commission.

Current Action ___X____ Emergency _____ Future _____

Funds Budgeted: If Yes _____ Account #_____ No _____ N/A __X____

Mayor's Approval _____

BACKGROUND INFORMATION

A public hearing was held, and the proposed text amendments were recommended for approval by the Planning Commission on Monday, January 27, 2020. No public comment was received on the amendments at the public hearing. Draft meeting minutes are attached.

Proposed modifications include changes to §155.036 "Schedule of Land Uses, Public, Quasi-Public Land Use Types" to make "Private clubs, fraternal organizations, and lodge halls" a special land use in the B-2, B-3, and TCD districts, and a permitted land use in the M-1 district. Deletion of "§ 155.218 Theaters, Assembly Halls, Concert Halls, Clubs and Similar Organizations" and associated location restrictions.

SCOPE OF SERVICES

N/A

JUSTIFICATION

The proposed zoning text amendments are being initiated by the City of Inkster due to the onerous burden placed on applicants when the City requires them to collect petition signatures.

The petition signature collection requirement has been triggered multiple times in a past few years for land uses as diverse as fraternal lodges, motorcycle clubs, and boys and girls clubs. When these applicants attempted to gather the required signatures in every instance they failed or just barely met the 51% threshold. This is primarily due to the fact that residents are uncomfortable answering the door to people they do not know, or due to rampant residential and commercial vacancies, and an inability to track down absentee property owners. Therefore, Planning Staff believes that a more practical way to regulate social clubs and similar land uses is to make them special land uses. Social

clubs and similar land uses are currently permitted by right. Making them a special land use would still allow the Planning Commission and City Council to use their discretion in approving these land uses, and the public and neighboring properties would still be notified through a public hearing process; however, it would remove the onerous signature collection burden. This proposed change only affects social clubs, assembly halls, concert halls, and theaters, and would not affect existing location or petition requirements associated with any other land uses.

PROJECT OR IMPROVEMENT TASKS

1. Improve and promote the image of Inkster.
2. Develop a plan to diversify the tax base to ensure a sustainable budget for Inkster.

COSTS

There are no costs associated with these proposed text amendments.

PROJECT TIME TABLE

A second reading and request for approval of the proposed text amendments is scheduled during the Council meeting on Monday, February 17, 2020. If the request is approved by Council, the amendment will be published and posted and become effective after 30 days.

RESOLUTION

Resolved by _____ Seconded by _____

Yes:
No:
Absent:

CITY OF INKSTER
PLANNING COMMISSION
MINUTES

A regular meeting was held on **Monday, January 27, 2020**, in the Inkster City Council Chambers, located at 26215 Trowbridge, Inkster, Michigan.

A quorum was reached. Chairman Chisholm called the meeting to order at 6:41 p.m.

I. ROLL CALL

Present: Chairman Chisholm, Vice Chairman Ratliff, Secretary Cain, Davis, Faison
Absent: Willis (excused), Wimberly (excused)

Others in attendance: Adrianna Jordan, City Planner
Kaitlyn Hines, Community Planner
Ihsan Asmar, Applicant
Imad Portes, Architect

Public in attendance: Timothy Williams
Shawn Hart, Inkster Preparatory Academy
Octavia Smith
Angela Dotson
Estella Chambers

II. ADOPTION OF AGENDA

MOVED by Ratliff, with amendment, Seconded by Davis to Adopt the Agenda. **MOTION CARRIED unanimously.**

III. ADOPTION OF MINUTES OF November 25, 2019

MOVED by Ratliff, Seconded by Faison to Adopt the Minutes. **MOTION CARRIED unanimously.**

IV. PUBLIC HEARINGS

A. **Case #s 19-05 (SLU) 19-06 (SP) Adult Foster Care Facility**
Public Hearing to review and consider approval of a special land use and site plan for a proposed Adult Foster Care Facility in the B-2, Thoroughfare Mixed-Use District at 715 Inkster, between Woodsfield and Avondale. Ihsan Asmar on behalf of Forever Care Homes is the applicant.

MOVED by Ratliff, Seconded by Davis to open the public hearing for Case #19-05 (SLU), 19-06 (SP) –Adult Foster Care Facility. **MOTION CARRIED unanimously.**

Commissioners Concerns:

1. Chairman Chisholm asked about the shared parking agreement and whether or not the whole thing should be tabled with the newly garnered information. Mr. Portes and Ms.

Asmar replied that they had been in talks with the attorney that day and that they should not have sent the letter regarding the shared parking agreement. Ms. Jordan mentioned that the attorney's letter stated that there is not enough information to make a decision.

2. Vice Chairman Ratliff asked if there was currently a moratorium on AFC homes. Ms. Jordan replied that she did not believe so. He then asked about ownership of the garage behind the building. Ms. Asmar replied that it was owned by the school.
3. Commissioner Falson asked about the ratio of people versus rooms available. Ms. Asmar responded that they meet state requirements for room square footage and occupants. Some rooms will house two people.
4. Commissioner Davis asked what type of loading zone will be needed for this type of facility. Ms. Asmar replied that most of their deliveries will be with large vans, and that's why they requested the reduced loading zone size.
5. Commissioner Cain asked what would happen if the shared parking agreement fell through. Ms. Asmar mentioned looking into purchasing another property or giving up the building all together. Shawn Hart then spoke on their meetings with the AFC regarding the shared parking agreement and that the board approved it, but the land owner was looking into it.

MOVED by Davis, Seconded by Ratliff to close the public hearing. **MOTION CARRIED unanimously.**

MOVED by Cain, Seconded by Falson to table 19-05 (SLU) and 19-06 (SP). **MOTION CARRIED unanimously.**

B. **Case # 18-28 (TA) Social Clubs**
Consideration of proposed text amendments to the City's Zoning Ordinance pertaining to provisions for Social Clubs. Proposed modifications include changes to §155.036 "Schedule of Land Uses, Public, Quasi-Public Land Use Types" to make "Private clubs, fraternal organizations, and lodge halls" a special land use in the B-2, B-3, and TCD districts, and a permitted land use in the M-1 district., Deletion of "§ 155.218 Theaters, Assembly Halls, Concert Halls, Clubs and Similar Organizations" and associated location restrictions.

MOVED by Davis, Seconded by Falson to open the public hearing for Case #18-28, (TA) – Social Clubs. **MOTION CARRIED unanimously.**

Commissioners Concerns:

1. Chair Chishom questioned why they were permitted in the M-1 district. Ms. Jordan theorized that the intention was originally for organizations associated with industrial unions, and that these could be fraternal groups like the ELKs.

MOVED by Davis, Seconded by Ratliff to close the public hearing. **MOTION CARRIED unanimously.**

MOVED by Davis, Seconded by Ratliff to recommended approval of 18-28 (TA)- Social Clubs. **MOTION CARRIED unanimously.**

C. **Case # 19-25 (TA) Mixed-Use and Special Land Use Developments**
Consideration of proposed text amendments to the City's Zoning Ordinance pertaining to provisions for Mixed-Use and Special Land Uses. Proposed modifications include changes to §155.036 "Schedule of Land Uses" to make "Mixed Use Residential and Business (Lofts)" a principally permitted land use, and other associated changes.

MOVED by Davis, Seconded by Ratliff to open the public hearing for Case #19-25, (TA) – Mixed- and Special Land Use Developments. **MOTION CARRIED unanimously.**

Public Comment:

1. Tim Williams asked for an example of what a SLU and Mixed land use would be. Ms. Jordan mentioned that mixed-use is typically commercial on a bottom floor with residential on the top floor, and needs to be a principally permitted use instead of a Special Land Use in all business districts in order to comply with the RRC certification process, promote walkability and bikability, and to streamline development.
2. Octavia Smith asked whether this would be like the developments in New York and other older cities, Ms. Jordan replied that this would remove a lot of red tape for these types of mixed land use developments.

MOVED by Davis, Seconded by Faison to close the public hearing. **MOTION CARRIED unanimously.**

MOVED by Ratliff, Seconded by Faison to recommended approval of 19-25 (TA) – Mixed Use and Special Land Use Developments. **MOTION CARRIED unanimously.**

V. OLD BUSINESS

NONE.

VII. NEW BUSINESS

A. **Case # 19-06 (SP) – Consideration of Shared Parking Agreement**
Planning Commission to review and consider approval of a shared parking agreement between the applicant and Inkster Preparatory Academy, for a proposed Adult Foster Care Facility (SP 19-06) in the B-2, Thoroughfare Mixed-Use District at 715 Inkster rd. Ihsan Asmar on behalf of Forever Care Homes is the applicant.

MOVED by Davis, Seconded by Cain to table 19-06 (SP) Consideration of a Shared Parking Agreement. **MOTION CARRIED unanimously.**

B. **Case # 19-06 (SP) – Consideration of a Loading Zone Waiver**
Planning Commission to review and consider approval of a loading zone length waiver for a proposed Adult Foster Care Facility (SP 19-06) in the B-2, Thoroughfare Mixed-Use District at 715 Inkster rd. Ihsan Asmar on behalf of Forever Care Homes is the applicant.

MOVED by Davis, Seconded by Ratliff to table 19-06 (SP) Consideration of a Loading Zone Waiver. **MOTION CARRIED unanimously.**

C. **Case # 19-06 (SP) – Consideration of a Loading Zone Screening Waiver**
Planning Commission to review and consider approval of a loading zone screening waiver for a proposed Adult Foster Care Facility (SP 19-06) in the B-2, Thoroughfare Mixed-Use District at 715 Inkster rd. Ihsan Asmar on behalf of Forever Care Homes is the applicant.

Public Comment:

1. Octavia Smith asked if all waivers were being approved, Chair Chisholm told her that everything was tabled.

MOVED by Davis, Seconded by Cain to table 19-06 (SP) Consideration of a Loading Zone Screening Waiver. **MOTION CARRIED unanimously.**

VIII. MISCELLANEOUS

A. **2019 Planning Commission Activity Report**

B. **2019 Planning Commission Attendance Report**

C. **2020 Election of Planning Commission Officers**

1. All Officers were re-elected to their previous positions including Chair Chisholm, Vice-Chair Ratliff, and Secretary Cain.

D. **Redevelopment Ready Communities Update**

1. The major concern for Commissioner Faison is public participation.

E. **Special Meeting February 18th 2020**

MOVED by Ratliff, Seconded by Faison to approve the special meeting on Tuesday, February 18, 2020 in lieu of holding the regularly scheduled Monday, February 10, 2020 meeting. **MOTION CARRIED unanimously.**

VIII. ADJOURNMENT – 8:18 pm

MOVED by Davis, Seconded by Faison to adjourn the Planning Commission meeting held on January 27, 2020. **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

January 16, 2020

Planning Commission
City of Inkster
26215 Trowbridge
Inkster, MI 48141

Subject: TA 18-28 Social Club Zoning Text Amendments

The City of Inkster Planning Department is submitting the above-referenced revised zoning text amendments for the Planning Commission's review and consideration.

DESCRIPTION

The proposed zoning text amendments are being initiated by the City of Inkster due to the onerous burden placed on applicants when the City requires them to collect petition signatures.

The petition signature collection requirement has been triggered multiple times in a past few years for land uses as diverse as fraternal lodges, motorcycle clubs, and boys and girls clubs. When these applicants attempted to gather the required signatures in every instance they failed or just barely met the 51% threshold. This is primarily due to the fact that residents are uncomfortable answering the door to people they do not know, or due to rampant residential and commercial vacancies, and an inability to track down absentee property owners. Therefore, Planning Staff believes that a more practical way to regulate social clubs and similar land uses is to make them special land uses. Social clubs and similar land uses are currently permitted by right. Making them a special land use would still allow the Planning Commission and City Council to use their discretion in approving these land uses, and the public and neighboring properties would still be notified through a public hearing process; however, it would remove the onerous signature collection burden. This proposed change only affects social clubs, assembly halls, concert halls, and theaters, and would not affect existing location or petition requirements associated with any other land uses.

Amendments are proposed to the following sections of the City of Inkster's Zoning Ordinance:

- **In §155.036 "Schedule of Land Uses, Public, Quasi-Public Land Use Types", make "Private clubs, fraternal organizations, and lodge halls" a special land use in the B-2, B-3, and TCD districts, and a permitted land use in the M-1 district.**

- **In §155.046 "B-2 Thoroughfare Mixed-Use District", make "Private clubs, fraternal organizations and lodge halls" a special land use and remove the location restrictions for this use and for theaters and assembly halls.**

- **In §155.048(B) "M-1 Light Industrial District, Principal Uses Permitted", remove the location restrictions for private clubs, fraternal organizations, and lodge halls.**

- **In §155.049(B) "TCD Town Center District, Principal Uses Permitted", remove the location restrictions for theaters and assembly halls.**

- **Deletion of "§ 155.218 Theaters, Assembly Halls, Concert Halls, Clubs and Similar Organizations" and associated location restrictions.**

Thank you for your consideration,

Adrianna Jordan, AICP
City Planner

TA18-28
Draft Zoning Text Amendments for Social Clubs
City of Inkster
1/2/20

Proposed ordinance changes:

- In §155.036 "Schedule of Land Uses, Public, Quasi-Public Land Use Types", make "Private clubs, fraternal organizations, and lodge halls" a special land use in the B-2, B-3, and TCD districts, and a permitted land use in the M-1 district.
- In §155.046 "B-2 Thoroughfare Mixed-Use District", make "Private clubs, fraternal organizations and lodge halls" a special land use and remove the location restrictions for this use and for theaters and assembly halls.
- In §155.048(B) "M-1 Light Industrial District, Principal Uses Permitted", remove the location restrictions for private clubs, fraternal organizations, and lodge halls.
- In §155.049(B) "TCD Town Center District, Principal Uses Permitted", remove the location restrictions for theaters and assembly halls.
- Deletion of "§ 155.218 Theaters, Assembly Halls, Concert Halls, Clubs and Similar Organizations" and associated location restrictions.

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

Zoning Ordinance Table of Contents

Location Restrictions

~~155.218 Theaters, assembly halls, concert halls, clubs and similar organizations~~
155.21~~8~~9 Reserved through § 155.229

§ 155.036 SCHEDULE OF LAND USES.

Table 2-1. Schedule of Land Uses displays specific land uses in reference to their respective zoning districts. The schedule is general and intended to provide initial guidance for users. A complete list with land use conditions is set forth in §§ 155.041 through 155.049. Regulations in §§ 155.041 through 155.049 take precedent over Table 2-1 below.

Table 2-1 Schedule of Land Uses by Zoning District – Public/Quasi-Public Land Use Types									
	Zoning Districts								
	R-1 A, B, C	RM	RM-1	O-1	B-1	B-2	B-3	M-1	TCD
Public/Quasi-Public Land Use Types									
Charitable Gaming Room						SLU	SLU	SLU	P
Child/Adult Foster Care (6 or less persons)	P	P	P						P
Child/Adult Foster Care (7, but fewer than twelve persons)	SLU	SLU	SLU						
Assisted Living Facilities/Elderly Housing		SLU	SLU			SLU	SLU		
Nursing and Convalescent Homes		SLU	SLU	SLU		SLU			
Transient Residential and Rooming Houses						SLU	SLU		
Publicly Owned Libraries	P	P	P	P					P
Publicly Owned Parks and Parkways	P	P	P	P					P
Publicly Owned Recreation Facilities	P	P	P	P					P
Post Offices and Similar Government Offices				P		P	P		P
Utility and Public Owned Buildings w/o storage yards	SLU	SLU	SLU	SLU	SLU	P/SLU	P	P	P
General Hospitals			SLU				SLU		
Religious institutions and Incidental Facilities	SLU	SLU	SLU		SLU	SLU	SLU		SLU
Cemeteries	P	P	P						
Private Noncommercial Recreational Areas	SLU	SLU	SLU						

Institutional or Community Recreation Centers	SLU	SLU	SLU						P
Golf Courses	SLU								
Non-Profit Public, Parochial and Private Elementary, Intermediate or High Schools	SLU	SLU	SLU			SLU	SLU		
Colleges, Universities and Institutions of Higher Learning, Public and Private	SLU	SLU	SLU				SLU		
Business Schools and Colleges							SLU		
Vocational Training Centers and Schools						SLU	SLU		
Private For-Profit Schools, Business Schools and Colleges						SLU	SLU		
Theaters						SLU	SLU		P
Assembly Halls						SLU	SLU		P
Concert Halls						SLU	SLU		P
Private Clubs						~~P~~SLU	~~P~~SLU	P/~~SLU~~	SLU
Fraternal Organizations						~~P~~SLU	~~P~~SLU	P/~~SLU~~	SLU
Lodge Halls						~~P~~SLU	~~P~~SLU	P/~~SLU~~	SLU
Notes: P = Permitted Use, SLU = Special Land Use									

§ 155.046 B-2 THOROUGHFARE MIXED-USE DISTRICT.

(A) Intent. The Thoroughfare Mixed-Use District intends to provide for a mixed-use environment of business and higher density residential land uses. The district further intends to permit business establishments that balance both the convenience and comparison shopping needs of neighboring residents. These uses are more intensive than those permitted in the B-1 Local Business District, but not large scale vehicle dominated establishments as found in the B-3 General Business District. Because of the variety of business types and residential dwellings permitted, critical attention must be focused on site layout, building design, vehicular circulation, and coordination of site features between adjoining sites. Development should be:

(1) Designed as part of a planned shopping center or in coordination with development on adjoining commercial sites.

(2) Larger than in B-1 Districts.

(3) Located away from sensitive residential areas.

(4) Contributing to the development of a unified district in scale and character.
(5) Served by and connected to a major thoroughfare.

(B) Principal uses permitted. The following regulations shall apply in all B-2 Districts and no building, structure or premises, except as otherwise provided in this chapter, shall be erected, altered or used except for one or more of the following specified uses:
(1) Any retail business or service establishment permitted in B-1 Districts as principally permitted.
(2) All retail business, service establishments or processing uses as follows:
(a) Any retail business whose principal activity is the sale of merchandise in an enclosed building.
(b) Any service establishment of an office, showroom or workshop nature of an electrician, decorator, dressmaker, tailor, baker, painter, upholsterer, or an establishment doing radio or home appliance repair, photographic reproduction and similar service establishments that require a retail adjunct.
~~(3) Private clubs, fraternal organizations and lodge halls, subject to the requirements of § 155.218.~~
(43) Standard restaurants.
(54) Business establishments that perform services on the premises, such as but not limited to banks, loan companies, insurance offices, and real estate offices.
(65) Professional services, including the following: medical clinics (outpatient only), and offices of doctors, dentists, osteopaths, and similar or allied professions.
(76) Post office and similar governmental office buildings, serving persons living in the adjacent residential area.
(87) Office buildings for any of the following occupations: executive, administrative and professional, writing, clerical, stenographic, drafting and sales, subject to the limitations contained below in division (C) of this section.
(98) Medical and dental offices, including clinics and laboratories, but excluding substance abuse centers.
(109) Publicly owned buildings, exchanges and public utility offices, but not including storage yards, transformer stations, substations or gas regulator stations, subject to the limitations contained below in division (D) of this section.
(101) Veterinary hospitals and clinics.
(112) Dance schools, music and voice schools, and art studios.
(123) Art shops, photographic studios design studios and other similar uses.
(134) Office equipment and sales.
(145) Reproduction services where the primary use is serving walk-in customers with small volume copying or word processing services, not including blueprinting and similar industrial type operations.
(156) Personal service establishments, including barber shops, beauty shops, health salons and similar uses.
(167) Town homes (three stories or less).
(178) Multiple-family dwellings (three stories or less).
(189) Other uses similar to the above uses.

(1920) Accessory structures and uses customarily incident to the above permitted uses provided that they shall be designed and located as permitted in §§ 155.071 through 155.081, General Development Standards.
(201) Mortuaries.
(212) Automobile parking space to be provided as required in §§ 155.071 through 155.081.
(223) Temporary Pop-Up Commercial Use.
(234) Passenger Bus Stations
(245) Mobile Food Vending Unit
(256) Mobile Food Court/Park
(267) Mixed-use business and residential buildings (unless one or more of the individual uses is a special land use).

(C) Required conditions.
(1) All business establishments shall be retail or service establishments dealing directly with consumers. All goods provided on the premises shall be sold at retail on the premises where produced.
(2) All business, servicing or processing, except for off-street parking, loading and those open air uses indicated as being subject to Special Land Use in division (D) below, shall be conducted within completely enclosed buildings.
(3) Site plans shall be planned so as to recognize the front, rear, and side relationship of adjacent development. The Planning Commission and Council may recommend physical features to be provided which will insure harmony in these yard relationships.
(4) A restroom shall be provided for public use for all retail establishments in excess of 12,000 square feet of gross floor area.

(D) Special Land Uses. The following uses shall be permitted, subject to the conditions set forth in this subchapter, §§ 155.111 through 155.142, Special Conditions and Land Use Standards and all applicable codes and ordinances set forth in this chapter and other codes and regulations hereinafter imposed for each use. The following uses are subject further to the review and approval of the Planning Commission per standards set forth in this chapter:
(1) Open air business uses when developed in planned relationship with permitted uses within the B-2 District.
(2) Bowling alley, billiard hall, indoor archery range, or indoor skating rink, or similar forms of indoor commercial recreation when located at least 100 feet from any front, rear or side yard of any residential lot in an adjacent residential district. Firearm ranges are expressly prohibited.
(3) Public utility buildings, telephone exchange buildings, electric transformer stations and substations, gas regulator stations with service yards but without storage yards, water and sewage pumping stations.
(4) Automobile service centers, when developed as part of a larger planned shopping center designed so as to integrate the automobile service center within the site plan and architecture of the total shopping center; and provided further that a building permit shall not be issued separately for the construction of any automobile service center within the B-2 District.
(5) Nursing and convalescent homes.
(6) Senior housing, assisted living and similar types of housing for the elderly not to exceed a height of three stories.
(7) Carry-out, fast food, drive-thru or drive-in restaurants.

(8) Mixed-use business and residential buildings.
(8) Business schools and colleges, or vocational training centers, such as trade schools.
(9) Nursery schools, day nurseries and child care centers.
(10) Theaters, assembly halls, concert halls or similar places of assembly when conducted within enclosed buildings~~, subject to the requirements of § 155.218~~.
(11) Private schools operated for profit.
(12) Amateur radio antenna, subject to regulations of §§ 155.211 through 155.217, Wireless Communication Towers and Antennas.
(13) Utility and public service buildings without storage yards.
(14) Public, parochial and other private elementary, intermediate schools and/or high schools offering courses in general education, not operated for profit.
(15) Tattoo parlors.
(16) Charitable gaming room subject to the regulations of § 155.145.
(17) Medical marijuana provisioning centers subject to the regulations of § 155.148
(18) Second Hand Stores
(19) Religious Institutions
(20) Bar or Lounge
(21) Recreational Marijuana Retailer subject to the regulations of § 155.150E.
(22) Private clubs, fraternal organizations and lodge halls.

(E) Area and bulk requirements. Requirements limiting the height and bulk of buildings, the minimum size of lot permitted by land use, maximum density permitted, and minimum yard setbacks are set forth in § 155.061.
(Ord. 792, passed 12-3-01; Am. Ord. 830, passed 12-21-09; Am. Ord. 836, passed 2-21-11; Am. Ord. 838, passed 8-15-11)

§ 155.048(B) M-1 LIGHT INDUSTRIAL DISTRICT, Principal Uses Permitted.

(B) Principal uses permitted. The following regulations shall apply to M-1 Districts, and no building, structure or premises, except as otherwise provided in this chapter, shall be erected, altered or used except for one or more of the following uses:

(1) Any of the following uses when the manufacturing, compounding or processing is conducted wholly within a completely enclosed building. Open storage facilities for materials or equipment shall be located in rear or side yards and totally obscured by a masonry wall on those sides abutting R-1A through R-1C, RM, RM-1, O-1, B-1, B-2 and B-3 Districts, and from view of any public land or thoroughfare. In M-1 Districts the extent of such wall may be determined by the Planning Commission on the basis of usage. Such wall shall conform to the standards established in § 155.074, Walls, and shall meet the requirements of §§ 155.071 through 155.081, General Development Standards.

(a) The manufacture, compounding, processing, packaging or treatment of such products as: bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food products, hardware and cutlery; and tool, die, gauge and machine shops.

(b) The manufacture, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, sheet metal (excluding large stampings such as automobile fenders or bodies),

shell, textiles, tobacco, wax, wire, wood (excluding saw and planing mills) and yams.

(c) The manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas.

(d) Manufacture of musical instruments, toys, novelties and metal or rubber stamps, or other small molded rubber products.

(e) Manufacture or assembly of electrical appliances, electronic instruments and devices radios, and phonographs.

(2) Laboratories, experimental, film or testing.

(3) Manufacture and repair of electric or neon signs, light sheet metal products, including heating and ventilating equipment, cornices, eaves and the like.

(4) Warehouse and wholesale establishments and truck terminal facilities.

(5) Self-service storage facilities.

(6) Reproduction plants, which may include accessory retail operations.

(7) Central dry cleaning plants or laundries, which shall not offer storefront service or in any other manner interact with the general public as a retail laundromat or dry cleaner service.

(8) All public utilities, including buildings, necessary structures, storage yards and other related uses.

(9) Trade or industrial schools.

(10) Private clubs, fraternal organizations and lodge halls~~, subject to the requirements of § 155.218~~.

(11) Electronic data processing or computer centers.

(12) Offices, showrooms or workshops of an electrician, decorator, dressmaker, tailor, baker, painter, upholsterer, or an establishment doing radio or home appliance repair, photographic reproduction or similar use.

(13) Accessory structures and uses customarily incident to the above permitted uses, provided that they shall be designed and located as permitted in §§ 155.071 through 155.081, General Development Standards.

(14) Non-accessory freestanding signs, provided all signs meet the requirements of §§ 155.231 through 155.252.

(15) Other uses of a similar and no more objectionable character to those principal uses permitted.

(16) Utility and public service buildings without storage yards.

(17) Automobile parking space to be provided as required in §§ 155.071 through 155.081, General Development Standards.

(18) Trade schools.

(19) Truck or terminal facilities.

(20) Bus Passenger Station

(21) Mobile Food Vending Unit

(22) Murals

§ 155.049(B) TCD TOWN CENTER DISTRICT, Principal Uses Permitted.

(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
(19) Mobile Food Vending Unit
(20) Murals
(21) Mixed-use business and residential buildings (unless one or more of the individual uses is a special land use).

LOCATION RESTRICTIONS

~~**§ 155.218 THEATERS, ASSEMBLY HALLS, CONCERT HALLS, CLUBS AND SIMILAR ORGANIZATIONS.**~~

~~(A) Locations restrictions. It shall be unlawful for a theater, assembly hall, concert hall, club, or similar organization to be established within a 300-foot radius of any residentially zoned district or residential development. This prohibition relative to the establishment of the uses shall be waived upon the presentment to the City Council of a validated petition requesting the waiver. The petition shall be signed by 51% or more of those persons owning, residing, and doing business within 300 feet of the proposed use.~~

~~(B) The circulator of the petition shall:~~

~~(1) Circulate the petition on a notarized form provided by the city;~~

~~(2) Declare and affirm to have personally witnessed the signatures on the petition; and~~

~~(3) Declare and affirm that the same were affixed to the petition by the person whose name appeared thereon.~~

~~(C) The City Council shall not consider the waiver of location requirements until the petition~~

~~has been filed by the Community Development Department and verified by the Police Department.~~

~~(D) Return the petition to the Planning Division for processing and filing with the City Clerk.~~ ~~(Ord. 838, passed 8-15-11)~~

§ 155.2189 through § 155.229 RESERVED.

REQUEST FOR COUNCIL ACTION

To: Patrick Wimberly, Mayor **Date: February 11, 2020**

From: Adrianna Jordan
City Planner

Date for Council Consideration: February 17, 2020

ACTION REQUESTED: Council to offer a second reading and request for approval of text amendments (TA 19-25) to the City's Zoning Ordinance pertaining to provisions for Mixed-Use and Special Land Uses per the recommendations of the Planning Commission.

Current Action ___X____ Emergency _____ Future _____

Funds Budgeted: If Yes _____ Account #_____ No _____ N/A __X____

Mayor's Approval _____

BACKGROUND INFORMATION

A public hearing was held, and the proposed text amendments were recommended for approval by the Planning Commission on Monday, January 27, 2020. Public comments were received on the proposed text amendments. Draft meeting minutes are attached.

Proposed modifications include changes to §155.036 "Schedule of Land Uses" to make "Mixed Use Residential and Business (Lofts)" a principally permitted land use, and other associated changes.

SCOPE OF SERVICES

N/A

JUSTIFICATION

The zoning audit conducted by the RRC program for the City of Inkster requires the City to permit vertical mixed-use residential/commercial developments as principally permitted uses in order to streamline the development process. Under the current zoning ordinance mixed-use development is considered a special land use. Making this change also helps our zoning ordinance better implement the goals of the City's adopted Master Plan which encourages mixed-use developments.

In terms of the other item for consideration, the Michigan Zoning Enabling Act of 2006 re-categorized all special conditions land uses, regulated land uses, and special land uses under the term "special land use"; however, despite the same permitting process, our zoning ordinance puts extra location and noticing requirements on the more intensely reviewed adult-nature "regulated" land uses. The enclosed proposed language would clarify that "regulated" land uses must still go through the "special land use" permitting process in compliance with the MZEA, but in addition to that they are also subject to the more stringent location and noticing requirements.

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.
3. Develop a plan to diversify the tax base to ensure a sustainable budget for Inkster.

COSTS

There are no costs associated with these proposed text amendments.

PROJECT TIME TABLE

A second reading and request for approval of the proposed text amendments is scheduled during the Council meeting on Monday, February 17, 2020. If the request is approved by Council, the amendment will be published and posted and become effective after 30 days.

RESOLUTION

Resolved by _____ Seconded by _____

Yes:
No:
Absent:

CITY OF INKSTER
PLANNING COMMISSION
MINUTES

A regular meeting was held on **Monday, January 27, 2020,** in the Inkster City Council Chambers, located at 26215 Trowbridge, Inkster, Michigan.

A quorum was reached. Chairman Chisholm called the meeting to order at 6:41 p.m.

I. ROLL CALL

Present: Chairman Chisholm, Vice Chairman Ratliff, Secretary Cain, Davis, Faison
Absent: Willis (excused), Wimberly (excused)

Others in attendance: Adrianna Jordan, City Planner
Kaitlyn Hines, Community Planner
Ihsan Asmar, Applicant
Imad Portes, Architect

Public in attendance: Timothy Williams
Shawn Hart, Inkster Preparatory Academy
Octavia Smith
Angela Dotson
Estella Chambers

II. ADOPTION OF AGENDA

MOVED by Ratliff, with amendment, Seconded by Davis to Adopt the Agenda. **MOTION CARRIED unanimously.**

III. ADOPTION OF MINUTES OF November 25, 2019

MOVED by Ratliff, Seconded by Faison to Adopt the Minutes. **MOTION CARRIED unanimously.**

IV. PUBLIC HEARINGS

A. **Case #s 19-05 (SLU) 19-06 (SP) Adult Foster Care Facility**
Public Hearing to review and consider approval of a special land use and site plan for a proposed Adult Foster Care Facility in the B-2, Thoroughfare Mixed-Use District at 715 Inkster, between Woodsfield and Avondale. Ihsan Asmar on behalf of Forever Care Homes is the applicant.

MOVED by Ratliff, Seconded by Davis to open the public hearing for Case #19-05 (SLU), 19-06 (SP) –Adult Foster Care Facility. **MOTION CARRIED unanimously.**

Commissioners Concerns:

1. Chairman Chisholm asked about the shared parking agreement and whether or not the whole thing should be tabled with the newly garnered information. Mr. Portes and Ms.

Asmar replied that they had been in talks with the attorney that day and that they should not have sent the letter regarding the shared parking agreement. Ms. Jordan mentioned that the attorney's letter stated that there is not enough information to make a decision.

2. Vice Chairman Ratliff asked if there was currently a moratorium on AFC homes. Ms. Jordan replied that she did not believe so. He then asked about ownership of the garage behind the building. Ms. Asmar replied that it was owned by the school.
3. Commissioner Faison asked about the ratio of people versus rooms available. Ms. Asmar responded that they meet state requirements for room square footage and occupants. Some rooms will house two people.
4. Commissioner Davis asked what type of loading zone will be needed for this type of facility. Ms. Asmar replied that most of their deliveries will be with large vans, and that's why they requested the reduced loading zone size.
5. Commissioner Cain asked what would happen if the shared parking agreement fell through. Ms. Asmar mentioned looking into purchasing another property or giving up the building all together. Shawn Hart then spoke on their meetings with the AFC regarding the shared parking agreement and that the board approved it, but the land owner was looking into it.

MOVED by Davis, Seconded by Ratliff to close the public hearing. **MOTION CARRIED unanimously.**

MOVED by Cain, Seconded by Faison to table 19-05 (SLU) and 19-06 (SP). **MOTION CARRIED unanimously.**

B. **Case # 18-28 (TA) Social Clubs**
Consideration of proposed text amendments to the City's Zoning Ordinance pertaining to provisions for Social Clubs. Proposed modifications include changes to §155.036 "Schedule of Land Uses, Public, Quasi-Public Land Use Types" to make "Private clubs, fraternal organizations, and lodge halls" a special land use in the B-2, B-3, and TCD districts, and a permitted land use in the M-1 district., Deletion of "§ 155.218 Theaters, Assembly Halls, Concert Halls, Clubs and Similar Organizations" and associated location restrictions.

MOVED by Davis, Seconded by Faison to open the public hearing for Case #18-28, (TA) – Social Clubs. **MOTION CARRIED unanimously.**

Commissioners Concerns:

1. Chair Chishom questioned why they were permitted in the M-1 district. Ms. Jordan theorized that the intention was originally for organizations associated with industrial unions, and that these could be fraternal groups like the ELKs.

MOVED by Davis, Seconded by Ratliff to close the public hearing. **MOTION CARRIED unanimously.**

MOVED by Davis, Seconded by Ratliff to recommended approval of 18-28 (TA)- Social Clubs. **MOTION CARRIED unanimously.**

C. **Case # 19-25 (TA) Mixed-Use and Special Land Use Developments**
Consideration of proposed text amendments to the City's Zoning Ordinance pertaining to provisions for Mixed-Use and Special Land Uses. Proposed modifications include changes to §155.036 "Schedule of Land Uses" to make "Mixed Use Residential and Business (Lofts)" a principally permitted land use, and other associated changes.

MOVED by Davis, Seconded by Ratliff to open the public hearing for Case #19-25, (TA) – Mixed- and Special Land Use Developments. **MOTION CARRIED unanimously.**

Public Comment:

1. Tim Williams asked for an example of what a SLU and Mixed land use would be. Ms. Jordan mentioned that mixed-use is typically commercial on a bottom floor with residential on the top floor, and needs to be a principally permitted use instead of a Special Land Use in all business districts in order to comply with the RRC certification process, promote walkability and bikability, and to streamline development.
2. Octavia Smith asked whether this would be like the developments in New York and other older cities, Ms. Jordan replied that this would remove a lot of red tape for these types of mixed land use developments.

MOVED by Davis, Seconded by Faison to close the public hearing. **MOTION CARRIED unanimously.**

MOVED by Ratliff, Seconded by Faison to recommended approval of 19-25 (TA) – Mixed Use and Special Land Use Developments. **MOTION CARRIED unanimously.**

V. OLD BUSINESS

NONE.

VII. NEW BUSINESS

A. **Case # 19-06 (SP) – Consideration of Shared Parking Agreement**
Planning Commission to review and consider approval of a shared parking agreement between the applicant and Inkster Preparatory Academy, for a proposed Adult Foster Care Facility (SP 19-06) in the B-2, Thoroughfare Mixed-Use District at 715 Inkster rd. Ihsan Asmar on behalf of Forever Care Homes is the applicant.

MOVED by Davis, Seconded by Cain to table 19-06 (SP) Consideration of a Shared Parking Agreement. **MOTION CARRIED unanimously.**

B. **Case # 19-06 (SP) – Consideration of a Loading Zone Waiver**
Planning Commission to review and consider approval of a loading zone length waiver for a proposed Adult Foster Care Facility (SP 19-06) in the B-2, Thoroughfare Mixed-Use District at 715 Inkster rd. Ihsan Asmar on behalf of Forever Care Homes is the applicant.

MOVED by Davis, Seconded by Ratliff to table 19-06 (SP) Consideration of a Loading Zone Waiver. **MOTION CARRIED unanimously.**

C. **Case # 19-06 (SP) – Consideration of a Loading Zone Screening Waiver**
Planning Commission to review and consider approval of a loading zone screening waiver for a proposed Adult Foster Care Facility (SP 19-06) in the B-2, Thoroughfare Mixed-Use District at 715 Inkster rd. Ihsan Asmar on behalf of Forever Care Homes is the applicant.

Public Comment:

1. Octavia Smith asked if all waivers were being approved, Chair Chisholm told her that everything was tabled.

MOVED by Davis, Seconded by Cain to table 19-06 (SP) Consideration of a Loading Zone Screening Waiver. **MOTION CARRIED unanimously.**

VIII. MISCELLANEOUS

A. **2019 Planning Commission Activity Report**

B. **2019 Planning Commission Attendance Report**

C. **2020 Election of Planning Commission Officers**

1. All Officers were re-elected to their previous positions including Chair Chisholm, Vice-Chair Ratliff, and Secretary Cain.

D. **Redevelopment Ready Communities Update**

1. The major concern for Commissioner Faison is public participation.

E. **Special Meeting February 18th 2020**

MOVED by Ratliff, Seconded by Faison to approve the special meeting on Tuesday, February 18, 2020 in lieu of holding the regularly scheduled Monday, February 10, 2020 meeting. **MOTION CARRIED unanimously.**

VIII. ADJOURNMENT – 8:18 pm

MOVED by Davis, Seconded by Faison to adjourn the Planning Commission meeting held on January 27, 2020. **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

January 17, 2020

Planning Commission
City of Inkster
26215 Trowbridge
Inkster, MI 48141

Subject: TA 19-25 Mixed Use and Special Land Use Zoning Text Amendments

The City of Inkster Planning Department is submitting the above-referenced revised zoning text amendments for the Planning Commission's review and consideration.

DESCRIPTION

The proposed zoning text amendments are being initiated by the City of Inkster as part of the Redevelopment Ready Communities (RRC) certification process, and to clarify the differences and similarities between regulated and special land uses.

The zoning audit conducted by the RRC program for the City of Inkster requires the City to permit vertical mixed-use residential/commercial developments as principally permitted uses in order to streamline the development process. Under the current zoning ordinance mixed-use development is considered a special land use. Making this change also helps our zoning ordinance better implement the goals of the City's adopted Master Plan which encourages mixed-use developments.

In terms of the other item for consideration, the Michigan Zoning Enabling Act of 2006 re-categorized all special conditions land uses, regulated land uses, and special land uses under the term "special land use"; however, despite the same permitting process, our zoning ordinance puts extra location and noticing requirements on the more intensely reviewed adult-nature "regulated" land uses. The enclosed proposed language would clarify that "regulated" land uses must still go through the "special land use" permitting process in compliance with the MZEA, but in addition to that they are also subject to the more stringent location and noticing requirements.

Amendments are proposed to the following sections of the City of Inkster's Zoning Ordinance:

- ***In §155.036 "Schedule of Land Uses", make "Mixed Use Residential and Business (Lofts)" a principally permitted land use.***

- ***In §155.045 "B-1 Local Business District", make "Mixed-use business and residential buildings (unless one or more of the individual uses is a special land use)" a principally permitted land use.***

- ***In §155.046 "B-2 Thoroughfare Mixed-Use District", make "Mixed-use business and residential buildings (unless one or more of the individual uses is a special land use)" a principally permitted land use.***
- ***In §155.047 "B-3 General Business District", make "Mixed-use business and residential buildings (unless one or more of the individual uses is a special land use)" a principally permitted land use.***

- ***In §155.049 "TCD Town Center District", make "Mixed-use business and residential buildings (unless one or more of the individual uses is a special land use)" a principally permitted land use.***

- ***In §155.204 "Invalidation of Regulated Use Permits", clarify relationship between regulated and special land uses.***

Thank you for your consideration,

Adrianna Jordan, AICP
City Planner

TA19-25
Draft Zoning Text Amendments for Mixed-Use and Special Land Use Developments
City of Inkster
9/12/19

Proposed ordinance changes and additions:

- In §155.036 "Schedule of Land Uses", make "Mixed Use Residential and Business (Lofts)" a principally permitted land use.
- In §155.045 "B-1 Local Business District", make "Mixed-use business and residential buildings (unless one or more of the individual uses is a special land use)" a principally permitted land use.
- In §155.046 "B-2 Thoroughfare Mixed-Use District", make "Mixed-use business and residential buildings (unless one or more of the individual uses is a special land use)" a principally permitted land use.
- In §155.047 "B-3 General Business District", make "Mixed-use business and residential buildings (unless one or more of the individual uses is a special land use)" a principally permitted land use.
- In §155.049 "TCD Town Center District", make "Mixed-use business and residential buildings (unless one or more of the individual uses is a special land use)" a principally permitted land use.
- In §155.204 "Invalidation of Regulated Use Permits", clarify relationship between regulated and special land uses.

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

§ 155.036 SCHEDULE OF LAND USES.

Table 2-1. Schedule of Land Uses displays specific land uses in reference to their respective zoning districts. The schedule is general and intended to provide initial guidance for users. A complete list with land use conditions is set forth in §§ 155.041 through 155.049. Regulations in §§ 155.041 through 155.049 take precedent over Table 2-1 below.

Table 2-1 Schedule of Land Uses by Zoning District									
	Zoning Districts								
	R-1 A, B, C	RM	RM-1	O-1	B-1	B-2	B-3	M-1	TCD
Residential Land Use Types									
One-Family Detached Dwelling	P	P	P						P
Two-Family Dwellings/Duplexes		P	P						
Townhomes (2 story max.)		P	P			P			
Townhomes (3 story max.)		SLU							
Multiple-Family Dwellings (2 story max.)		P	P						P
Multiple-Family Dwellings (3 story max.)		SLU	P			P			P
Multiple-Family Dwellings (4+ stories)			SLU						P
Mixed-Use Residential and Business (Lofts)					~~SLU~~ P	~~SLU~~ P	P		~~SLU~~ P
Manufactured Housing Community							SLU	SLU	
Public/Quasi-Public Land Use Types									
Charitable Gaming Room						SLU	SLU	SLU	P
Child/Adult Foster Care (6 or less persons)	P	P	P						P
Child/Adult Foster Care (7, but fewer than twelve persons)	SLU	SLU	SLU						
Assisted Living Facilities/Elderly Housing		SLU	SLU			SLU	SLU		
Nursing and Convalescent Homes		SLU	SLU	SLU		SLU			
Transient Residential and Rooming Houses						SLU	SLU		

Publicly Owned Libraries	P	P	P	P					P
Publicly Owned Parks and Parkways	P	P	P	P					P
Publicly Owned Recreation Facilities	P	P	P	P					P
Post Offices and Similar Government Offices				P		P	P		P
Utility and Public Owned Buildings w/o storage yards	SLU	SLU	SLU	SLU	SLU	P/SLU	P	P	P
General Hospitals			SLU				SLU		
Religious institutions and Incidental Facilities	SLU	SLU	SLU		SLU	SLU	SLU		SLU
Cemeteries	P	P	P						
Private Noncommercial Recreational Areas	SLU	SLU	SLU						
Institutional or Community Recreation Centers	SLU	SLU	SLU						P
Golf Courses	SLU								
Non-Profit Public, Parochial and Private Elementary, Intermediate or High Schools	SLU	SLU	SLU			SLU	SLU		
Colleges, Universities and Institutions of Higher Learning, Public and Private	SLU	SLU	SLU				SLU		
Business Schools and Colleges							SLU		
Vocational Training Centers and Schools						SLU	SLU		
Private For-Profit Schools, Business Schools and Colleges						SLU	SLU		
Theaters						SLU	SLU		P
Assembly Halls						SLU	SLU		P

Concert Halls						SLU	SLU		P
Private Clubs						P	P	P/SLU	
Fraternal Organizations						P	P	P/SLU	
Lodge Halls						P	P	P/SLU	
Business and Office Land Use Types									
Adult Businesses and Uses							SLU		
Arcades							SLU		
Art, Photographic and Design Studios						P	P		P
Automobile Repair (Minor)							SLU	SLU	
Automobile Service Centers (as part of planned shopping center)						SLU	SLU		
Automobile Service Stations							***SLU***	SLU	
Banks and Similar Financial Institutions						P	P		P
Bar or Lounge						SLU	SLU		SLU
Bus Passenger Stations						P	P	P	P
Cabaret							SLU		
Carry-out Restaurants						SLU	SLU		P
Crafts and Fine Arts (Instruction in)	P	P	P			P	P		P
Computer Centers							P	P	
Dance, Music and Voice Schools						P	P		
Drive-in Restaurants						SLU	SLU		
Drive-Through Facilities						SLU	SLU		
Drive-Through Restaurants						SLU	SLU		
Dry Cleaners					P	P	P		P
Electronic Data Processing Centers							P	P	
Fast Food Restaurants w/o drive- through						SLU	SLU	SLU	

Firearms sales establishments							SLU		
Hotels (Full Service)							SLU		P
Indoor Commercial Recreation						SLU	SLU/P		P
Kennel, Commercial							SLU		P
Liquor, Beer and Wine Sales							SLU		
Massage Businesses							SLU/P		
Medical and Dental Laboratories						P	P		
Medical and Dental Offices and Clinics				P	P	P	P		
Mobile Food Court / Park						P	P		SLU
Mobile Food Vending Unit						P	P	P	P
Mortuaries						P	P		
Motels							SLU		
Murals					P	P	P	P	P
New and Used Vehicle Sales (Indoor)							SLU		
New and Used Vehicle Sales (Outdoor)							SLU		
Nursery Schools, Day Nurseries and Child/Adult Care Centers	SLU	SLU	SLU	SLU	SLU	SLU	P		P
Office Equipment - Sales and Service						P	P		
Open Air Businesses						SLU	SLU		
Pawnshops							SLU		
Personal Service Establishments					P	P	P		P
Professional and Financial Services						P	P		P
Professional Offices				P		P	P		P
Public Utility Offices w/o storage yards				P		P	P	P	

Retail Reproduction Services						P	P	P	P
Retail Businesses (Convenience)					P	P	P	SLU	P
Retail (within enclosed building)						P	P		P
Secondhand Stores						SLU	SLU		
Showrooms and Workshops						P	P	P	
Specially designated distributor (SDD)							SLU		
Specially designated merchant (SDM).							SLU		
Standard Restaurants						P	P	SLU	P
Substance Abuse Rehabilitation Clinics							SLU		
Tattoo Establishments						SLU	SLU		
Temporary Pop-Up Retail Commercial Use						P	P		P
Vehicle Wash Establishments							SLU		
Veterinary Hospitals and Clinics						P	P		
Industrial Land Use Types									
Automobile or other machinery assembly plants								SLU	
Automobile and Vehicle Repair (Major), including Collision, Transmission and Undercoating Shops								SLU	
Canning Factories								SLU	
Central Dry Cleaning Plants (no retail permitted)								P	
Greenhouse and Similar Uses								SLU	
Laboratories								P	

Lumber and Planing Mills								SLU	
Manufacturing and Assembly Operations (enclosed; not including large stampings)								P	
Metal Plating and Similar Uses								SLU	
Metal Stamping and Similar Uses								SLU	
Painting and Varnishing Shops								SLU	
Reproduction Plants								P	
Research and Development Facilities							SLU	P	
Self-Service Storage Facilities							SLU	P	
Sign Repair/Manufacturing								P	
Storage Yards for Public Utilities								P	
Storage Facilities for Building Materials, Contractor's Equipment, Open Storage and Junk Yards								SLU	
Trade or Industrial Schools								P	
Truck and Terminal Facilities								P	
Utility and Public Service Buildings w/o storage yards		SLU	SLU	P	SLU	P	P	P	
Vehicle and Machinery Assembly Plants								SLU	
Warehouse and Wholesale Businesses								P	
Miscellaneous Land Use Types									

Accessory Buildings and Structures	P	P	P	P	P	P	P	P	
Accessory Businesses				P	P	P	P	P	P
Accessory Uses				P	P	P	P	P	
Agricultural (5+ acres)	P	P	P						
Amateur Radio Antenna	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	
Automobile Parking	P	P	P	P	P	P	P	P	P
Electric Transformer Stations w/o storage yards						SLU	P	P	
Gas Regulator Stations w/o storage yards						SLU	P	P	
Medical Marijuana Cultivation Facility								SLU	
Medical Marijuana Provisioning Center					SLU	SLU	SLU		SLU
Medical Marijuana Processing Facility								SLU	
Medical Marijuana Testing Facility								SLU	
Medical Marijuana Transportation Facility								SLU	
Recreational Marijuana Grower								SLU	
Recreational Marijuana Processing								SLU	
Recreational Marijuana Retailer					SLU	SLU	SLU		SLU
Recreational Marijuana Safety Compliance								SLU	
Recreational Marijuana Transporter								SLU	
Telephone Exchanges w/o storage yards						SLU	P	P	
Temporary Buildings for Construction	P	P	P						

Water and Sewage Pumping Stations w/o storage yards						SLU	P	P	
Wireless Towers and Antennas							SLU	SLU	
Notes: P = Permitted Use, SLU = Special Land Use									

§ 155.045 B-1 LOCAL BUSINESS DISTRICT.

(A) Intent. The intent of the B-1 Local Business Districts is to provide residential scale convenience shopping and personal service uses to meet the day-to-day needs of persons. Uses exhibiting low intensity, limited hours of operation, low volumes of traffic, low noise levels and developed at scale and character of nearby neighborhoods are intended for the B-1 District.

(B) Principal uses permitted. The following regulations shall apply in all B-1 Districts and no building, structure or premises, except as otherwise provided in this chapter, shall be erected, altered or used except for one or more of the following specified uses:
(1) Generally recognized retail business which supplies commodities on the premises, for persons residing in adjacent residential areas, such as but not limited to: groceries, meats, dairy products, baked goods or other foods, drugs, dry goods, clothing and notions, or hardware. All business establishments shall be retail or service establishments dealing directly with consumers.
(2) Personal service establishment which performs services on the premises, such as but not limited to: repair shops (watches, radio, television, shoe, and the like) tailor shops, beauty parlors or barber shops, photographic studios, and self-service laundries.
(3) Dry cleaning establishments or pick-up stations dealing directly with consumers. Central dry cleaning plants serving more than one retail outlet shall be prohibited.
(4) Other uses similar to the above uses.
(5) Accessory structures and uses customarily incident to the above permitted uses, provided that they shall be designed and located as permitted in §§ 155.071 through 155.081, General Development Standards.
(6) Automobile parking space to be provided as required in §§ 155.071 through 155.081, General Development Standards.
(7) Murals.
(8) Mixed-use business and residential buildings (unless one or more of the individual uses is a special land use).

(C) Required conditions.
(1) All business establishments shall be retail or service establishments dealing directly with consumers.
(2) A restroom shall be provided for public use for all retail establishments in excess of 12,000 square feet of gross floor area.

(D) Special Land Uses. The following uses shall be permitted, subject to the conditions set forth in this subchapter, §§ 155.111 through 155.142, Special Conditions and Land Use Standards, and all applicable codes and ordinances set forth in this chapter and other codes and regulations

hereinafter imposed for each use. The following uses are subject further to the review and approval of the Planning Commission per standards set forth in this chapter:
~~(1) Mixed-use business and residential buildings.~~
(12) Nursery schools, day nurseries and child care centers (not including dormitories).
(23) Amateur radio antenna, subject to regulations of §§ 155.211 through 155.217, Wireless Communication Towers and Antennas.
(34) Utility and public service buildings without storage yards.
(45) Publicly owned buildings without storage yards
(56) Medical marijuana provisioning centers subject to the regulations of § 155.148
(67) Religious Institutions
(78) Recreational Marijuana Retailer subject to the regulations of § 155.150E

(E) Area and bulk requirements. Requirements limiting the height and bulk of buildings, the minimum size of lot permitted by land use, maximum density permitted, and minimum yard setbacks are set forth in § 155.061.
(Ord. 792, passed 12-3-01)

§ 155.046 B-2 THOROUGHFARE MIXED-USE DISTRICT.

(A) Intent. The Thoroughfare Mixed-Use District intends to provide for a mixed-use environment of business and higher density residential land uses. The district further intends to permit business establishments that balance both the convenience and comparison shopping needs of neighboring residents. These uses are more intensive than those permitted in the B-1 Local Business District, but not large scale vehicle dominated establishments as found in the B-3 General Business District. Because of the variety of business types and residential dwellings permitted, critical attention must be focused on site layout, building design, vehicular circulation, and coordination of site features between adjoining sites. Development should be:
(1) Designed as part of a planned shopping center or in coordination with development on adjoining commercial sites.
(2) Larger than in B-1 Districts.
(3) Located away from sensitive residential areas.
(4) Contributing to the development of a unified district in scale and character.
(5) Served by and connected to a major thoroughfare.
(B) Principal uses permitted. The following regulations shall apply in all B-2 Districts and no building, structure or premises, except as otherwise provided in this chapter, shall be erected, altered or used except for one or more of the following specified uses:
(1) Any retail business or service establishment permitted in B-1 Districts as principally permitted.
(2) All retail business, service establishments or processing uses as follows:
(a) Any retail business whose principal activity is the sale of merchandise in an enclosed building.
(b) Any service establishment of an office, showroom or workshop nature of an electrician, decorator, dressmaker, tailor, baker, painter, upholsterer, or an establishment doing radio or

home appliance repair, photographic reproduction and similar service establishments that require a retail adjunct.
(3) Private clubs, fraternal organizations and lodge halls, subject to the requirements of § 155.218.
(4) Standard restaurants.
(5) Business establishments that perform services on the premises, such as but not limited to banks, loan companies, insurance offices, and real estate offices.
(6) Professional services, including the following: medical clinics (outpatient only), and offices of doctors, dentists, osteopaths, and similar or allied professions.
(7) Post office and similar governmental office buildings, serving persons living in the adjacent residential area.
(8) Office buildings for any of the following occupations: executive, administrative and professional, writing, clerical, stenographic, drafting and sales, subject to the limitations contained below in division (C) of this section.
(9) Medical and dental offices, including clinics and laboratories, but excluding substance abuse centers.
(10) Publicly owned buildings, exchanges and public utility offices, but not including storage yards, transformer stations, substations or gas regulator stations, subject to the limitations contained below in division (D) of this section.
(11) Veterinary hospitals and clinics.
(12) Dance schools, music and voice schools, and art studios.
(13) Art shops, photographic studios design studios and other similar uses.
(14) Office equipment and sales.
(15) Reproduction services where the primary use is serving walk-in customers with small volume copying or word processing services, not including blueprinting and similar industrial type operations.
(16) Personal service establishments, including barber shops, beauty shops, health salons and similar uses.
(17) Town homes (three stories or less).
(18) Multiple-family dwellings (three stories or less).
(19) Other uses similar to the above uses.
(20) Accessory structures and uses customarily incident to the above permitted uses provided that they shall be designed and located as permitted in §§ 155.071 through 155.081, General Development Standards.
(21) Mortuaries.
(22) Automobile parking space to be provided as required in §§ 155.071 through 155.081.
(23) Temporary Pop-Up Commercial Use.
(24) Passenger Bus Stations
(25) Mobile Food Vending Unit
(26) Mobile Food Court/Park
(27) Mixed-use business and residential buildings (unless one or more of the individual uses is a special land use).

(C) Required conditions.

(1) All business establishments shall be retail or service establishments dealing directly with consumers. All goods provided on the premises shall be sold at retail on the premises where produced.
(2) All business, servicing or processing, except for off-street parking, loading and those open air uses indicated as being subject to Special Land Use in division (D) below, shall be conducted within completely enclosed buildings.
(3) Site plans shall be planned so as to recognize the front, rear, and side relationship of adjacent development. The Planning Commission and Council may recommend physical features to be provided which will insure harmony in these yard relationships.
(4) A restroom shall be provided for public use for all retail establishments in excess of 12,000 square feet of gross floor area.

(D) Special Land Uses. The following uses shall be permitted, subject to the conditions set forth in this subchapter, §§ 155.111 through 155.142, Special Conditions and Land Use Standards and all applicable codes and ordinances set forth in this chapter and other codes and regulations hereinafter imposed for each use. The following uses are subject further to the review and approval of the Planning Commission per standards set forth in this chapter:
(1) Open air business uses when developed in planned relationship with permitted uses within the B-2 District.
(2) Bowling alley, billiard hall, indoor archery range, or indoor skating rink, or similar forms of indoor commercial recreation when located at least 100 feet from any front, rear or side yard of any residential lot in an adjacent residential district. Firearm ranges are expressly prohibited.
(3) Public utility buildings, telephone exchange buildings, electric transformer stations and substations, gas regulator stations with service yards but without storage yards, water and sewage pumping stations.
(4) Automobile service centers, when developed as part of a larger planned shopping center designed so as to integrate the automobile service center within the site plan and architecture of the total shopping center; and provided further that a building permit shall not be issued separately for the construction of any automobile service center within the B-2 District.
(5) Nursing and convalescent homes.
(6) Senior housing, assisted living and similar types of housing for the elderly not to exceed a height of three stories.
(7) Carry-out, fast food, drive-thru or drive-in restaurants.
~~(8) Mixed-use business and residential buildings.~~
(~~9~~8) Business schools and colleges, or vocational training centers, such as trade schools.
(~~10~~9) Nursery schools, day nurseries and child care centers.
(~~11~~10) Theaters, assembly halls, concert halls or similar places of assembly when conducted within enclosed buildings, subject to the requirements of § 155.218.
(~~12~~11) Private schools operated for profit.
(~~13~~12) Amateur radio antenna, subject to regulations of §§ 155.211 through 155.217, Wireless Communication Towers and Antennas.
(~~14~~13) Utility and public service buildings without storage yards.
(~~15~~14) Public, parochial and other private elementary, intermediate schools and/or high schools offering courses in general education, not operated for profit.
(~~16~~15) Tattoo parlors.
(~~17~~16) Charitable gaming room subject to the regulations of § 155.145.

(178) Medical marijuana provisioning centers subject to the regulations of § 155.148
(189) Second Hand Stores
(2019) Religious Institutions
(201) Bar or Lounge
(212) Recreational Marijuana Retailer subject to the regulations of § 155.150E.

(E) Area and bulk requirements. Requirements limiting the height and bulk of buildings, the minimum size of lot permitted by land use, maximum density permitted, and minimum yard setbacks are set forth in § 155.061.
(Ord. 792, passed 12-3-01; Am. Ord. 830, passed 12-21-09; Am. Ord. 836, passed 2-21-11; Am. Ord. 838, passed 8-15-11)

§ 155.047 B-3 GENERAL BUSINESS DISTRICT.

(A) Intent. The intent of the B-3 General Business District intends to provide locations for development of businesses which cater primarily to the comparison shopping needs of the city's and surrounding communities' residents on an intermittent or semi-monthly or greater basis. Convenience type commercial uses are permitted in combination with the predominant comparison uses in planned shopping center developments where a combination of such uses is considered appropriate based on the desired economic function and quality and range of businesses in the B-3 District.
(B) Principal uses permitted. The following regulations shall apply to all B-3 Districts and no building, structure or premises, except as otherwise provided in this chapter, shall be erected, altered or used except for one or more of the following specified uses:
(1) Any retail business or service establishment permitted in B-2 Districts as principally permitted.
(2) Mortuary establishments, when adequate assembly area is provided off-street for vehicles to be used in funeral procession; provided further that such assembly area shall be provided in addition to any required off-street parking area. A caretaker's residence may be provided within the main building of mortuary establishments.
(3) Bus passenger stations.)
(4) Governmental offices or other governmental use, public utility offices, exchange transformer stations, pump stations and service yards, but not including outdoor storage.
(5) Standard restaurants.
(6) Massage practitioner offices.
(7) Electronic data processing or computer centers.
(8) Bowling alley, billiard hall, indoor archery range, or indoor skating rink, or similar forms of indoor commercial recreation when located at least 100 feet from any residential lot in an adjacent residential district.
(9) Reproduction services where the primary use is serving walk-in customers with small volume copying or word processing services, not including blueprinting and similar industrial type operations.
(10) Veterinary hospitals or clinics provided all activities are conducted within a totally enclosed main building and provided further that no property line abuts a district zoned for residential use.
(11) Public utility buildings.
(12) Accessory structures and uses customarily incident to the above permitted uses, provided that they shall be designed and located as permitted in §§ 155.111 through 155.142.

(13) Utility and public service buildings without storage yards.
(14) Computer and electronic data processing centers.
(15) Automobile parking space to be provided as required in §§ 155.071 through 155.081,
(16) Temporary Pop-Up Commercial Use.
(17) Mixed-use business and residential buildings (unless one or more of the individual uses is a special land use).

General Development Standards.
(C) Required conditions.
(1) All business establishments shall be retail or service establishments dealing directly with consumers. All goods provided on the premises shall be sold at retail on the premises where produced.
(2) All business, servicing or processing, except for off-street parking, loading and those open air uses indicated as being subject to special land uses in division (D) below, shall be conducted within completely enclosed buildings.
(3) Site plans shall be planned so as to recognize the front, rear, and side relationship of adjacent development. The Planning Commission and Council may recommend physical features to be provided which will insure harmony in these yard relationships.
(4) A restroom shall be provided for public use for all retail establishments in excess of 20,000 square feet of gross floor area.

(D) Special Land Uses. The following uses shall be permitted, subject to the conditions set forth in this subchapter, §§ 155.111 through 155.142, Special Conditions and Land Use Standards, and all applicable codes and ordinances set forth in this chapter and other codes and regulations hereinafter imposed for each use. The following uses are subject further to the review and approval of the Planning Commission per standards set forth in this chapter:
(1) All uses allowed in a B-2 District which shall be subject to the same Special Land Use as in a B-2 District.
(2) Outdoor sales space for exclusive sale of new or secondhand vehicles or house trailers.
(3) Open air business uses for the retail sales of plant material not grown on the site, and sales of lawn furniture, playground equipment and garden supplies; provided further that such uses shall be located at the exterior end of the building mass.
(4) Adult supply stores.
(5) Adult motion picture theaters.
(6) Arcades.
(7) Bar or establishment for the sale of beer or intoxicating liquor for consumption on the premises.
(8) Cabaret.
(9) Firearms sales establishments.
(10) Motels, inns and travel lodges.
(11) Hotels.
(12) Massage establishments.
(13) Pawnshops.
(14) Pool or billiard halls.
(15) Public lodging house, transient housing, rooming houses.
(16) Secondhand stores.

(17) Specially designated distributor (SDD).
(18) Specially designated merchant (SDM).
(19) Tattoo establishments.
(20) Carry-out, fast food, drive-thru or drive-in restaurants.
(21) Vehicle wash establishments, when completely enclosed in a building.
(22) Commercial kennel provided all activities are conducted within a totally enclosed main building and provided further that no property line abuts a district zoned for residential use.
(23) Automobile service stations.
(24) Automobile service centers, when developed as part of a larger planned shopping center. The design shall integrate the automobile service center within the site plan and architectural character of the total shopping center. A building permit shall not be issued separately for the construction of any automobile service center.
(25) General hospitals, except those for criminals and those solely for the treatment of persons who are mentally ill or have contagious disease, with no maximum height.
(26) Greenhouse and florist operations involving the growing, wholesaling and/or retailing of plant materials.
(27) Nursing and convalescent homes.
(28) Theaters, assembly halls, concert halls or similar places of assembly when conducted within enclosed buildings, subject to the requirements of § 155.218.
(29) Business schools and colleges or private schools operated for profit.
(30) Amateur radio antenna, subject to regulations of §§ 155.211 through 155.217, Wireless Communication Towers and Antennas.
(31) Research and development facilities.
(32) Manufactured housing communities, subject to requirements of § 155.140 of this chapter.
(33) Fast food restaurants without drive-thru service.
(34) Charitable gaming room subject to the regulations of § 155.145.
(35) Minor vehicle repair, subject to the regulations of § 155.128.
(36) Commercial Warehouse, Wholesale Operations and Distribution subject to the regulations of § 155.147.
(37) Medical marijuana provisioning centers subject to the regulations of § 155.148
(38) Religious Institutions
(39) New and used vehicle and trailer indoor sales, showroom or office.
(40) Self-Storage Facilities
(E) Area and bulk requirements. Requirements limiting the height and bulk of buildings, the minimum size of lot permitted by land use, maximum density permitted, and minimum yard setbacks are set forth in § 155.061.
(Ord. 792, passed 12-3-01; Am. Ord. 836, passed 2-21-11)

§ 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.

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
(19) Mobile Food Vending Unit
(20) Murals

(21) Mixed-use business and residential buildings (unless one or more of the individual uses is a special land use).

(C) Special Land Uses. Planning Commission may approve uses listed in § 155.047, B-3, General Business District 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 of 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 any of 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 SPECIAL LAND ~~REGULATED~~ USE PERMITS.

(A) No order of the City Council permitting a special land use or 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 special land ~~regulated~~ use permit shall be deemed to authorize only a specific ~~regulated~~ use. Such ~~regulated~~ special land use permit shall expire if that use shall cease for more than six consecutive months for any reason.
(C) During the permitting process, regulated land uses are treated as special land uses and follow the same process. There are no "regulated use permits", only "special land use permits"; however, special land uses that are "regulated uses" have more stringent location and noticing requirements than standard "special land uses" as described in §155.203.
(Ord. 792, passed 12-3-01)