

City of Southgate

PLANNING COMMISSION AGENDA

Monday, November 14, 2022

6:30 p.m. – Informal Planning Commission/Work Study Meeting

7:00 p.m. – Regular Planning Commission Meeting

A. Roll Call: Anderson, Biskner, Clark, Crawford, Gawlik, Godbout, Orman, Ayres-Reiss, Yoos

B. Minutes: 1) Minutes of Planning Commission Meeting dated October 10, 2022
2) Minutes of Informal Planning Commission Meeting dated October 10, 2022

C. Persons and/or Petitioners:

D. Public Hearings:

E. Officials' Reports:

F. Correspondence:

G. Old Business: Ordinance Amendments Section 1298.13, 1298.17 and 1298.18 Building Ordinance

H. New Business: Applicant @ 13870 Fort Street is requesting the rezoning of a 0.10-acre parcel, from R-1B One Family Residential to P-1, Vehicular Parking.

Adjournment:

mg
11-9-2022

City of Southgate
Planning Commission Meeting
October 10, 2022

This meeting of the Planning Commission was held in the Municipal Council Chambers, 14400 Dix-Toledo Highway, Southgate, Michigan on Monday, October 10, 2022 and called to order by Chairman Gawlik, at 7:00 p.m.

PRESENT: Patricia Anderson, Ed Gawlik, Linda Clark, Jerry Orman, Priscilla Ayers-Reiss

ABSENT: Barbara Biskner, Chad Godbout, Leticia Crawford, (all excused), James Yoos

ALSO PRESENT: Plan Consultant John Enos and Alissa Starling, City Attorney Ed Zelenek, Building Official Tim Leach, City Administrator Dan Marsh

Minutes:

The first order of business is approval of the minutes from the September 12, 2022 Planning Commission meeting.

Moved by Commissioner Anderson, supported by Commissioner Orman, that the minutes of the Planning Commission Meeting dated September 12, 2022 be approved.
MOTION APPROVED UNANIMOUSLY.

Public Hearings:

1. Public Hearing for Ordinance amendments in Section 1298.13 and 1298.17.

Moved by Commissioner Anderson, supported by Commissioner Ayers-Reiss to open the Public Hearing.
MOTION APPROVED UNANIMOUSLY.

Discussion held on minor changes of the ordinances in regard to ~~older~~ buildings requesting to paint traditional brick and stone surfaces ~~which typically does not hold up and aesthetically is not as attractive as more natural materials.~~ Commission Chair Gawlik suggested businesses with paint chipping be approached and informed of the ordinance change.

No public comments were received.

Moved by Commissioner Clark, supported by Commissioner Orman, to close the Public Hearing.
MOTION APPROVED UNANIMOUSLY.

Moved by Commissioner Ayers-Reiss, supported by Commissioner Anderson, to approve Zoning Ordinance Amendments to Section 1298.13 Walls and Earth Berms and Section 1298.17 Exterior Building Wall Materials and forward to City Council for approval.
MOTION APPROVED UNANIMOUSLY.

Officials' Reports:

City Administrator Marsh stated On July 6, 2022, Section 468.01 Parking on Refuse Pick-Up Days, was updated in the Code of Ordinances. The new "No Parking" signs will indicate the hours of restricted parking will take effect between 8:00 am to 4:00 pm. The target start date for enforcement of the updated ordinance is November 1, 2022. "No Parking" signs began being updated in September 2022.

Plan Consultant Enos will be setting up Training Sessions in the next couple of months for all Commissioners.

Correspondence:

None.

Old Business:

1. Ordinance Amendment for Section 1298.18 Sign Ordinance.
 - a. Intent and Purpose
 - b. Definitions

Discussion held. Revisions have been made on the Sign Ordinance regarding Intent and Purpose and Definitions for review. Will have materials on sections of the Sign Ordinance at the meetings.

New Business:

**Moved by Commissioner Ayers-Reiss, supported by Commissioner Clark, to move the Planning Commission Meeting Time to 7:00 p.m. and the Work Study to 6:30 p.m.
MOTION APPROVED UNANIMOUSLY.**

Adjournment:

**Moved by Commissioner Ayers-Reiss, supported by Commissioner Anderson, that this meeting of the Planning Commission be adjourned at 7:25 p.m.
MOTION APPROVED UNANIMOUSLY.**

Ed Gawlik
Chairman, Planning Commission
as



Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

Date: October 20, 2022

**REZONING ANALYSIS
FOR
THE CITY OF SOUTHGATE**

APPLICANT INFORMATION

APPLICANT:	Dianne Burnett
ADDRESS:	13870 Fort Street
PARCEL ID:	82 53 017 03 1570 000
CURRENT ZONING:	R-1B, One Family Residential
ACTION REQUESTED:	Rezoning approval to P-1

REZONING REQUEST

The applicant is requesting the rezoning of a 0.10-acre parcel, located at 13870 Fort Street, from R-1B One Family Residential to P-1, Vehicular Parking. The application seeks to convert the existing vacant parcel to a commercial parking area for the adjacent business, Pool Time. Property is shown in Figure 1 on the following page.

Pool Time owns the business at the corner of Superior Street and Fort Street as well as the commercial structure to the north. Amazing Dental has recently purchased the property on the southern side of Superior Street, opposite of Pool Time. There is a parking area between the commercial structures owned by Pool Time however, that property belongs to Amazing Dental. Therefore, Pool Time does not have any available parking for their patrons and wishes to expand to the eastward residential lot. A diagram showing this orientation is in Figure 2 on the following page.

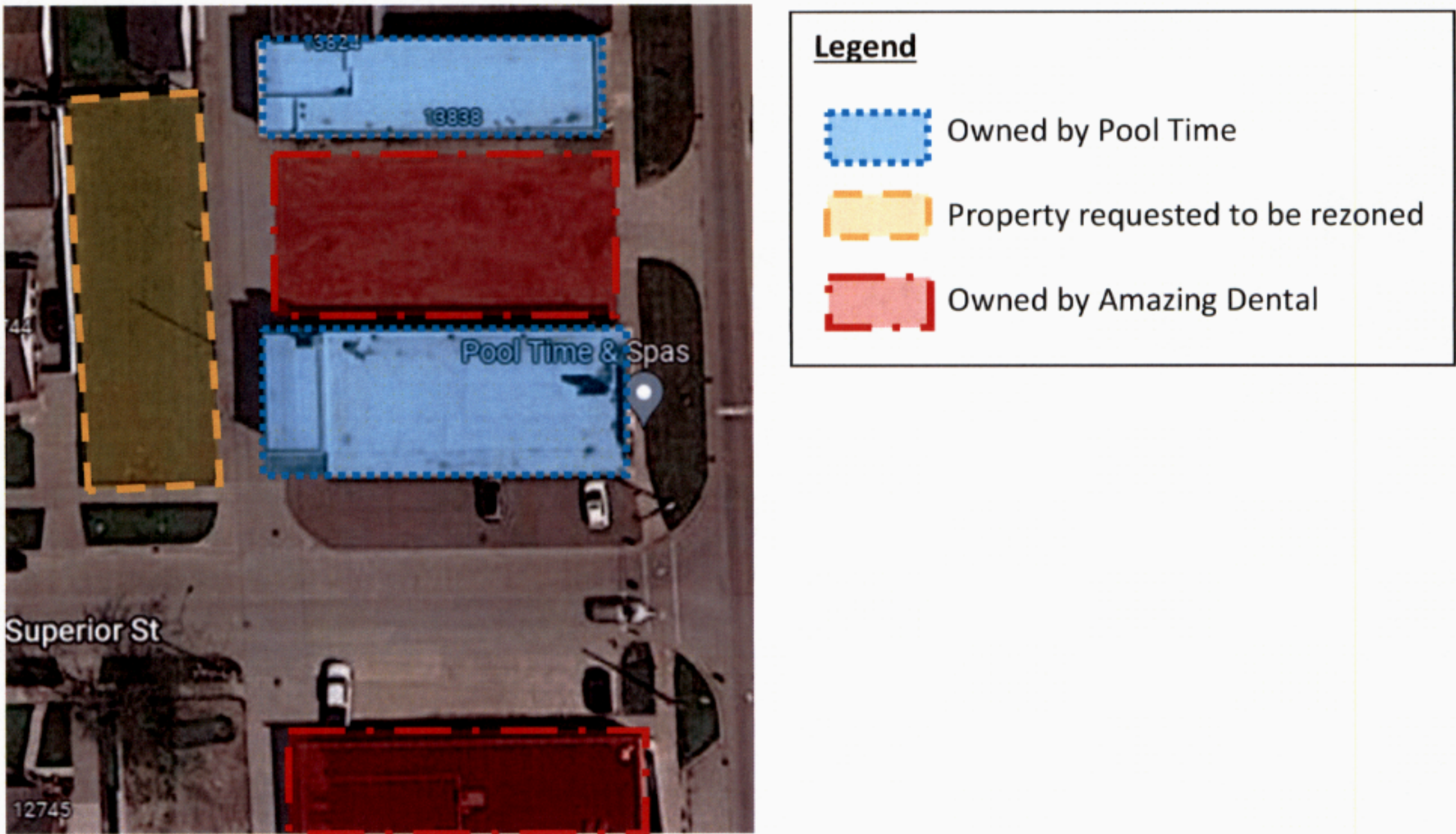
The site plan for the parking lot shows nine (9) spaces, with handicap access, on the east side, encompassing approximately half of the lot and running parallel to Fort Street. The other half will remain as a grass lawn. Access will be provided off Superior Street via a curb cut that leads to an alley behind the commercial businesses. The curb cut will serve as both an ingress and egress.

Richard K. Carlisle, *President* Douglas J. Lewan, *Executive Vice President* John L. Enos, *Vice President*
David Scurto, *Principal* Benjamin R. Carlisle, *Principal* Sally M. Elmiger, *Principal* Craig Strong, *Principal* R. Donald Wortman, *Principal*
Laura K. Kreps, *Senior Associate* Paul Montagno, *Senior Associate*, Megan Masson-Minock, *Senior Associate*

Figure 1. Aerial View of Property



Figure 2. Property Orientation



Source: Near Map

ADJACENT ZONING, LAND USE AND MASTER PLAN

Adjacent zoning, and uses, and Master Plan Future Land Use designations are summarized in the table below.

Table 1. Zoning and Land Use

	Existing Land Use	Zoning	Master Plan Future Land Use
Subject Site	Vacant	R-1, B One Family Residential	Single Family Residential D
North	Residential Home	R-1, B One Family Residential	Single Family Residential D
East	Pool Time	C-1, Community Business	Mixed Use/Office Commercial
West	Residential Home	R-1, B One Family Residential	Single Family Residential D
South	Residential Home	R-1, B One Family Residential	Single Family Residential D

The Master Plan Future Land Use Map designates the subject parcel as Single Family Residential Detached. This category includes single-family detached structures used as a permanent dwelling, and accessory structures, such as garages, that are related to these units. Lot sizes generally total less than 10,000 square feet and are characterized by a more traditional urban neighborhood density.

Goal 7 of the City of Southgate Master Plan is to *“Organize parking in commercial areas to increase efficiency and improve appearance.*

The rezoning of the property to P-1 would be in line with the above goal. Parking will be behind the building, away from the right-of-way. Additionally, it will not be directly visible from the right-of-way, creating a more aesthetic appearance.

Summary of Findings: *The subject parcel is currently zoned as R-1, B One Family Residential. The City of Southgate’s Master Plan designates the future land use of this parcel as Single Family Residential Detached. The site’s proposed use as parking lot would meet Goal 7 of the Master Plan.*

ANALYSIS OF EXISTING ZONING

R-1B, One Family Residential District: R-1, R-1A, R-1B, and R-E One-Family Residential Districts are designed to be the most restrictive of the Residential Districts. The intent is to provide for an environment of predominantly moderate density, one-family detached dwellings, along with other residentially related facilities which serve the residents in the districts.

The site’s current zoning as R-1B, does not permit commercial parking. As previously stated, the rezoning of this parcel to P-1 would allow for increased parking for the adjacent commercial business. Additionally, the property is only forty (4) feet in width and comparable smaller to those on the same street. Similar properties have been combined with the directly adjacent property to form one (1) larger residential parcel. While it is possible to develop a home on it, we find the property would be better suited to accommodate the needed commercial parking.

P-1, Vehicular Parking District: P-1 Vehicular Parking Districts are intended to permit the establishment of areas to be used solely for off-street parking of private passenger vehicles, a use incidental to a principal use. The P-1 District will generally be provided by petition or request to serve a use district which has developed without adequate off-street parking facilities.

Pool Time fits the petition requirements for this district as they do not have adequate commercial parking to accommodate patrons.

Summary of Findings: Although the site is zoned R-1B at present, we find the proposed use of a parking lot would be a more suitable fit.

REZONING CONSIDERATIONS

The Planning Commission, after holding a public hearing and considering the conditions voluntarily offered by the applicant, may recommend approval, offer recommended changes, or denial of the rezoning; provided, however, that any recommended changes offered by the Planning Commission must then be voluntarily offered by the property owner in writing back to the Planning Commission for further review.

In reviewing an application for a rezoning of land, the Planning Commission shall consider the following:

- A. Whether the rezoning is consistent with the policies and uses proposed in the City of Southgate Master Plan;

CWA Findings: We find the proposed rezoning is consistent with the policies and uses proposed in the Master Plan. While the property’s future land use differs from the proposed use, we find it is compatible with the future direction of the City of Southgate.

- B. Whether all of the uses offered as part of the conditions to the rezoning, or if no specific uses are indicated, all of the uses allowed under the proposed zoning district would be compatible with other zones and uses in the surrounding area;

CWA Findings: Application is not for conditional rezoning.

- C. Whether any public services and facilities would be adversely impacted by a development or use allowed under the requested rezoning; and

CWA Findings: No public services or facilities will be adversely impacted or used if the requested zoning is approved.

- D. Whether the uses allowed under the proposed rezoning or offered under the conditional rezoning would be equally or better suited to the area than uses allowed under the current zoning of the land.

CWA Findings: As stated above, the current zoning of the land is for a residential home however; the property is smaller compared to those on the same street and similar properties have been combined with the directly adjacent property to form one (1) larger residential parcel. While it is possible to develop a home on it, we find the property would be better suited to accommodate the needed commercial parking.

RECOMMENDATION

We recommend approval of the requested rezoning.


Carlisle Wortman Associates, Inc.
John Enos, AICP
Principal


Carlisle Wortman Associates, Inc.
Alissa Starling
Planner

(b) General Provisions.

(1) (1) No signs ~~portable, permanent, or any other type of sign unless specifically exempt from having a permit~~ shall be installed in any district unless a sign permit is secured. Permits must be secured for permanent signs by licensed builders or registered sign companies.

(2) The permit fee schedule for signs shall be ~~according to the fee schedule~~ approved by Council.

~~(32)~~ No ~~portable, permanent, or any other type of sign~~ shall be allowed in any part of the public right-of-way, except otherwise permitted herein.

~~(3)~~ The fee schedule for signs shall be according to the fee schedule approved by Council.

(4) Any sign allowed by this section for advertising shall ~~only advertise the business within that building or the goods produced or offered for sale within said premises. No sign shall~~ not advertise any other for profit business or product not sold or offered within said building.

(5) No freestanding sign shall be constructed at any location where, by reason of its position, shape or color may interfere with, obstruct the view of, or be confused with an authorized traffic sign, signal or device. No sign shall make use of the words "Stop," "Danger," or any other traffic "caution" word, phrase, symbol, or character in such a manner as to interfere with, mislead or confuse traffic. No sign, signal, marking, devise or blinking, oscillating or rotating light shall be erected adjacent to any public right-of-way so as to create a traffic hazard.

(6) No freestanding sign shall be erected at an intersection of any streets in such a manner as to obstruct free and clear vision. No sign shall be located within eight feet of the ground surface in the triangle formed by the property lines paralleling the streets and extending for a distance of 25 feet each way from the intersection of the right-of-way lines of a corner lot.

~~(7) All signs shall meet the minimum yard requirements for the district where located, as set forth herein. In addition, all ground signs shall be located a minimum of 5 feet from any private driveway on or adjacent to the property containing the ground sign, and 15 feet from any right-of-way or property line.~~

~~(87)~~ No person, business or entity shall display upon any sign or ~~other advertising structure~~ any obscene or indecent matter.

~~(98)~~ Signs, except as otherwise prohibited in this section, may be internally or externally illuminated. If externally illuminated, the source of the light shall be enclosed and directed to prevent the source of light from shining directly onto traffic or residential property. All spotlights shall be diffused or shielded so as not to shine on ~~other~~ adjacent properties.

~~(109) Electronic animated and reader board signs are permitted provided the message content display area does not change more than one time per three second period. Background display areas may have continuous movement, for example a digital waving flag, provided that the display area is not flashing or blinking. Any reader board sign that changes its content message more frequently than once every three seconds shall be considered a flashing sign.~~

(119) No sign shall be erected, relocated or maintained so as to prevent the free ingress and egress from any door, window or fire escape. No sign of any kind shall be attached to a standpipe or fire escape.

(121) Awnings, canopies, and marquees must maintain a minimum 7 ~~seven~~-foot clear space distance from the bottom of the structure to the grade.

(132) No sign shall project into a public right-of-way, except that awnings and canopies may project not more than four feet into a public right-of-way with the approval of the governmental jurisdiction in control of the right-of-way. All requests to erect an awning or canopy shall include a drawing, drawn to scale, detailing the proposed awning or canopy and a cut sheet of the proposed color(s). Material colors must be "earth tone" in nature. If the awning or canopy will contain a sign, the sign shall appear on the drawing along with a notation of the amount of sign display area in square feet, and the proposed text. The application and accompanying drawing shall be submitted to the Building Department and to any other governmental jurisdiction in control of the public right-of-way, for review and approval.

(143) All signs shall be constructed of durable material and in conformance with the requirements and specifications of the current Michigan Building Code, where not in conflict with this section.

(154) Signs, which have not been in use for a period of more than six months, including any and all previously approved variances for such signs, shall be considered abandoned signs and subject to removal proceedings. ~~Abandoned signs shall have all lettering or reference to the former business removed. Custom signs, which are only relevant to the defunct business that it served, shall be removed completely from the site.~~ Written notice shall be given by the Building Official and action must be taken by the property owner or proprietor within 30 days of said notice.

(165) All signs shall be kept in workable order, with all plastic faces intact and all metal on the sign kept free of rust and painted with a rustproof paint. The Building Department shall make periodic inspections of all signs, and if any sign is found to be in a deteriorating condition, the owner shall be notified, by letter, to correct the same within 30 days of such notice. If such condition is not corrected within the time allotted, the Building Department is authorized to cause the sign to be removed at the expense of the property owner, agent or person having interest in the building or property. This subsection shall not be construed to alter the effect of Section 1298.20, which regulates nonconforming signs.

Draft Mural Ordinance

Mural. *Design or representation painted directly on an exterior surface of a structure or building which does not contain any promotion or commercial ~~message~~ advertising.*

- (1) Murals may not be placed on the primary façade or side of a building facing a major roadway or on the same wall as a commercial sign.
- (2) Murals shall be maintained in good repair, free from damaged conditions such as peeling paint or damage due to age, weather, vandalism or the like. Maintenance of mural must conform to the original design and size. Murals in need of repair may also be removed entirely or painted over.
- (3) Prior to installation of a mural, the property owner or tenant (with written permission of the property owner) shall apply for a mural permit. The completed application shall be forwarded to the Building Department who shall conduct an administrative review of the application and design for compliance with this section.
- (4) Murals shall not contain words (in any language), symbols or representations that are obscene, offensive, of a political nature or are derogatory.
- (5) The Planning Commission shall ~~Mayor may designate a three-person Mural Review Committee with council concurrence to~~ review mural design for compliance with this section. ~~The committee shall consist of 1 member from the BZA, 1 member from the DDA, and one member from the Planning Commission.~~
- (6) An aggrieved applicant may file an appeal to the City Council for review of a decision of the Mural Review Committee within 14 days of the mural being rejected. The City Council shall review the decision based on the criteria in this section.
- (7) Any additions or modifications of an existing mural must go through the application and review process prior to installation.
- (8) Only one (1) mural per wall will be permitted.
- (9) Murals are prohibited on business uses that are “existing non-conforming”.
- (10) Mural dimensions shall be submitted with the application in a square or rectangular format and must be clearly delineated from any signage. Approved signage shall not be incorporated into the overall wall dimensions of a mural.
- (11) Applicants must provide a colored rendering as part of the application and the color(s) used must represent the actual color(s) of the full-scale mural.