



**LINCOLN PARK PLANNING COMMISSION**  
CITY HALL – COUNCIL CHAMBERS  
1355 SOUTHFIELD ROAD  
LINCOLN PARK, MICHIGAN

**Wednesday, June 14, 2017**  
**7:00 p.m.**

## **AGENDA**

- I. Call to Order**
- II. Pledge of Allegiance**
- III. Roll Call**
- IV. Approval of previous minutes (none)**
- V. Approval of Agenda: Item added to standard format**
- VI. Old Business**
  - A. Policy discussions (tattoo parlors, hookah establishments) moved to Item VIII
- VII. New Business**
  - A. Conditional Rezoning: 1386 Council Ave.
  - B. Conceptual Review for Special Land Use: 3745 Dix (Sonic Drive-In)
- VIII. Policy Review and Discussion**
  - A. Policy discussion: Regulation of tattoo parlors
  - B. Policy discussion: Regulation of hookah establishments
- IX. Reports from Departments and Other Boards and Commissions**
- X. Public Comments**
- XI. Comments from Planning Commissioners**
- XII. Adjournment**

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The City of Lincoln Park will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed material being considered at the meeting to individuals with disabilities at the meeting/hearing upon seven (7) days prior notice to the City of Lincoln Park. Individuals with disabilities requiring auxiliary aides or services should contact the City of Lincoln Park by writing or calling the following: The Building Department, 1355 Southfield Road, Lincoln Park, MI 48146(313) 386-1800 Ext. 1296

## **Welcome to the Lincoln Park Planning Commission**

For those in the audience who are not familiar with the operation of the Planning Commission, the following paragraphs provide some general information concerning the meeting procedures.

### **Procedure for Public Comment** (Section 2.G of By-laws)

A limit of three (3) minutes per participant during the call to the public shall be permitted for any written or oral statements. If necessary, the Chair may further restrict the time limit for public comment during any meeting to ensure an orderly meeting.

The Chair may also elect to allow persons to speak only once, until all persons have had the opportunity to speak, at which time the Chair, in his/her discretion, may permit additional comments.

All comments by the public, staff and the Planning Commission shall be directed to the Chair.

The Planning Commission will take all comments into consideration, but will not discuss nor respond directly to questions posed during the said meeting.

### **Procedure for Public Hearings** (Section 2.H of By-laws)

A limit of three (3) minutes per participant during the hearing shall be permitted for any written or oral statements. If necessary, the Chair may further restrict the time limit for public participation during any meeting to ensure an orderly meeting.

All public hearings must be held as part of a regular or special meeting of the Planning Commission. The following rules of procedure shall apply to public hearings held by the Planning Commission:

- a. Chair opens the public hearing and announces the subject.
- b. Chair summarizes the procedures/rules to be followed during the hearing.
- c. City planner/engineer/consultant presents their report and recommendation.
- d. Applicant presents the main points of the application.
- e. Public is invited to speak in support or opposition to the application.
- f. Chair closes the public hearing and returns to the regular/special meeting.

The Chair may also elect to allow persons to speak only once, until all persons have had the opportunity to speak, at which time the Chair, in his/her discretion, may permit additional comments.

All comments by the public, staff and the Planning Commission shall be directed to the Chair. All comments shall be related to the application under discussion; unrelated comments shall be ruled out of order.

City of Lincoln Park Planning and Development  
**Conditional Rezoning**

*§1289 of the Lincoln Park Zoning Code*

**1289.01 INTENT.**

The Planning Commission and City Council have recognized that, in certain instances, it would be an advantage to both the City and property owners seeking rezoning if a site plan, along with conditions and limitations that may be relied upon by the City, could be proposed as part of a petition for rezoning. Therefore, it is the intent of this chapter to provide an election to property owners in connection with the submission of petitions seeking the amendment of this chapter for approval of a rezoning with conditions, per MCL 125.286i. This is to accomplish, among other things, the objectives of the Zoning Code through a land development project review process based upon the site planning criteria to achieve integration of the proposed land development project with the characteristics of the project area.

(Res. 06-285A. Passed 7-31-06.)

**1289.02 DEFINITIONS.**

The following definitions shall apply in the interpretation of this chapter:

- a) Applicant shall mean the property owner, or a person acting with the written and signed authorization of the property owner to make application under this chapter.
- b) Rezoning conditions shall mean conditions proposed by the applicant and approved by the City as part of an approval under this chapter, including review and recommendation by the Planning Commission, which shall constitute regulations for an in connection with the development and use of property approved with a rezoning condition in conjunction with a rezoning. Such rezoning conditions shall not authorize uses or developments of greater intensity or density and which are not permitted in the district proposed by the rezoning (and shall not permit uses or development expressly or implicitly prohibited in the CR Agreement), and may include some or all of the following:
  - (1) The location, size, height or other measure for and/or of buildings, structures, improvements, setbacks, landscaping, buffers, design, architecture and other features shown on the CR Plan.
  - (2) Specification of maximum density or intensity of development and/or use, expressed in terms fashioned for the particular development and/or use, for example, and in no respect by way of limitation, units per acre, maximum usable floor area, hours of operation and the like.
  - (3) Preservation of natural resources and/or features.
  - (4) Facilities to address drainage/water quality.
  - (5) Facilities to address traffic issues.
  - (6) Preservation of open space.
  - (7) A written understanding for permanent maintenance of natural resources, features, and/or facilities to address drainage/water quality, traffic, open space and/or other features or improvements; and, provision for authorization and finance of maintenance

- by or on behalf of the City in the event the property owner(s) fail(s) to timely perform after notice.
- (8) Signage, lighting, and landscaping of and/or building materials for the exterior of some or all structures.
  - (9) Permissible uses of the property.
  - (10) Preservation of historic buildings/structure to preserve the history of the City of Lincoln Park.
  - (11) Donation of land for open space, using a land conservancy or other means, to protect the open space for future generations.
  - (12) Paving, making substantial improvements to, or funding of improvements to major City roads where the entire City benefits.
  - (13) Construction and/or donation of community buildings where the need has been identified and defined by the City.
  - (14) Provide usable and contiguous open space amounting to at least forty percent of the site, using the concept of clustering.
  - (15) Added landscaping, above and beyond what is required by City ordinance.
  - (16) Reclamation and re-use of land, where previous use of land causes severe development difficulties, or has caused blight.
  - (17) Installation of streetscape on an arterial road, beyond what is required by ordinance, and where compatible with City guidelines concerning trees, streetlights, and landscaping.
  - (18) Drain and drainage improvements, beyond what is required by ordinance, using best management practices.
  - (19) Providing monuments or other landmarks to identify City boundaries.
  - (20) Such other conditions as deemed important to the development by the applicant.
- c) CR Agreement shall mean a written agreement approved and executed by the City and property owner, incorporating a CR Plan, and setting forth rezoning conditions, conditions imposed pursuant to MCL 125.286i and any other terms mutually agreed upon by the parties relative to land for which the City has approved a rezoning with rezoning conditions. Terms may include the following:
- (1) Agreement and acknowledgment that the rezoning with rezoning conditions was proposed by the applicant to induce the City to grant the rezoning, and that the City relied upon such proposal and would not have granted the rezoning but for the terms spelled out in the CR Agreement and, further agreement and acknowledgment that the conditions and CR Agreement are authorized by all applicable state and federal law and constitution, and that the Agreement is valid and was entered into on a voluntary basis, and represents a permissible exercise of authority by the City.
  - (2) Agreement and understanding that the property in question shall not be developed or used in a manner inconsistent with the CR Plan and CR Agreement.
  - (3) Agreement and understanding that the approval and CR Agreement shall be binding upon and inure to the benefit of the property owner and City, and their respective heirs, successors, assigns, and transferees.
  - (4) Agreement and understanding that, if a rezoning with rezoning conditions becomes void in the manner provided in this chapter, no development shall be undertaken or

permits for development issued until a new zoning district classification of the property has been established.

- (5) Agreement and understanding that each of the requirements and conditions in the CR Agreement represents a necessary and reasonable measure which, when considered with all other conditions and requirements, is roughly proportional to the increased impact created by the use represented in the approved rezoning with rezoning conditions, taking into consideration the changed zoning district classification and the specific use authorization granted.
- d) CR Plan shall mean a plan of the property which is the subject of a rezoning with rezoning conditions, prepared by a licensed civil engineer or architect, that may show the location, size, height, design, architecture or other measure or feature for and/or buildings, structures, improvements and features on, and in some cases adjacent to, the property. The details to be offered for inclusion within the CR Plan shall be determined by the applicant, subject to approval of the City Council after recommendation by the Planning Commission.  
(Res. 06-285A. Passed 7-31-06.)

#### **1289.03 AUTHORIZATION AND ELIGIBILITY.**

- a) A property owner shall have the option of making an election under this chapter in conjunction with a submission of a petition seeking a rezoning. Such election may be made at the time of the application for rezoning is filed, or at a subsequent point in the process of review of the proposed rezoning. The election shall be made by filing an application conforming with this chapter for approval of a conditional rezoning that would establish site-specific use authorization if the petition for rezoning is granted. Such election shall be to seek a rezoning with rezoning conditions pursuant to MCL 125.286i which would represent a legislative amendment of the Zoning Code.
- b) In order to be eligible for the proposal and review of a rezoning with rezoning conditions, a property owner must propose a rezoning of property to a new zoning district classification, and must, as part of such proposal, voluntarily offer certain site-specific regulations (to be set forth on a CR Plan and in a CR Agreement to be prepared) which are, in material respects, equally or more strict or limiting than the regulations that would apply to the land under the proposed new zoning district, such as set forth in Section 1289.02(b)(1) through (20).  
(Res. 06-285A. Passed 7-31-06.)

#### **1289.04 APPROVAL OF REZONING WITH REZONING CONDITIONS.**

Pursuant to MCL 125.286i, the City Council, following public hearing and recommendation by the Planning Commission, may approve a petition for a rezoning with rezoning conditions requested by a property owner.

- a) Required Information. As an integral part of the conditional rezoning, the following shall be reviewed and may be approved:
- (1) CR Plan. A CR Plan, with such detail and inclusions proposed by the applicant and approved by the City Council in accordance with this chapter, following recommendation by the Planning Commission. The CR Plan shall not replace the requirement for Site Plan review and approval, or subdivision or condominium approval, as the case may be.

- (2) Statement of rezoning conditions. Rezoning conditions, as defined for purposes of this chapter, which shall be required by the City Council following recommendation by the Planning Commission. Rezoning conditions shall not authorize uses or development not permitted in the district proposed by the rezoning (and shall not permit uses or development expressly or implicitly prohibited in the CR Agreement).
  - (3) CR Agreement. A CR Agreement, which shall be prepared by the City Attorney and the applicant (or designee) and approved by the City Council, and which shall incorporate the CR Plan and set forth the rezoning conditions, together with any other terms mutually agreed upon by the parties (including the minimum provisions specified in the definition of CR Agreement, above).
- b) Zoning Map Designation. If approved, the zoning district classification of the rezoned property shall consist of the district to which the property has been rezoned, accompanied by a reference to "CR Conditional Rezoning". The Zoning Map shall specify the new zoning district plus a reference to "CR" (for example, the district classification for the property might be RM-1 Low-Rise Multiple Family with CR, Conditional Zoning, with a zoning map designation of RM-1/CR) and use of the property so classified and approved shall be restricted to the permission granted in the CR Agreement, and no other development or use shall be permitted.
  - c) Use of Property. The use of the property in question shall, subject to subsection (i) below, be in total conformity with all regulations governing development and use within the zoning district to which the property has been rezoned, including, without limitation, permitted uses, lot sizes, setbacks, height limits, required facilities, buffers, open space areas, and land use density; provided, however, the following shall apply:
    - (1) Development and use of the property shall be subject to the more restrictive requirements shown or specified on the CR Plan, and/or in the other conditions and provisions set forth in the CR Agreement, required as part of the conditional rezoning approval, and such CR Plan and conditions and CR Agreement shall supersede all inconsistent regulations otherwise applicable under the Zoning Code.
  - d) Review and Approval Criteria. The applicant shall have the burden of demonstrating that the following requirements and standards are met by the CR Plan, rezoning conditions, and CR Agreement:
    - (1) Approval of the application shall accomplish, among other things, and as determined in the discretion of the City Council, the integration of the proposed land development project with the characteristics of the project area, and result in an enhancement of the project area as compared to the requested zoning change, and such enhancement would be unlikely to be achieved or would not be assured in the absence of the use of a conditional rezoning.
    - (2) Sufficient conditions shall be included on and in the CR Plan and CR Agreement on the basis of which the City Council concludes, in its discretion, that, as compared to the existing zoning and considering the site specific land use proposed by the applicant, it would be in the public interest to grant the rezoning with rezoning conditions; provided, in determining whether approval of a proposed application would be in the public interest, the benefits which would reasonably be expected to accrue from the proposal shall be balanced against, and be found to clearly outweigh the reasonably foreseeable detriments thereof, taking into consideration reasonably accepted planning, engineering, environmental and other principles, as presented to the City Council,

following recommendation by the Planning Commission, and also taking into consideration the special knowledge and understanding of the City by the City Council and Planning Commission.

- e) Expiration. Unless extended by the City Council for good cause, the rezoning with rezoning conditions shall expire following a period of two years from the effective date of the rezoning unless construction on the development of the property pursuant to the required permits issued by the City commences within such two year period and proceeds diligently and in good faith as required by ordinance to completion.
  - (1) In the event the development has not commenced, as defined above, within two years from the effective date of the rezoning, the conditional rezoning, and the CR Agreement shall be void and of no effect. The property owner may apply to the City Council for a one year extension one time. The request must be submitted to the City Clerk before the two-year time limit expires. The property owner must show good cause as to why the extension should be granted.
  - (2) If development and/or actions are undertaken on or with respect to the property in violation of the CR Agreement, such development and/or actions shall constitute a nuisance per se. In such cases, the City may issue a stop work order relative to the property and seek any other lawful remedies. Until curative action is taken to bring the property into compliance with the CR Agreement, the City may withhold, or following notice and an opportunity to be heard, revoke permits and certificates, in addition to or in lieu of such other lawful action to achieve compliance.
- f) City Action Upon Expiration. If the rezoning with rezoning conditions becomes void in the manner provided in above, then the City shall rezone the property in accordance with the Zoning Code procedures. Until such a time as a new zoning district classification of the property has become effective, no development shall be undertaken or permits for development issued.  
(Res. 06-285A. Passed 7-31-06.)

#### **1289.05 PROCEDURE FOR APPLICATION, REVIEW AND APPROVAL.**

- a) Pre-application Meeting. Prior to the time of making application for a conditional rezoning, the applicant shall schedule a pre-application submission meeting with the City Community Development Director, the City Planner, the City Engineer, the City Building Superintendent, the City Attorney, or their designees, for a preliminary review of the application for conditional rezoning and so that the applicant has a thorough understanding of the process. The applicant shall pay the City's costs and expenses incurred for this meeting.
- b) Offer of Conditions. At the time of making application for amendment of this chapter seeking a rezoning of property, or at least a later time during the process of City consideration of such rezoning a property owner may submit an application for approval of a conditional rezoning to apply in conjunction with the rezoning.
- c) Application. The application, which may be amended during the process, shall include a CR Plan proposed by the applicant and shall specify the rezoning conditions proposed by the applicant, recognizing that rezoning conditions shall not authorize uses or development not permitted in the district proposed by the rezoning.

- d) Notice of Public Hearing. The proposed rezoning with rezoning conditions, together, shall be noticed for public hearing before the Planning Commission as a proposed legislative amendment to the Zoning Code.
- e) Planning Commission Recommendation. Following the public hearing and further deliberations as deemed appropriate by the Planning Commission, the Planning Commission shall make a recommendation to the City Council on the proposed rezoning with rezoning conditions.
- f) City Council Action. Upon receipt of the recommendation of the Planning Commission, the City Council shall commence deliberations on the proposed rezoning with rezoning conditions. If the City Council determines that it may approve the rezoning with rezoning conditions, the City Council shall specify tentative conditions and direct the City Attorney to work with the applicant in the development of a proposed CR Agreement.  
(Res. 06-285A. Passed 7-31-06.)

#### **1289.06 EFFECT OF APPROVAL.**

Approval of the CR Plan and Agreement confirms only the rezoning of the property, subject to any conditions imposed as reflected in the CR Plan and after recordation as set forth in Section 1289.08. Approval of the usual site plan shall be required before any improvements to the property may be undertaken.

(Res. 06-285A. Passed 7-31-06.)

#### **1289.07 AMENDMENT OF CR AGREEMENT.**

Amendment of a CR Agreement shall be proposed, reviewed and approved in the same manner as a new rezoning with rezoning conditions.

(Res. 06-285A. Passed 7-31-06.)

#### **1289.08 RECORDATION OF CR AGREEMENT.**

A rezoning with rezoning conditions shall become effective following publication in the manner provided by law, and, after recordation of the CR Agreement, whichever is later.

(Res. 06-285A. Passed 7-31-06.)

#### **1289.09 FEE.**

The applicant for a rezoning with rezoning conditions shall pay as a fee the City's costs and expenses incurred by the City in the review of any preparation of documents for a rezoning with rezoning conditions. An escrow shall be established in an amount specified by City Council resolution, and additional reasonable amounts shall be contributed as required in order to complete the process of review and approval. Any unexpended amounts from such escrow shall be returned to the applicant.

(Res. 06-285A. Passed 7-31-06.)





City of Lincoln Park  
Petition for Rezoning

RECEIVED

MAY 10 2017

CITY OF LINCOLN PARK  
BUILDING DEPARTMENT

I (we), the undersigned, do hereby make application to and petition the Planning Commission to amend the Zoning Ordinance and change the zoning map as requested. The following facts are shown as part of this application.

1. It is desired and requested that the following described property be rezoned from CSD, existing zoning district to MBD proposed zoning district.
2. The property, according to the City of Lincoln Park Comprehensive Development Plan of Future Land Use, is described as See Attached Legal Description.
3. The property sought to be rezoned is located on 1358 Council Ave between Fort St and Lafayette.
4. The property sought to be rezoned is legally described as follows:

BH 38A1 PT OF LOT 38 OF LINCOLN PARK ASSESSOR'S PLAT NO 3 PC 50,119,524 L65 P59 WCR DESC AS BEG AT THE SE COR OF LOT 38 TH N 61D 05M 20S W 216.66 FT TH N 29D 05M 04S E 190.00 FT TH N 61D 05M 70S W 120.00 FT TH N 29D 05M 04S E 231.68 FT TH N 29D 01M 07S E 111.96 FT TH S 63D 50M 35S E 426.10 FT TH S 28D 53M 57S W 396.20 FT TH N 61D 05M 20S 90.65 FT TH S 28D 49M 20S 157.83 FT POB 4.47 AC LINCOLN PARK ASSESSORS PLAT NO. 3 PC 50,119,524 L65 P59 WCR

5. The land area of this subject property is (square ft/acre) 4.47 Acre
6. The property sought to be rezoned is owned by  
Name: Saint Henry's Catholic Church Address: 1358 Council Ave  
City: Lincoln Park State: MI Zip: 48146
7. Person requesting rezoning:  
Name: Salem Omer Address: 3307 Edsel St  
City: Dearborn State: MI Zip: 48120
8. Basis of representation: Legal Representative / Owner / Option to Buy
9. It is proposed that the property will be developed as follows:  
Banquet Hall and Business Offices.

10. We attach a statement hereto indicating why, in our opinion, the change requested is necessary for the preservation and enjoyment of substantial property rights, and why such change will not be detrimental to the public welfare, nor the property of other persons located in the vicinity.

Salem Omer  
Signature

[Signature] 02-20-2021  
Notary Signature Expiration Date

05-05-2017

REDWAN ALI  
Notary Public, State of Michigan  
County of Wayne  
My Commission Expires 02-20-2021  
Acting in the County of Wayne

### Wayne County Public Records - Full Detail Report

#### Location & Ownership

Property Address: **1358 Council Avenue** Property ID: **45003010038302**  
 City/State/Zip: **Lincoln Park, Michigan, 48146-1514**

Owner Name: **Saint Henry's Catholic Church** Lat/Long: **42.261951 / -83.170889**  
 Taxpayer Address: **1358 Council Avenue** Census Tract: **S771**  
 City/State/Zip: **Lincoln Park, Michigan, 48146-1514** Block Group: **2**

City/Village/Town: **Lincoln Park** School District: **Lincoln Park**  
 Subdivision: **LINCOLN PARK ASSR'S PLAT NO 3** Property Category: **Other**  
 MLS Area: **05143 - Lincoln Park** Land Use: **708 - EXEMPT - RELIGIOUS**  
 Legal Description: **BH 38A1 PT OF LOT 38 OF LINCOLN PARK ASSESSOR'S PLAT NO 3 PC 50,119,524 L65 P59 WCR  
 DESC AS BEG AT THE SE COR OF LOT 38 TH N 61D 05M 20S W 216.66 FT TH N 29D 05M 04S E  
 190.00 FT TH N 61D 05M 70S W 120.00 FT TH N 29D 05M 04S E 231.68 FT TH N 29D 01M 07S E  
 111.96 FT TH S 63D 50M 35S E 426.10 FT TH S 28D 53M 57S W 396.20 FT TH N 61D 05M 20S 90.65  
 FT TH S 28D 49M 20S 157.83 FT POB 4.47 AC LINCOLN PARK ASSESSORS PLAT NO. 3 PC 50,119,524  
 L65 P59 WCR**

- TransactionDesk:** [Start a Transaction](#) [Start a Listing Input Form](#)
- REALIST Links:** [Full Report](#) [Comparables](#) [Market Trends](#) [Neighborhood Profile](#)
- Data Co-op Links:** [Data Co-op Tax Detail](#) [Data Co-op Rea/AVM](#) [Data Co-op Consolidated Report](#)
- RPR Links:** [RPR Detail Report](#) [RPR Complete Property Report](#)

#### Photos

#### Taxes

Year	Season	Total Ad Val	Admin Fee	Asmnt	CVT	Ttl Seasonal
2016	W	\$0.00	\$0.00	\$107.17	\$0.00	\$107.17
2016	S	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2015	W	\$0.00	\$0.00	\$114.47	\$0.00	\$114.47
2015	S	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2014	W	\$0.00	\$0.00	\$117.89	\$0.00	\$117.89
2014	S	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2013	W	\$0.00	\$0.00	\$87.35	\$0.00	\$87.35
2013	S	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2012	W	\$0.00	\$.49	\$49.02	\$0.00	\$49.51
2012	S	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

#### Assessments

Year	Taxable Val	State Eq Val	Hmstd %	Ttl Taxes
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#### Transfer Information

Grantor	Grantee	Sale Date	Deed Date	Sale Price	Deed Type	Liber/Page
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#### Other Recordings

Obligee	Obligor	Record Date	Doc Date	Amount	Doc Type	Liber/Page
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#### Characteristics

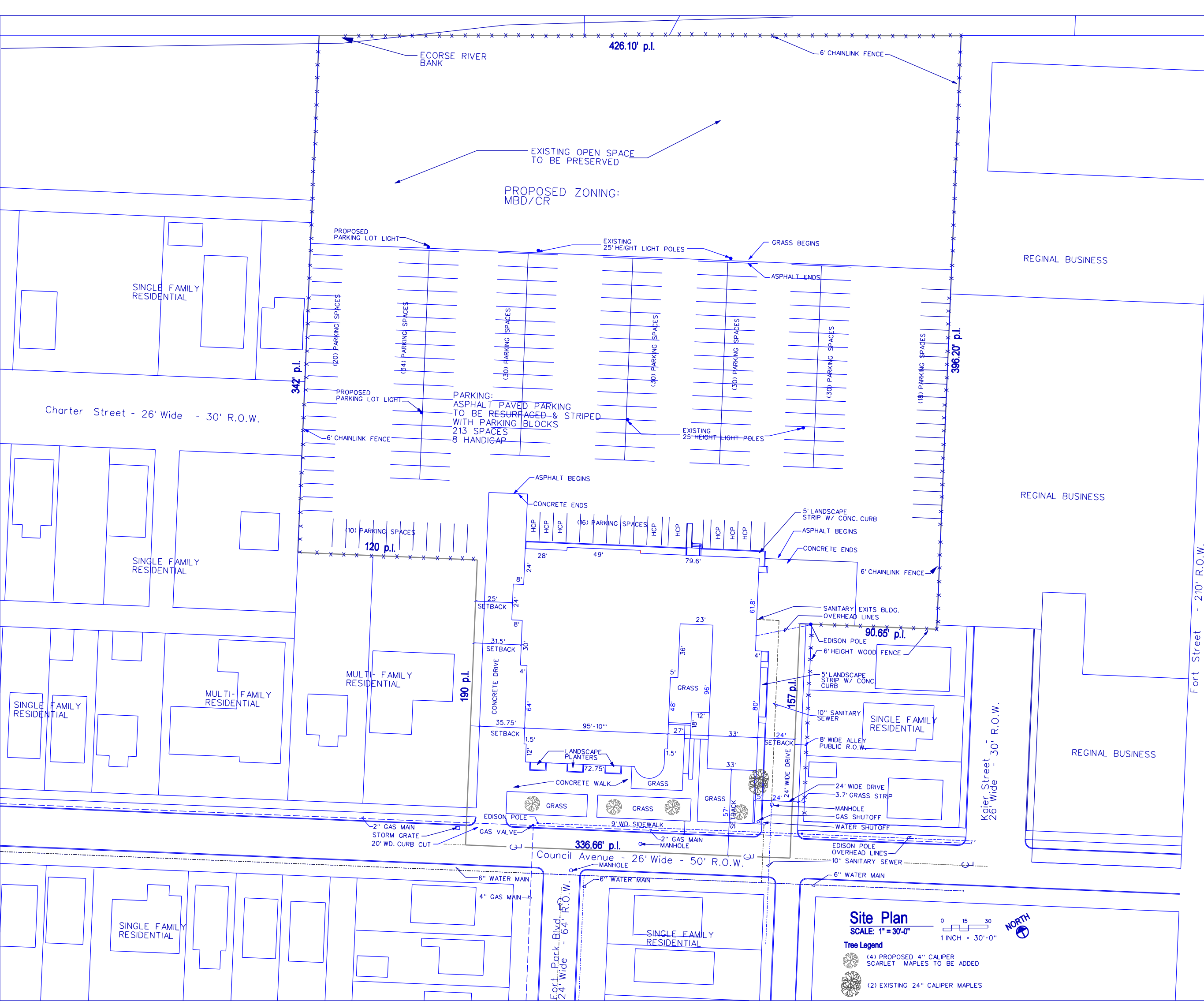
#1 Porch/Dimensions: / Storm Sewer:  
 Irregular: Acres: **4.47**

#### Search for MLS Listings

Click Arrow for Property History

[Report Incorrect Data](#)

County is 'WAY - Wayne County'  
 PADD Street Number is 1358  
 PADD Street Name is like 'Council\*'  
 Found 1 result in 0.02 seconds.



**CODE DATA:-**

FORMER USE	PLACE OF WORSHIP - CHURCH
PROPOSED USE	BANQUET HALL & BUSINESS OFFICES (Assembly & Business)
CONSTRUCTION TYPE	MASONRY WALLS AND WOOD ROOF STRUCTURE
PROPOSED USE GROUP	A-2
SUPPRESSION SYSTEM	NO
CURRENT ZONING	CSD COMMUNITY SERVICE DISTRICT
PROPOSED REZONE	MBD/CR (MUNICIPAL BLDG. DISTRICT/COND. REZONE)

FLOOR TO AREA RATIO = 10% (Total Footprint buildings/ Site Area)  
 DENSITY = 12% (Total Useable area of buildings / Site Area)  
 The Floor to Area Ratio & Density is Existing and will not change.

Description:  
 Site Area: 4.7 Acres  
 The Buildings on Site are comprised of:  
 16,750 SF Banquet Hall & Kitchen (former church)  
 4,880 Business Offices (former Rectory)  
 2,440 Storage (Basement of former Rectory)

Property Details: 1358 Council Ave  
 Former Use: Religious, Church,  
 Lot Size: 4.77 acres  
 Parcel Number: 45003010038302  
 County: Wayne  
 Subdivision: LINCOLN PARK ASSRS 3  
 Census: 2 Tract: 577100 Lot: 38

Tract: 577100 Lot: 38  
 Legal: BH 38A1PT OF LOT 38  
 OF LINCOLN PARK ASSESSOR'S PLAT NO 3  
 PC 50.119.524 L65 P59 WCR DESC AS BEG AT  
 THE SE COR OF LOT 38 TH N 61D 05M 20S  
 W 216.66 FT TH N 29D 05M 04S E 190.00 FT  
 TH N 61D 05M 70S W 120.00 FT TH N 29D 05M 04S  
 E 231.68 FT TH N 29D 0M 0

ALL PARKING IS EXISTING  
 ON SITE PARKING:  
 9'x20' PARKING SPACES  
 (8) 10'x20' HANDICAP PARKING w/ 6' VAN ACCESS  
 (250) TOTAL PARKING SPACES ON SITE  
 1 SPACE/400 SF BUSINESS OFFICES

UTILITIES:  
 THE WATER, GAS, ELECTRICAL AND SANITARY DRAIN CONNECTIONS,  
 FOR THE SITE ARE EXISTING AND SHOWN ON SITE PLAN.  
 ALSO NOTE:  
 PROPOSED MALE AND FEMALE TOILETS ARE TO BE  
 ADDED IN THE VESTIBULE ENTRY PART OFF COUNCIL AVE.

SITE STORM SEWER  
 THERE ARE NO CATCH BASINS IN THE PARKING LOT TO THE REAR  
 OF THE BUILDING OR ON THE DRIVES LEADING TO THE PARKING LOT.  
 THE SIDE DRIVES DRAIN TO COUNCIL AVE. WHERE THERE  
 ARE CATCH BASINS ON COUNCIL AVE. THE PARKING LOT  
 AT THE REAR DRAINS TO THE NORTH ONTO THE OPEN  
 GRASS AREA, THEN INTO THE ECORSE RIVER TO THE NORTH  
 OF THE SITE. THERE ARE NO CATCH BASINS ON THE SITE.  
 STORM WATER MITIGATION WILL BE ADDRESSED PER  
 CITY OF LINCOLN PARK ENGINEERING STANDARDS.

SIGNAGE SHALL BE IN COMPLIANCE WITH  
 THE CITY OF LINCOLN PARK SIGN ORDINANCE. THERE  
 WILL BE A SITE SIGN TO BE DETERMINED.

HOURS OF OPERATION  
 FRIDAY, SAT. AND SUNDAY  
 10:00AM-11:00PM

TRAFFIC IMPACT:  
 THERE WILL BE AN INCREASE IN TRAFFIC LIMITED  
 TO 10 AM TO 11 PM ON FRIDAY'S, SATURDAYS  
 AND SUNDAYS. THE SITE IS ONE BLOCK WEST  
 FROM THE MAIN TRAFFIC CORRIDOR OF FORT STREET, THE  
 SURROUNDING NEIGHBORHOOD WILL EXPERIENCE  
 AN INCREASE 3 DAYS A WEEK. THE FORMER USE  
 AS A CHURCH WOULD HAVE HAD A SIMILAR TRAFFIC IMPACT.

LANDSCAPING:  
 PROPOSED ALONG COUNCIL AVE. WILL  
 BE (4) NEW MAPLE TREES, (2) MATURE MAPLES  
 ARE SHOWN ON THE SITE PLAN.  
 EXISTING PLANTERS WITH BUSHES ARE SHOWN  
 ON THE SITE PLAN, WHICH WILL BE MAINTAINED  
 AND IMPROVED WITH FLOWERS.  
 THE CURRENT LANDSCAPE STRIPS SHOWN ON  
 SITE PLAN WILL BE PLANTED WITH BUSHES & FLOWERS  
 AND MAINTAINED.  
 THE LARGE OPEN SPACE TO THE NORTH OF THE PARKING  
 LOT WILL BE MAINTAINED AS OPEN GRASS FIELD.  
 ALL LANDSCAPING WILL BE UPDATED ACCORDING TO  
 THE ORDINANCE & MAINTAINED.

The Owner will provide Permanent maintenance of natural  
 resources, features, and facilities, including  
 drainage/water quality, traffic, open space and  
 improvements. Also provide for authorization and  
 finance of maintenance by or on behalf of the City in  
 the event the property owner fails to timely perform  
 after notice.

SITE SCREENING:  
 THE EAST PERIMETER OF THE SITE HAS A 6' HEIGHT  
 WOODEN FENCE SCREEN  
 & A 6' HEIGHT CHAIN LINK FENCE ON THE WEST SIDE.  
 ALL CHAIN LINK FENCE WILL BE REPLACED WITH  
 SCREENING ACCORDING TO THE CITY ORDINANCE  
 STANDARDS.

SITE LIGHTING  
 WALL PACKS WILL BE INSTALLED ON THE SURFACE OF  
 THE BUILDING'S EXTERIOR FACADE AS SHOWN ON THE  
 ELEVATIONS TO PROVIDE PERIMETER SITE LIGHTING.  
 THE PARKING LOT AT THE REAR HAS (4) EXISTING  
 25' HEIGHT PARKING LOT LIGHTS & AN ADDITIONAL  
 (2) MORE WILL BE INSTALLED.

**Site Plan**  
 SCALE: 1" = 30'-0"  
 1 INCH = 30'-0"

**Tree Legend**

- (4) PROPOSED 4" CALIPER SCARLET MAPLES TO BE ADDED
- (2) EXISTING 24" CALIPER MAPLES

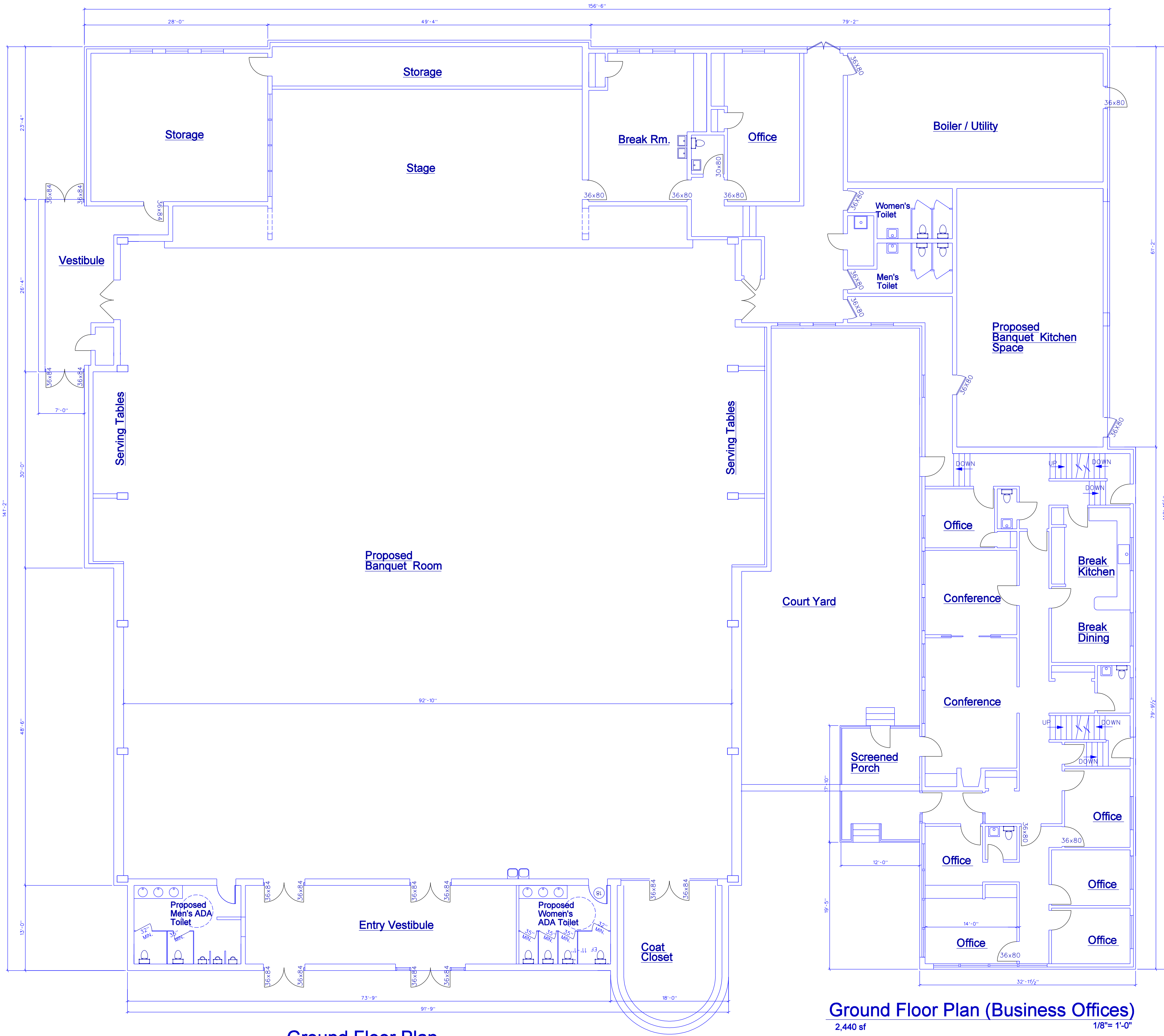
NORTH

Prepared By:  
**Gannon Architecture, LLC**  
 Mark Gannon, Architect  
 2041 Arbor Way Dr., N. #73  
 Gannon, MI 48106  
 mgannon\_4@me.com  
 ph: 734-765-1868

Owner:  
**Salem Omer, Architect**  
 3307 Edsel St.,  
 Dearborn MI 48120

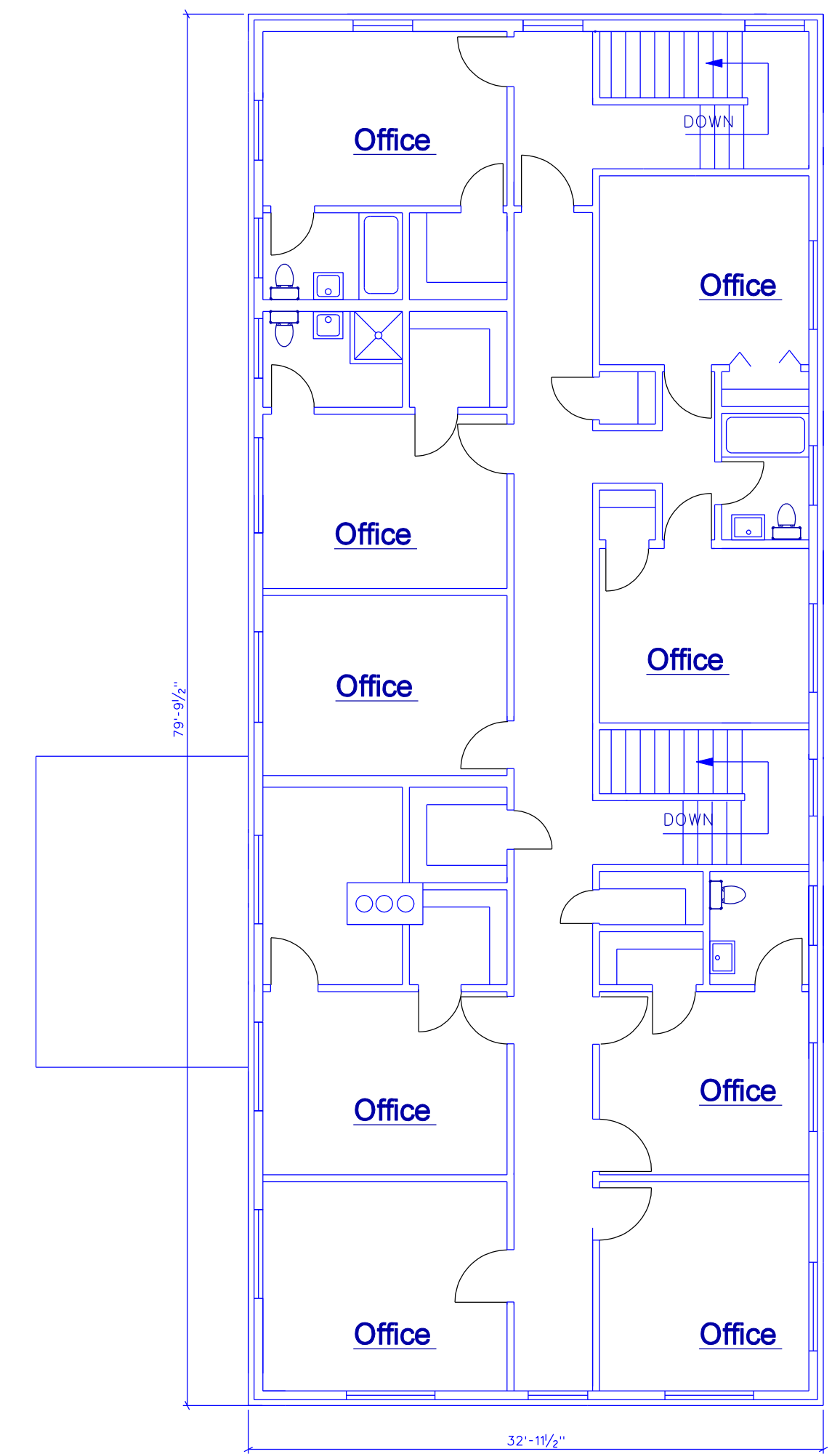
Conditional Rezoning for:  
**Banquet Hall & Business Offices**  
 1358 Council Avenue  
 Lincoln Park MI 48146

Orig. Issue 4/29/17

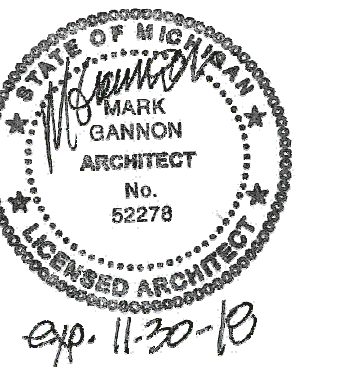


**Ground Floor Plan**  
16,750 1/8"= 1'-0"

**Ground Floor Plan (Business Offices)**  
2,440 sf 1/8"= 1'-0"



**2nd Floor Plan (Business Offices)**  
2,440 sf 1/8"= 1'-0"

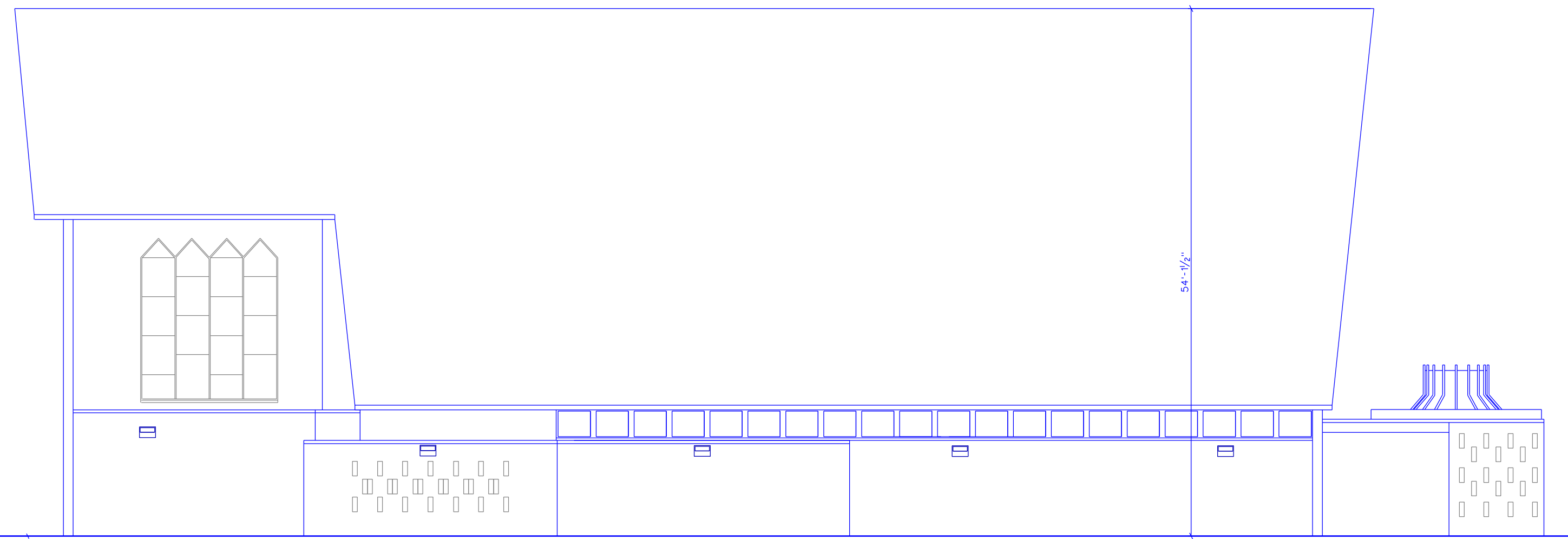


Prepared By:  
**Gannon Architecture, LLC**  
Mark Gannon, Architect  
Contractor No. #73  
Gannon, 481188  
gannon\_a4@msa.com  
ph: 734-709-7668

Owner:  
**Salem Omer,**  
313-445-7842,  
3307 Edsel St,  
Dearborn MI 48120

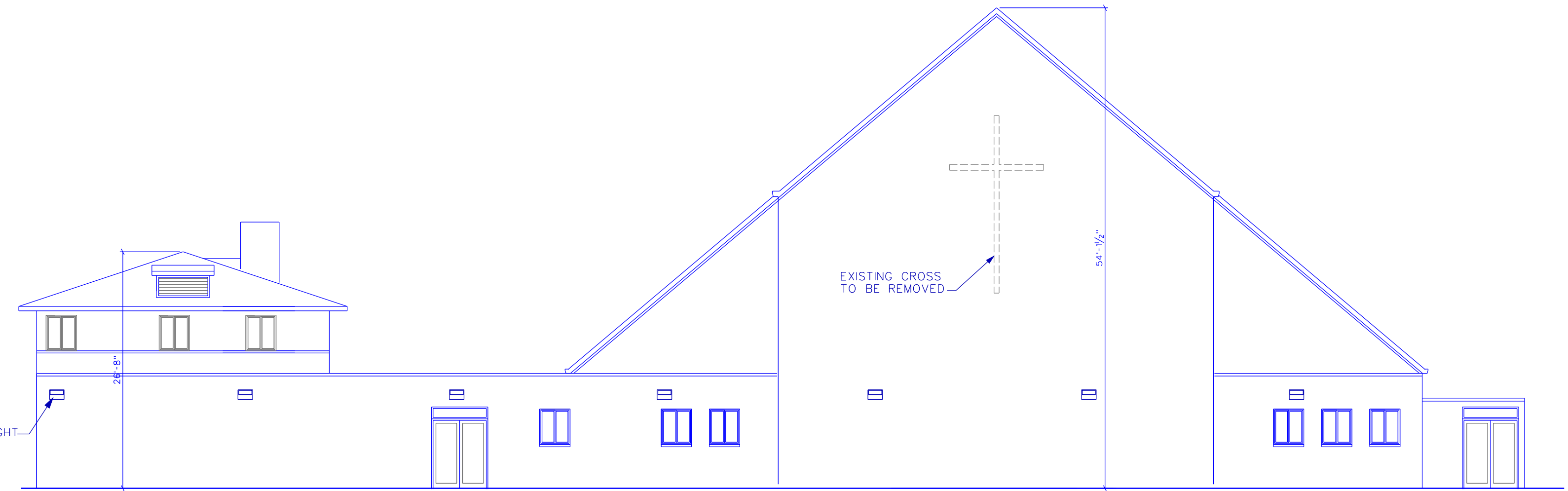
Conditional Rezoning for:  
**Banquet Hall & Business Offices**  
1368 Council Avenue  
Lincoln Park MI 48146

Orig. Issue 4/29/17



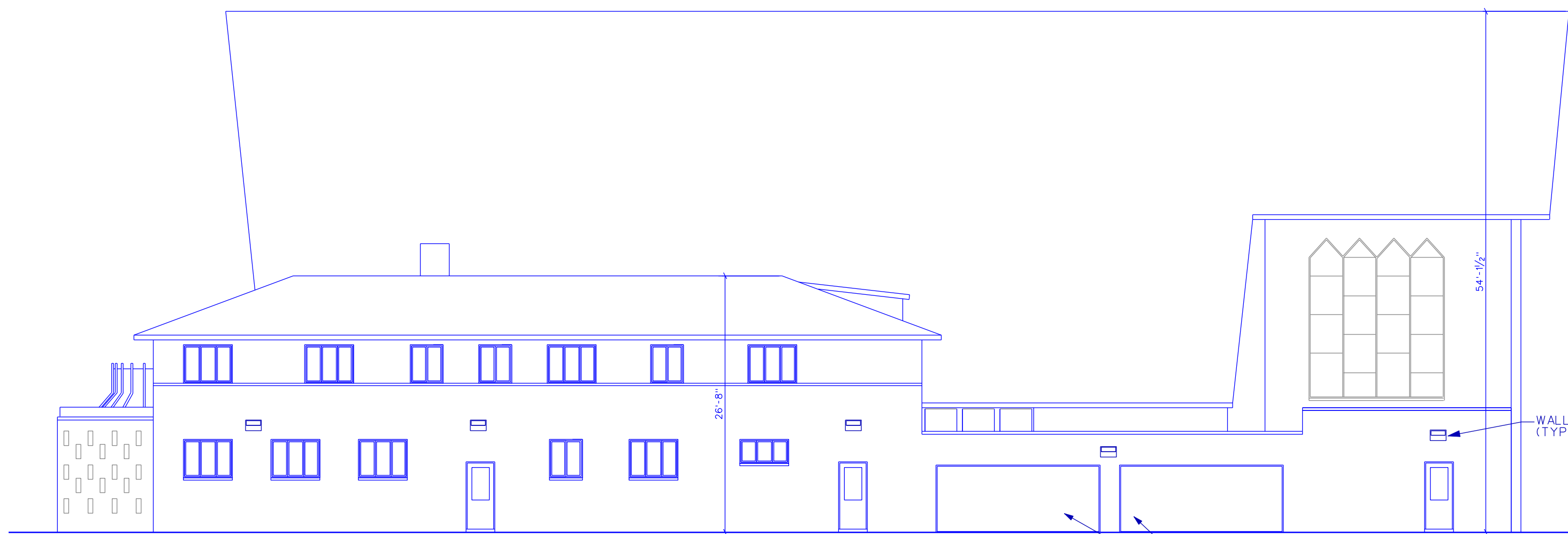
**Left Elevation - west**

EXTERIOR MATERIALS OF BUILDINGS ARE BRICK & GLASS  
3/32"= 1'-0"



**Rear Elevation -north - parking lot side**

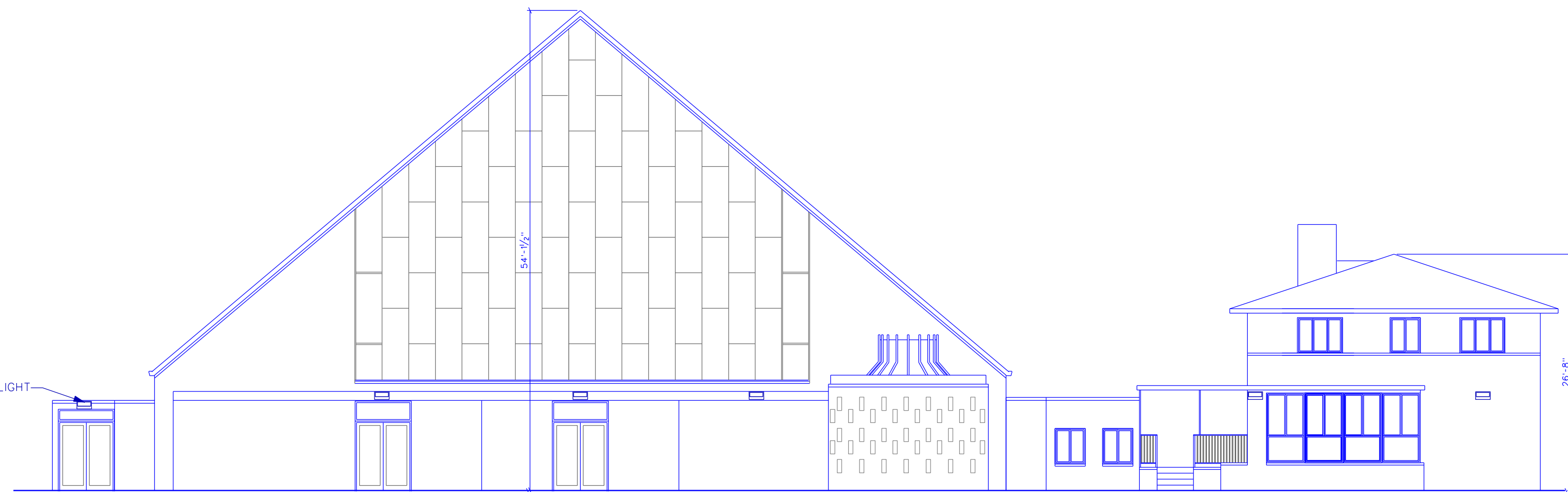
EXTERIOR MATERIALS OF BUILDINGS ARE BRICK & GLASS  
3/32"= 1'-0"



**Right Elevation - east**

EXTERIOR MATERIALS OF BUILDINGS ARE BRICK & GLASS  
3/32"= 1'-0"

EXISTING OVERHEAD GARAGE DOOR OPENINGS TO BE INFILLED WITH MATCHING BRICK & STUD WALL



**Front Elevation -south facing Council Ave.**

EXTERIOR MATERIALS OF BUILDINGS ARE BRICK & GLASS  
3/32"= 1'-0"



Prepared By:  
**Gannon Architecture, LLC**  
Mark Gannon, Architect  
2041 Arbor Way Dr. N. #73  
Canton, MI 48188  
ph: 734-709-7568  
mgannon\_4@msn.com

Owner:  
**Salem Omer,**  
313-445-7842.  
  
3307 Edsel St,  
Dearborn MI 48120

Conditional Rezoning for:  
**Banquet & Business Offices**  
1358 Council Avenue  
Lincoln Park MI 48146

Orig. Issue 4/29/17

Sheet  
3 of 3

# Re: Fw: Site plans for 1358 Council

Redwan Ali <mrredwanali@gmail.com>

Mon 5/22/2017 11:38 AM

1358 Council

To: Leah DuMouchel <ldumouchel@bria2.com>;

Cc: Giles Tucker <gtucker@citylp.com>; Monserrat Contreras Galindo <mcontreras@safebuilt.com>;

Greetings all,

Greetings all,

The proposed project is a Banquet Hall/Business Offices, such use falls under the definition of Municipal Business Districts (MBD) in the City of Lincoln Park. The Banquet Hall will be in operation seven days per week and from 10:00 A.M to 11:00P.M. Monday through Sundays. There will be the applicant and other employees working at the site. The conditional rezoning agreement will be restricted to Banquet Hall/ business Offices. The professional offices which is 4880 SF (Former Rectory) use expects the most traffic on weekdays and not open in the evening or on weekends. The banquet hall which is 16750 SF (former Church) use will be mostly operated after 5:00P.M and on weekends and the traffic impact would be similar to the former use (Church). All parking is existing totaling 250 parking spaces on site including handicap parking. If the above property is conditionally rezoned from (CSD) to (MBD), the proposed use will not be contrary to the purposes stated above. The proposed use will not affect adversely the health and safety of residents and workers in the town. The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, of the vehicular movement, or noise or fumes or of the type of physical activity. The proposed use will be subject to the minimum area, setback, and other locational requirements of the zoning district in which it will be located. The proposed use will be subject to the off street parking and service requirements of these regulations. A traffic director will be on site during peak hours Friday, Saturday and Sunday from 5:00P.M to 11:00Pm. NO Alcohol consumption will be allowed in the banquet hall or in any of the professional offices. Our intention is clear and will be of great help to the City of Lincoln Park in collecting property taxes which is a great source of revenue that pays for city services. Looking forward to working with you in getting an approval and to move forward with this project. If you have any further questions or comments, please reach out to me via email or by phone at 313-522-2192. Thank you and have a great day.

On Mon, May 15, 2017 at 3:55 PM, Leah DuMouchel <[ldumouchel@bria2.com](mailto:ldumouchel@bria2.com)> wrote:

**Hello, team. This email is to provide a little more detail regarding what the City requires for a Conditional Rezoning request.**

**A request for Conditional Rezoning must include a Conditional Rezoning Plan, AND must specify the rezoning conditions proposed by the applicant. The drawings that you have submitted are sufficient for a Conditional Rezoning Plan. However, the City needs a narrative explaining how the Conditional Rezoning that you are proposing is different from a request to simply rezone the property. It should explain in detail the allowed uses on the property, and it should explain how it is in the public interest to grant the rezoning with the proposed conditions.**

**I have attached Section 1289 of the Zoning Code. In the ordinance, your architect or other site development professional will be able to find a definition of rezoning conditions, the information required to apply for a conditional rezoning, the criteria for approval, and the procedure. It will be very helpful to reference this section of the ordinance when completing your application. Please note that the conditional rezoning process does not replace Site Plan Review.**

**I am happy to answer any further questions you may have.**

## 1358 Council – Banquet Hall Conditional Rezoning Review

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Applicant	Salim Omer
Project	1358 Council – Banquet Hall
Address	1358 Council
Date	June 7, 2017
Request	Conditional Rezoning
Recommendation	<b>Denial</b>

---

### CONDITIONAL REZONING

§1289.01: “The Planning Commission and City Council have recognized that, in certain instances, it would be an advantage to both the City and property owners seeking rezoning if a site plan, along with conditions and limitations that may be relied upon by the City, could be proposed as part of a petition for rezoning.”

A Conditional Rezoning is a request to change a parcel or group of parcels to a different zoning classification, coupled with a proposal for a use on that property as well as additional use or dimensional restrictions. The use and restrictions must be proposed by the applicant and considered by the City; the City cannot propose conditions to the applicant. (This is because the City already has the powers of writing the zoning ordinance and approving the proposal; if the applicant wanted to abide by the City’s wishes, he/she would simply follow the zoning ordinance. This mechanism is designed to provide relief to the applicant.) The Planning Commission’s vote is a recommendation to City Council, which is the body that has the authority to change the zoning ordinance.

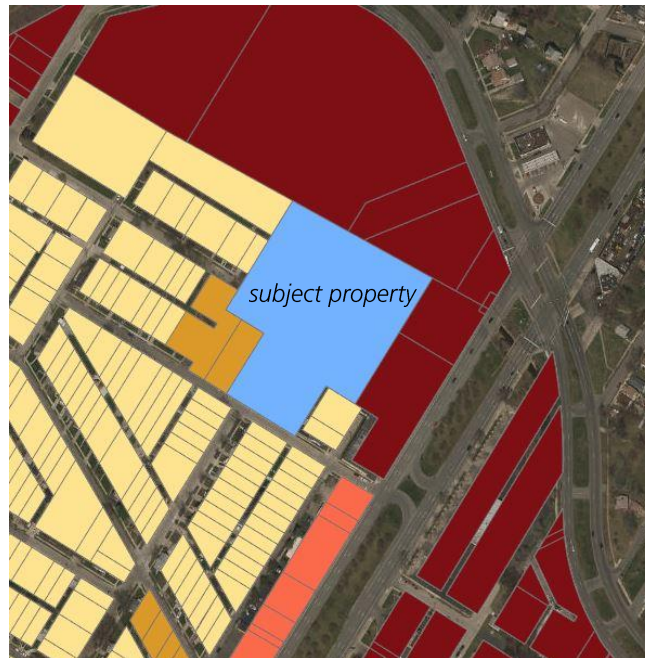
Although a Conditional Rezoning request includes a proposal for the property and a sketch plan is part of the application process, it is important to note that rezoning is a stand-alone activity. If this request is approved by City Council, the proposed zoning classification will “run with the land.” That means that it will govern the property regardless of whether or not this particular applicant completes this development proposal. Therefore, the Planning Commission should consider:

- The likelihood that this particular applicant will implement the proposal;
- If this applicant does not implement the proposal, the likelihood that another developer will be willing or able to develop the property in a manner that is in the City’s best interest under the proposed zoning restrictions.

## REQUEST

The site is a former church which is zoned as Community Service District (CSD). This is a restrictive zoning classification which is intended to permit uses compatible with residential development, such as churches, parks, and schools. It is a large parcel with over 4 acres and an existing building on the edge of a residential neighborhood. The front of the site sits between a Multifamily Residential District (MFRD) and two parcels zoned Single Family Residential District (SFRD). Across the street is also a Single Family Residential District. The rear of the site is bordered on the west by a SFRD district. The rear lot line and the majority of the east lot line are bordered by Regional Business District (RBD) properties which abut major thoroughfares. The surrounding zoning is important because it helps to determine if the proposed use is in the best interest of its neighbors and the public at large.

Figure 1: Zoning



The applicant proposes to convert the building to a Banquet Hall / Business Offices. The most similar permitted use defined in the Lincoln Park Zoning Code is "Private clubs, lodge halls, and similar assembly buildings," which are permitted in the Municipal Business District (MBD).

The applicant has completed a Petition for Rezoning, submitted drawings for a Conditional Rezoning Plan, and issued a statement of rezoning conditions intended to form the basis of a Conditional Rezoning Agreement.

- **Petition for Rezoning.**

*The application shows that the person requesting this rezoning is not the landowner, but does not indicate the basis of representation. Communication from the applicant indicates that the basis is "option to buy." **An executed purchase agreement shall be submitted.** Additionally, since the rezoning request will affect the property regardless of whether the property purchase or the*



*proposed site plan is realized, **the City requests a signed affidavit from the current owner of the property indicating that the owner understands and consents to this rezoning request.***

- **Conditional Rezoning Plan.**

§1289.02 "A plan which is the subject of a rezoning with rezoning conditions, prepared by a licensed civil engineer or architect, that may show the location, size, height, design, architecture, or other measure or feature for and/or buildings structures, improvements and features on, and in some cases adjacent to, the property. The details to be offered for inclusion within the CR Plan shall be determined by the applicant, subject to approval of the City Council after recommendation by the Planning Commission."

The applicant has submitted a Conditional Rezoning Plan consisting of a site plan, a floor plan, and elevations. The site plan shows existing conditions, and proposes parking and landscaping arrangements.

- **Statement of Rezoning Conditions.**

There appeared to be considerable confusion in the application process regarding the submission of a statement of rezoning conditions. Due to the applicant-led nature of a conditional rezoning, as explained above, the City's guidance was necessarily limited to referring the applicant to the provisions of §1289. The applicant proposed several conditions which are relevant to the request at this time, and several more which are not.

Relevant proposed conditions:

- a. The proposed project is a Banquet Hall/Business Offices. The conditional rezoning agreement will be restricted to Banquet Hall/ business Offices.

*Banquet Hall is not a defined use in the Lincoln Park Zoning Code, and it is not listed as a permitted use in any zoning category. The most similar use in the Lincoln Park Zoning Ordinance is "private clubs, lodge halls, and similar assembly buildings." It could reasonably be expected that a private club would also provide office space, so it may be that this use does not need to be considered separately. However, it is unclear whether the fifteen (15) offices and two (2) conference rooms proposed by the applicant are associated with the Banquet Hall use, or some other use. **The relationship between the proposed Banquet Hall use and the City of Lincoln Park Zoning Ordinance must be clarified. The relationship between the Banquet Hall use and the Office use must be clarified.***

- b. The proposed use will be subject to the minimum area, setback, and other locational requirements of the zoning district in which it will be located (MBD).
- c. The proposed use will be subject to the off street parking and service requirements of these regulations (MBD).
- d. Banquet Hall will be in operation seven days per week and from 10:00 A.M to 11:00P.M. Monday through Sundays.

- e. The professional offices which is 4880 SF (Former Rectory) will not be open in the evening or on weekends.
- f. The banquet hall which is 16750 SF (former Church) use will be mostly operated after 5:00P.M and on weekends  
*This is not a condition as written. There is no enforceable definition of "mostly."*
- g. A traffic director will be on site during peak hours Friday, Saturday and Sunday from 5:00P.M to 11:00Pm.
- h. NO Alcohol consumption will be allowed in the banquet hall or in any of the professional offices.

Items which are more appropriately addressed in site plan review, but may be considered by the Planning Commission at this time:

- o The professional offices which is 4880 SF (Former Rectory) use expects the most traffic on weekdays.  
*This is not a condition as written. This statement does not provide data or evidence for the Planning Commission to consider.*
- o The banquet hall which is 16750 SF (former Church): the traffic impact would be similar to the former use (Church).  
*This is not a condition as written. This statement does not provide data or evidence for the Planning Commission to consider.*
- o All parking is existing totaling 250 parking spaces on site including handicap parking.  
*This is not a condition as written, it is a statement of existing facilities. Condition (c), above, commits the applicant to the parking standards of the Municipal Business District. This will be addressed in Site Plan Review. Recommendation of approval of this Conditional Rezoning application shall not constitute the City's agreement to this quantity of parking.*

Irrelevant items:

- o There will be the applicant and other employees working at the site.  
*Number of employees will be required at site plan review. This statement does not provide usable information.*
- o If the above property is conditionally rezoned from (CSD) to (MBD), the proposed use will not be contrary to the purposes stated above.  
*It is unclear what the phrase "purposes stated above" refers to.*

- The proposed use will not affect adversely the health and safety of residents and workers in the town.

*This determination is the responsibility of the Planning Commission.*

- The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, of the vehicular movement, or noise or fumes or of the type of physical activity.

*This determination is the responsibility of the Planning Commission. The applicant does not offer evidence for consideration by the Planning Commission with regard to any of these items.*

- Our intention is clear and will be of great help to the City of Lincoln Park in collecting property taxes which is a great source of revenue that pays for city services.

*This is a feature of most development proposals. The applicant does not offer evidence for consideration by the Planning Commission.*

## CRITERIA FOR REVIEW

Review and Approval Criteria. The applicant shall have the burden of demonstrating that the following requirements and standards are met by the CR Plan, rezoning conditions, and CR Agreement:

- (1) Approval of the application shall accomplish, among other things, and as determined in the discretion of the City Council, the integration of the proposed land development project with the characteristics of the project area, and result in an enhancement of the project area as compared to the requested zoning change, and such enhancement would be unlikely to be achieved or would not be assured in the absence of the use of a conditional rezoning.

*Upzoning this parcel from a CSD to MBD could help to solve a short-term problem of returning a vacant structure to a productive use. Given the property's adjacency to two separate uses which are more intense than the current zoning, and in the case of RBD, more intense than the proposed zoning, such a request on this parcel would be eligible for consideration.*

*However, the MBD zone runs with the land, meaning if this applicant were to terminate his/her operations on this site in the future, then a subsequent party could develop the land into any use permitted in the MBD zone. The MBD zoning classification is intended to accommodate uses which generate large volumes of vehicular traffic and "require detailed planning, particularly as to relationships with adjacent residential areas." Therefore, it would be within the rights of the next property owner to use the land in a way that is not necessarily compatible with the character of the surrounding residential uses, for example, a drive-through establishment, hotel, a commercial garage, etc. The property's location inside a residential neighborhood, albeit toward the edge, makes this a less desirable option.*

*The proposed rezoning conditions stipulate that the property cannot be developed in an inconsistent manner than the agreed-upon use. In that sense, it is beneficial for the City because the applicant is locked in to implementing and executing the specific characteristics of the conditional rezoning. The above-mentioned “detailed planning, particularly as to relationships with adjacent residential areas” will be served by the required Site Plan Review process.*

*However, the applicant has not proposed a use which is defined in the Lincoln Park Zoning Code, nor permitted in the district to which the applicant has proposed rezoning. **This is not met.***

- (2) Sufficient conditions shall be included on and in the CR Plan and CR Agreement on the basis of which the City Council concludes, in its discretion, that, as compared to the existing zoning and considering the site specific land use proposed by the applicant, it would be in the public interest to grant the rezoning with rezoning conditions; provided, in determining whether approval of a proposed application would be in the public interest, the benefits which would reasonably be expected to accrue from the proposal shall be balanced against, and be found to clearly outweigh the reasonably foreseeable detriments thereof, taking into consideration reasonably accepted planning, engineering, environmental and other principles, as presented to the City Council, following recommendation by the Planning Commission, and also taking into consideration the special knowledge and understanding of the City by the City Council and Planning Commission.

*Several of the proposed conditions lack clarity, and it is unclear whether several more of the submitted statements are actual conditions for consideration. **This is not met.***

## RECOMMENDATION

In concept, a Conditional Rezoning of the property at 1358 Council from Community Service District (CSD) to Municipal Business District with use restrictions (CZ-MBD) could be appropriate. However, several deficiencies exist with this application:

- 1. An executed purchase agreement has not been submitted. Additionally, the City requests a signed affidavit from the current owner of the property indicating that the owner understands and consents to this rezoning request.*
- 2. The applicant has not proposed a use which is defined in the Lincoln Park Zoning Code, nor permitted in the district to which the applicant has proposed rezoning.*
- 3. Several of the proposed conditions lack clarity, and it is unclear whether several more of the submitted statements are actual conditions for consideration.*

On the basis of these deficiencies, denial of this request is recommended.

Case No. \_\_\_\_\_

Date Submitted \_\_\_\_\_

**City of Lincoln Park  
APPLICATION FOR SITE PLAN REVIEW**

**NOTICE TO APPLICANT:** Applications for Site Plan Review by the Planning Commission must be submitted to the City in *substantially complete form* at least thirty (30) days prior to the Planning Commission meeting at which the proposal will be considered. The application must be accompanied by the data specified in the Zoning Ordinance and Site Plan Review Guidelines, including fully dimensioned site plans, plus the required review fees. Regular meetings of the Planning Commission are held on the second Wednesday of each month at 7:00 p.m. All meetings are held at the Lincoln Park City Hall, 1355 Southfield Road, Lincoln Park, Michigan 48146. Phone number (313) 386-1800; Fax (313) 386-2205.

**TO BE COMPLETED BY APPLICANT:**

I (we) the undersigned, do hereby respectfully request Site Plan Review and provide the following information to assist in the review:

Applicant: Matar Management Group

Mailing Address: 18758 Hilltop Circle  
Riverview, MI 48193

Email Address: johnmatar@matarmanagement.com

Telephone: 313-399-5757 Fax: \_\_\_\_\_

Property Owner(s) (if different from Applicant): Dix Investments, LLC.

Mailing Address: 29200 Northwestern Hwy, Ste 450, Southfield, MI 48034

Telephone: 248-855-2100 Fax: 248-855-1080

Applicant=s Legal Interest in Property: \_\_\_\_\_

Location of Property: Street Address: 3745 Dix Hwy, Lincoln Park, MI 48146

Nearest Cross Streets: Emmons Blvd.

Sidwell Number: Parcel ID# 45-017-08-0439-300, 0440-000, 0441-000,

Property Description: 0442-000, 0443-000, 0444-000 & 0445-000

If part of a recorded plat, provide lot numbers and subdivision name. If not part of a recorded plat (i.e., Acreage parcel"), provide metes and bounds description. Attach separate sheets if necessary.

lots 439 to 445 including also vac. Alley 11 FT wide Adjacent to  
w 95.83 FT of lot 445 also N 11 FT of vac. Alley Adjacent

Property Size (Square Ft): 27,443 sq. ft 0.63 (Acres)

**Existing Zoning (please check):**

- |  |  |
|--|--|
| <input type="checkbox"/> SFRD Single Family Residential District   | <input type="checkbox"/> RBD Regional Business District  |
| <input type="checkbox"/> MFRD Multiple Family Residential District | <input type="checkbox"/> CBD Central Business District   |
| <input type="checkbox"/> MHRD Mobile Home Park District            | <input type="checkbox"/> GID General Industrial District |
| <input type="checkbox"/> NBD Neighborhood Business District        | <input type="checkbox"/> LID Light Industrial District   |
| <input type="checkbox"/> MBD Municipal Business District           | <input type="checkbox"/> CSD Community Service District  |
| <input type="checkbox"/> PUD Planned Unit Development District     |  |

Present Use of Property: Vacant

Proposed Use of Property: Redevelop as a Sonic Drive-IN Restaurant

Please Complete the Following Chart:

Type of Development	Number of Units	Gross Floor Area	Number of Employees on Largest Shift
Detached Single Family			
Attached Residential			
Office			
Commercial	1	1,608	7
Industrial			
Other			

Professionals Who Prepared Plans:

A. Name: Conceptual (Sonic)

Mailing Address: 300 Johnny Bends Dr.  
 OKC, OK 73104

Email Address: wade.harden@sonicdrivein.com

Telephone: 972-832-2048 Fax: \_\_\_\_\_ Primary Design Responsibility: Conceptual site plan

B. Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Primary Design Responsibility: \_\_\_\_\_

C. Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Primary Design Responsibility: \_\_\_\_\_

**ATTACH THE FOLLOWING:**

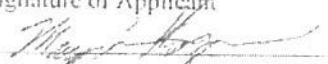
1. Six (6) individually folded copies of the site plans, sealed by a registered architect, engineer, landscape architect or community planner.
2. A brief written description of the existing and proposed uses, including but not limited to: hours of operation, number of employees on largest shift, number of company vehicles, etc.
3. Proof of property ownership.
4. Review comments or approval received from county, state, or federal agencies that have jurisdiction over the project, including but not limited to:
  - G Wayne County Road Commission      G Wayne County Drain Commission
  - G Wayne County Health Division      G Michigan Department of Natural Resources
  - G Michigan Department of Transportation      G Michigan Department of Environmental Quality

**PLEASE NOTE:** The applicant or a designated representative **MUST BE PRESENT** at all scheduled review meetings or the site plan may be tabled due to lack of representation.

Failure to provide true and accurate information on this application shall provide sufficient grounds to deny approval of a site plan application or to revoke any permits granted subsequent to site plan approval.

**APPLICANT'S ENDORSEMENT:**

All information contained herein is true and accurate to the best of my knowledge. I acknowledge that the Planning Commission will not review my application unless all information required in this application and the Zoning Ordinance have been submitted. I further acknowledge that the City and its employees shall not be held liable for any claims that may arise as a result of acceptance, processing, or approval of this site plan application.

Signature of Applicant	Date
Signature of Applicant	Date
	6/24/2017
Signature of Property Owner Authorizing this Application	Date

<b>TO BE COMPLETED BY THE CITY</b>	
Date Submitted: _____	Case No. _____
Received By: _____	Fee Paid: _____
Date of Public Hearing: _____	
<b>PLANNING COMMISSION ACTION</b>	
Approved: _____	Denied: _____ Date of Action: _____

Case No. \_\_\_\_\_

Date Submitted \_\_\_\_\_

**City of Lincoln Park  
APPLICATION FOR SPECIAL USE APPROVAL**

**NOTICE TO APPLICANT:** Applications for Special Use review by the Planning Commission must be submitted to the City *in substantially complete form* at least thirty (30) days prior to the Planning Commission's meeting at which the proposal will be considered. The application must be accompanied by six (6) individual folded copies of the site plan, plus the required review fees. Regular meetings of the Planning Commission are held on the first Tuesday of each month at 7:00 p.m. All meetings are held at the Lincoln Park City Hall, 1355 Southfield Road, Lincoln Park, Michigan 48146. Phone number (313) 386-1800; Fax (313) 386-2205.

Special Uses shall comply with the standards in Section 1262.08 of the Zoning Ordinance. Accordingly, a public hearing shall be held by the Planning Commission before a decision is made on any Special Use request. Furthermore, a site plan shall be required, which shall be prepared in accordance with Section 1294.01 of the Ordinance.

**TO BE COMPLETED BY APPLICANT:**

I (we) the undersigned do hereby respectfully request Special Use Review and provide the following information to assist in the review:

Applicant: Matar Management Group

Mailing Address: 18758 Hilltop Circle  
Riverview, MI 48193

Email Address: johnmatar@matarmanagement.com

Telephone: 313-399-5757 Fax: \_\_\_\_\_

Property Owner(s) (if different from Applicant): Dix Investments, L.L.C.

Mailing Address: 29200 Northwestern Hwy, Ste 450, Southfield, MI 48034

Telephone: 248-855-2100 Fax: 248-855-1080

Applicant's Legal Interest in Property: \_\_\_\_\_

Location of Property: Street Address: 3745 Dix Hwy, Lincoln Park, MI 48146

Nearest Cross Streets: Emmons Blvd.

Sidwell Number: Parcel ID # 45-017-08-0439-300, 0440-000, 0441-000, 0442-000, 0443-000, 0444-000, 0445-000.

Property Description: NO 439 to 445 lots 439 to 445 including also Vac Alley 11 FT wide Adjacent to W 95.83 FT of lot 445 Also N 11 FT of Vac Alley Adj.

Property Size (Square Ft): 27,443 sq. ft. (0.63 Acres)

Present Use of Property: Vacant Land

Proposed Use of Property: Sonic Drive In Restaurant



Existing Zoning (please check):

- |  |  |
|--|--|
| <input type="checkbox"/> SFRD Single Family Residential District   | <input type="checkbox"/> RBD Regional Business District  |
| <input type="checkbox"/> MFRD Multiple Family Residential District | <input type="checkbox"/> CBD Central Business District   |
| <input type="checkbox"/> MHRD Mobile Home Park District            | <input type="checkbox"/> GID General Industrial District |
| <input type="checkbox"/> NBD Neighborhood Business District        | <input type="checkbox"/> LID Light Industrial District   |
| <input type="checkbox"/> MBD Municipal Business District           | <input type="checkbox"/> CSD Community Service District  |
| <input type="checkbox"/> PUD Planned Unit Development District     |  |

Please Complete the Following Chart:

Type of Development	Number of Units	Gross Floor Area	Number of Employees on Largest Shift
Detached Single Family			
Attached Residential			
Office			
Commercial	1	1,608	7
Industrial			
Other			

**ATTACH THE FOLLOWING:**

- Six (6) individually folded copies of the site plan, sealed by a registered architect, engineer, landscape architect or community planner.
- Proof of property ownership.
- A brief written description of the proposed use.

**PLEASE NOTE:** The applicant or a designated representative **MUST BE PRESENT** at all scheduled review meetings or the site plan may be tabled due to lack of representation.

**APPLICANT'S ENDORSEMENT:**

All information contained herein is true and accurate to the best of my knowledge. I acknowledge that the Planning Commission will not review my application unless all information required in this application and the Zoning Ordinance have been submitted. I further acknowledge that the City and its employees shall not be held liable for any claims that may arise as a result of acceptance, processing, or approval of this application.

Signature of Applicant \_\_\_\_\_

Date \_\_\_\_\_

Signature of Applicant \_\_\_\_\_

Date \_\_\_\_\_

Signature of Property Owner Authorizing this Application \_\_\_\_\_

Date 6/24/2007

To be completed by City:

Date Submitted: \_\_\_\_\_ Fee Paid: \_\_\_\_\_

Received By: \_\_\_\_\_ Date of Public Hearing: \_\_\_\_\_

**PLANNING COMMISSION ACTION (RECOMMENDATION)**

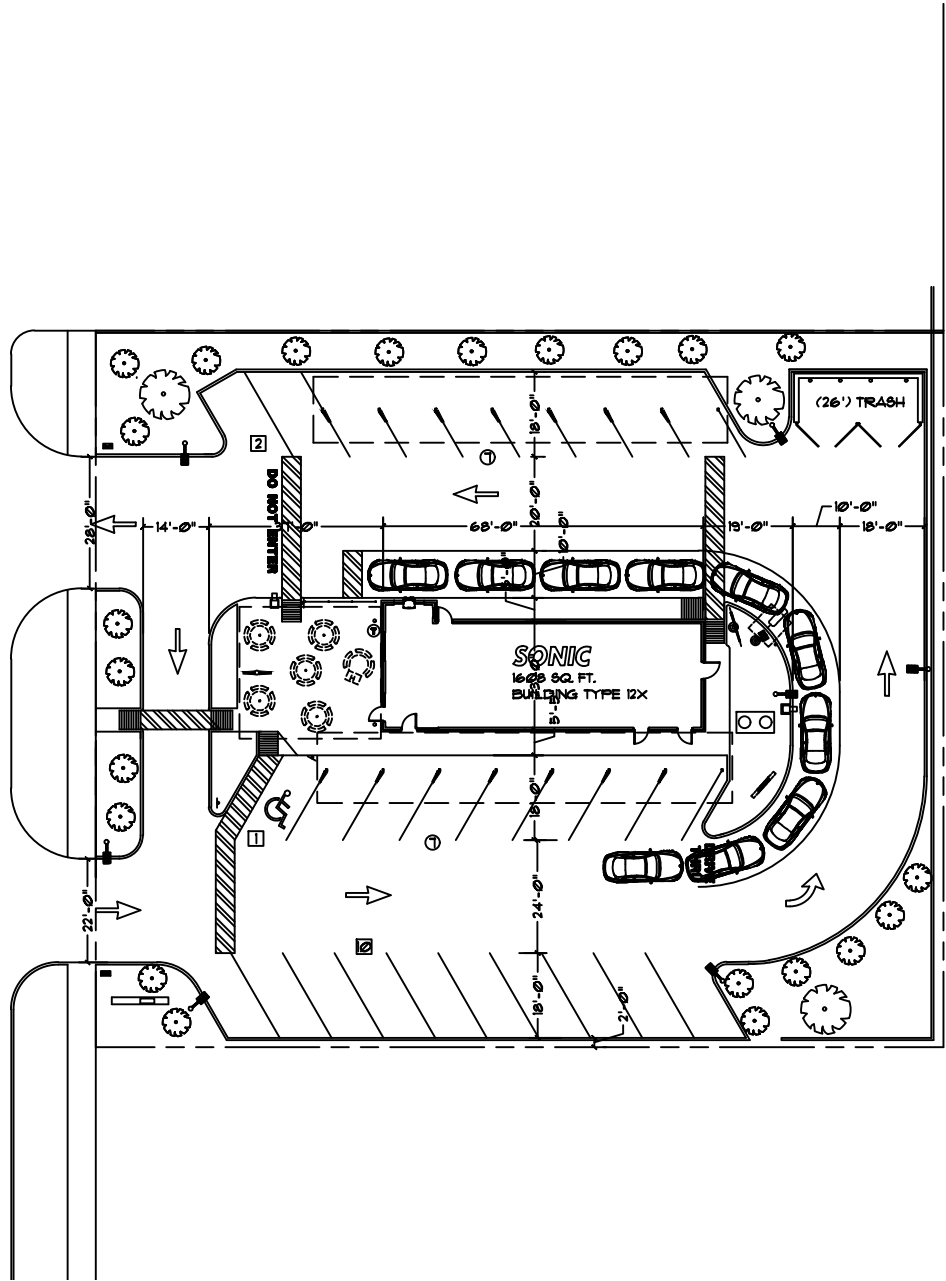
To Approve: \_\_\_\_\_ To Deny: \_\_\_\_\_ Date of Action: \_\_\_\_\_

Reasons for Action Taken: \_\_\_\_\_

**CITY COUNCIL ACTION**

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Date of Action: \_\_\_\_\_

Reasons for Action Taken: \_\_\_\_\_



20' ALLEY

PRELIMINARY SITE SKETCH  
 SONIC DRIVE-IN  
 DIX HWY  
 LINCOLN PARK, MI  
 DRIVE-IN STALLS: 14  
 EMPLOYEE PARKS: 6  
 PATIO PARKS: 7  
 4-27-17  
 PROJECT: 20000KOK01  
 LAYOUT: 011  
 DESIGNER: WH  
 OWNER: MATAR MGMT GROUP  
 SCALE: 1" = 20'



Elevation #1



Elevation #2



Elevation #3



Elevation #4



Left Perspective



## 3745 Dix Highway – Sonic Drive-In Restaurant Site Plan Review

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<b>Applicant:</b>	Matar Management Group
<b>Project:</b>	Sonic Drive-In
<b>Address:</b>	3745 Dix Highway, Lincoln Park, MI 48146
<b>Date:</b>	June 7, 2017
<b>Request:</b>	Conceptual Site Plan Review
<b>Recommendation</b>	<b>None – advisory only</b>

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### GENERAL

*All elements of the site plan shall be designed to take into account the site's topography, the size and type of plot, the character of adjoining property, and the traffic operations of adjacent streets. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Zoning Code. The site plan shall conform with all requirements of this Zoning Code, including those of the applicable zoning district(s).*

### Project and Site Description

The applicant proposes to convert a vacant parcel into a Sonic Drive-In restaurant. Located on Dix Highway, the property would be a commercial use of about 1,608 gross floor area on a 27,443 square foot lot. There would to 7 employees during peak shifts.

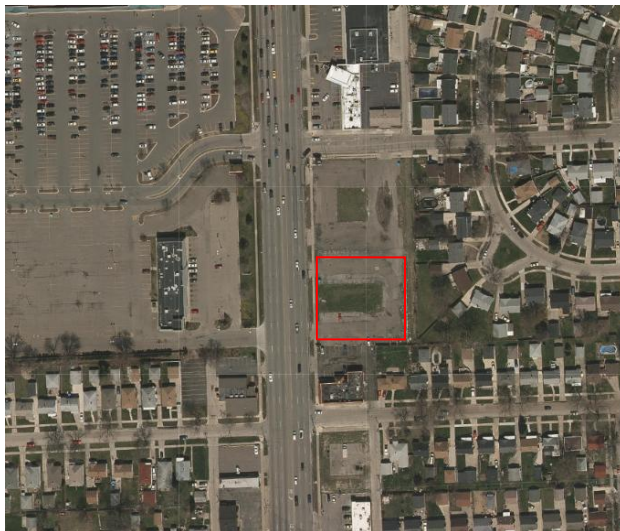


Figure 1: Aerial View

### Site conditions

The site sits halfway between Emmons Boulevard and Riverbanks Street on Dix Highway. The perimeter of the lot is paved with two curb cuts providing drive-through circulation surrounding a grassy patch of land in the middle. The site is also accessible by pedestrians via the sidewalk.

### Master Plan

#### Future Land Use Classification

The site is intended for General Business future land use.

#### Intent; Desirable Uses and Elements

“These uses provide retail goods and services on a city-wide scale, often drawing customers from outside the City as well. Professional offices, including doctors, veterinarians, lawyers, insurance agents, etc., are properly sited within areas designated for General Commercial use. This land use category is the appropriate location for automobile-oriented uses, including drive-through restaurants, gas stations (with or without convenience stores), minor auto repair shops, and car washes. Large shopping centers and hotels are also included in the General Commercial category. Uses in this category should be located outside the downtown area as the design characteristics, setbacks, and parking of General Commercial uses directly conflict with the intent of a cohesive, attractive downtown district.”

*The proposed use is a drive-through restaurant, which is specifically identified as desirable. This condition is met.*

### Land Use and Zoning

#### Zoning

The site is zoned Municipal Business District (MBD). The district is meant to offer a wider range of businesses and permits drive-through establishments. “The permitted uses are intended to provide businesses and services usually found in major business areas along major streets or regional thoroughfares or near freeway access ramps. These uses generate large volumes of vehicular traffic, require substantial access for off-street parking and loading and require detailed planning, particularly as to relationships with adjacent residential areas. The intended potential customer base for these uses is the entire Municipality, and not just the immediate residential neighborhoods.”

*Drive-in restaurants or other drive-in establishments serving food and/or beverages are permitted after special approval in the Municipal Business District. This condition is met.*

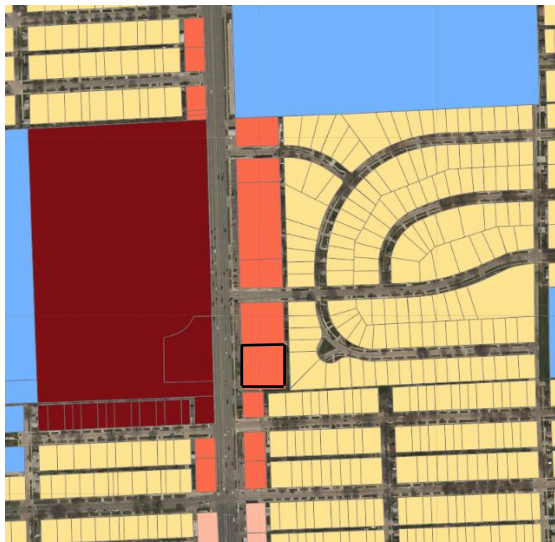


Figure 3: Zoning Map

**Proposed and Existing Uses; Zoning**

Site	Drive-in restaurant / Municipal Business District
North	Vacant / Municipal Business District
East	Residential / Single Family Residential District
South	Restaurant; residential / Municipal Business District; Single Family Residential District
West	Dentist office; ROW, then Regional Business District

**Dimensional Standards**

The dimensional requirements of the MBD district are described in the chart below. (§1294.32, except where noted.)




	Required	Provided	Compliance
<b>Lot Width</b>	40 ft	Unclear	<b>Unknown</b>
<b>Street Frontage</b> (§1294.09)	Shrubbery and low retaining walls 2 ½' < height < 8'	Height of shrubbery not provided	<b>Unknown</b>
<b>Lot Area</b>	4,000	Unclear	<b>Unknown</b>
<b>Lot Coverage</b>	50%	Unclear	<b>Unknown</b>
<b>Height</b>	2 stories; 25 feet	1 story	Met
<b>Setback – Front</b>	0'	Setback lines are not shown	Met
<b>Setback – Sides</b>	0'	Setback lines are not shown	Met
<b>Setback – Rear</b>	0'	Setback lines are not shown	Met

**Items to be addressed**

- Applicant to provide all required site dimensions
- Applicant to ensure all measurements are legible
- Applicant to specify mature dimensions of vegetation at approach to curb cut

**BUILDING DESIGN**

The building design shall relate to the surrounding environment in regard to texture, scale, mass, proportion, and color. High standards of construction and quality materials will be incorporated into the new development. In addition to following design guidelines adopted in specific district or sub-area plans, the building design shall meet the requirements of Section 1296.04, Standards for Architecture and Building Materials.

Required	Compliance
<ul style="list-style-type: none"> <li>• Building mass, height, bulk and width-to-height ratio within 50-150% of buildings within 500'. <i>No scaled elevations have been provided.</i></li> </ul>	<b>Unknown</b>
<ul style="list-style-type: none"> <li>• Architectural variety <i>No scaled elevations have been provided.</i></li> <li>• Similar materials and entrances to buildings within 500'</li> </ul> <div style="display: flex; justify-content: space-around;">  </div> <p><i>This condition is met.</i></p>	<b>Unknown</b>

Required	Compliance
<ul style="list-style-type: none"> <li>• Building materials: primarily natural products conveying permanence (brick, decorative masonry block, stone, or beveled wood siding) = 75% of each façade (industrial districts, 50% if facing ROW) <i>No scaled elevations have been provided.</i></li> <li>• 25% may be glass, exterior insulation finish systems (EIFS), vinyl, aluminum, or steel siding; or similar synthetic or highly-reflective materials (industrial districts not facing public streets or freeways, these and pre-cast concrete or plain masonry block) <i>No scaled elevations have been provided.</i></li> <li>• Natural colors (bright for decorative features only) <i>This condition is met</i></li> </ul>	<p><b>Unknown</b></p>
<ul style="list-style-type: none"> <li>• Façade: &lt;100' uninterrupted <i>No scaled elevations have been provided.</i></li> <li>• If &gt;100' = recesses, off-sets, angular forms, arches, colonnades, columns, pilasters, detailed trim, brick bands, contrasting courses of material, cornices or porches <i>No scaled elevations have been provided.</i></li> <li>• All sides similar <i>This condition is met</i></li> </ul>	<p><b>Unknown</b></p>
<ul style="list-style-type: none"> <li>• Windows: vertical, recessed, visually-obvious sills <b>Not all windows are vertically oriented.</b> <i>No details on sill have been provided.</i></li> <li>• Spaces between windows = columns, mullions, or material found elsewhere on the façade <i>The design does not feature any obviously adjacent windows</i></li> <li>• Front facades &gt; 25% windows <i>No scaled elevations have been provided.</i></li> <li>• Size, shape, orientation, spacing to match buildings within 500' <i>This condition is met</i></li> </ul>	<p><b>Unknown</b></p>
<ul style="list-style-type: none"> <li>• Main entrances: doors larger <i>No scaled elevations have been provided.</i></li> <li>• Framing devices (overhangs, recesses, peaked roof forms, porches, arches, canopies, parapets, awnings, display windows, accent colors, tile work, moldings, pedestrian-scale lighting, distinctive door pulls) <b>This condition is not met</b></li> </ul>	<p><b>Unknown</b></p>
<ul style="list-style-type: none"> <li>• Pitched / shingled roof forms <i>No scaled elevations have been provided.</i></li> <li>• Overhanging eaves with slope of 0.5 to 1 <i>No scaled elevations have been provided.</i></li> <li>• Rooflines &gt;100' = roof forms, parapets, cornice lines <i>No scaled elevations have been provided.</i></li> <li>• Roof-top mechanical equipment screened by roof form. <i>No scaled elevations have been provided; it is unclear whether the rendering includes roof-top equipment that has been screened</i></li> </ul>	<p><b>Unknown</b></p>

**Items to be addressed**

- Applicant to provide scaled elevation drawings.
- Applicant to specify building materials
- Windows to be vertically oriented
- Main door entrance to be larger than required by building code and incorporate framing devices

- Rooftop equipment and screening to be shown.

**PRESERVATION OF SIGNIFICANT NATURAL FEATURES**

*Judicious effort shall be used to preserve the integrity of the land, existing topography, and natural, historical, and architectural features as deemed in this Zoning Code, in particular flood hazard areas and wetlands designated/regulated by the Michigan Department of Environmental Quality, and, to a lesser extent, flood hazard areas and wetlands which are not regulated by the Department.*

There are no significant natural features to preserve.

**Items to be addressed**

None

**SIDEWALKS, PEDESTRIAN AND BICYCLE CIRCULATION**

*The arrangement of public or common ways for vehicular and pedestrian circulation shall be connected to existing or planned streets and sidewalks/ pedestrian or bicycle pathways in the area. There shall be provided a pedestrian circulation system which is separated from the vehicular circulation system. In order to ensure public safety, special pedestrian measures, such as crosswalks, crossing signals and other such facilities may be required in the vicinity of primary and secondary schools, playgrounds, local shopping areas, fast food/ service restaurants and other uses which generate a considerable amount of pedestrian or bicycle traffic.*

The site is served by one sidewalk along the western side of the parcel, along Dix Highway. Because the property lies in the middle of the block, it is not served by a crosswalk. There are two curb cuts where vehicles enter and leave the parking lot. Each curb cut is designated as either enter-only or exit-only for vehicles, leaving two points where pedestrians and drivers could come into contact. However, the applicant has included a path that connects the sidewalk to the property through a narrow portion of the parking lot. This reduces the number of times that vehicles and nonmotorized users cross paths and provides a safer crossing to reach the building. There are no bicycle lanes along Dix Highway.

**Items to be addressed**

None

**PARKING**

*The number and dimensions of off-street parking [spaces] shall be sufficient to meet the minimum required by this Zoning Code. However, where warranted by overlapping or shared parking arrangements, the Planning Commission may reduce the required number of parking spaces, as provided in this Zoning Code.*

Use	Required	Proposed	Compliance
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Use	Required	Proposed	Compliance
§1290.02 Drive-in and drive- through restaurant	<p>One (1) for every two (2) seats in an established seating plan area = <i>No floor plan has been provided</i></p> <p>Plus one (1) for every fifteen (15) square feet of usable customer area other than in an established seating plan area = <i>No scaled floor plan has been provided</i></p> <p>Plus one (1) for every two (2) employees based upon maximum employment shift (7 employees) = 4</p> <p>Plus one (1) for every outside customer automobile service stall area = 15</p> <p>Plus required vehicle stacking spaces = <i>see below</i></p>	27	<b>Unknown</b>
§1290.03 Stacking spaces	Ten (10) 10' x 24' stacking spaces per window = <i>10 spaces</i>	10	Met

**§1290.05 Off-Street Parking B Areas; Business Districts.**

Off-street parking in a Neighborhood Business District (NBD), Municipal Business District (MBD), Central Business District (CBD), or Regional Business District (RBD) shall conform to the following requirements:

- Off-street parking B areas shall be curbed with concrete curbs and gutters. Necessary curbs or other protection for the public and for the protection of adjoining properties, streets and sidewalks shall be provided and maintained.

***Curb and gutter detail has not been provided.***

- Whenever such parking facility adjoins residential property and/or a residential street or alley, a solid masonry wall, ornamental on both sides, and not less than six (6) feet in height, shall be erected and maintained. Such walls shall be constructed of the same materials as that of the main or principal building, and be faced with either brick, decorative block, or pre-cast concrete formed into a decorative pattern and painted in the same color scheme as that of the principal building. The location of the wall and lot barrier facing a residential street shall be determined with due regard for side yard requirements and the building setback line adjoining the Residential District, as may be required in the particular business district. Bumper guards of a type described in subsection (k) hereof shall be provided to prevent vehicles from striking the wall.

*The eastern side of the parcel abuts a residential zone. There is a 20 foot alley separating the Sonic parcel and the residential zone, but there is no indication of the height or material of a fence that meets this requirement. **This condition is not met.***

- The entrance to such area shall be only from the adjoining principal use or adjoining alley. Parking lots shall be designed to prevent vehicles from backing into the street, backing into an access drive, or requiring the use of the street for maneuvering between parking rows.

*This condition is met.*

- All illumination for such parking facilities shall be deflected away from residential areas and shall be installed in such manner as to allow the reduction of the amount of light after normal parking hours each day. All parking lot lighting shall be designed, located, and shielded to prevent glare onto adjacent properties, and shall be arranged to prevent adverse effects on motorist visibility on adjacent rights-of-way. The source of illumination shall not be more than twenty-five (25) feet above the parking surface.

*This is addressed under Lighting, below.*

- In all cases where such parking facilities abut public sidewalks, a wall or curb at least six (6) inches high, or steel posts twenty-four (24) to thirty (30) inches high and not more than five (5) feet apart, set three (3) feet in concrete, shall be placed thereon so that a motor vehicle cannot be driven or parked with any part thereof extending within two (2) feet of a public sidewalk.

*Parking facilities do not abut a public sidewalk. This condition is met.*

**1294.16(b)** The entire parking area shall be paved with a permanent surface of concrete or plant- mixed bituminous material and shall be graded and drained in accordance with Section 1290.04(b)(4), Off-Street Parking A Areas; Residential Districts Adjoining Business or Industrial Districts. Any unpaved area of the site shall be landscaped with lawn or other horticultural materials, maintained in a neat and orderly fashion at all times and separated from the paved area by a raised concrete curb, six (6) inches in height.

*Applicant to provide parking lot construction detail*

**Items to be addressed**

- Applicant to provide a scaled floor plan*
- Applicant to provide parking lot construction detail, including curb and gutter*
- Solid masonry wall to be shown between site and abutting residential areas*

**BARRIER-FREE ACCESS**

*The site has been designed to provide barrier-free parking and pedestrian circulation.*

Required Spaces	Required Barrier-Free Spaces	Proposed Barrier-Free Spaces	Compliance
Unknown, see above		1	<b>Unknown</b>

§1290.02(g) “Within each parking lot, signed and marked barrier-free spaces measuring twelve (12) feet in width shall be provided at a convenient location, in accordance with the following table. Barrier-free parking space requirements shall be in accordance with the Michigan Department of Labor, Construction Code Commission, Barrier Free Design Division.”

One barrier-free parking space is required per 25 standard spaces (up to 100 standard spaces). This condition is likely met, but cannot be confirmed until the number of standard parking spaces has been computed.

**Items to be addressed**

- ☐ *To calculate, the applicant must first provide the correct number of required spaces based on the requirements from the parking section of this report.*

**LOADING**

*All loading and unloading areas and outside storage areas, including refuse storage stations, shall be screened in accordance with this Zoning Code.*

Gross Floor Area	Loading Spaces – Required	Loading Spaces – Provided	Compliance
1,608	0	1	Met

§1290.09(c) “No loading space shall be located closer than fifty (50) feet from any residentially zoned district unless located within a completely enclosed building or unless enclosed on all sides facing a residential district by a solid masonry wall, ornamental on both sides, and not less than six (6) feet in height. Such walls shall be constructed of the same materials as that of the main or principal building, and be faced with either brick, decorative block, or pre-cast concrete formed into a decorative pattern and painted in the same color scheme as that of the principal building. Lights used to illuminate loading areas shall be arranged so as to reflect away from adjacent areas.”

While the size of this site does not require a loading space, the applicant has proposed one. Measurements indicate that it is 67’ from the adjacent residentially zoned property.

*The condition is met.*

**Items to be addressed**

*None*

**ACCESS, DRIVEWAYS, AND VEHICULAR CIRCULATION**

*Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within and to the site shall be provided. Drives, streets, parking and other elements shall be designed to discourage through traffic, while promoting safe and efficient traffic operations within the site and at its access points. All driveways shall meet the design and construction standards of the City. Access to the site shall be designed to minimize conflicts with traffic on adjacent streets, particularly left turns into and from the site. For uses having frontage and/or access on a major traffic route, as defined in the City of Lincoln Park Comprehensive Development Plan, the number, design, and location of access driveways and other provisions for vehicular circulation shall comply with the provisions of Section 1290.10, Access Management Standards.*

Required	Provided	Compliance
<ul style="list-style-type: none"> <li>• Single two-way driveway or pair of one-way driveways</li> <li>• Two-way: 25' &lt; throat width &lt; 30' (face to face of curb). One-way paired: each 20' measured perpendicularly. May be separated by 10' median; sidewalks shall be continued or maintained</li> <li>• 25' radii; 30' radii where daily truck traffic expected</li> <li>• Corner lots: one access point per street with &gt;100' frontage</li> <li>• If frontage &gt;300' and documented need (ITE), may allow additional access with design restrictions</li> <li>• If frontage &gt;600', max of 3 drives may be allowed; one with design restrictions</li> </ul>	<ul style="list-style-type: none"> <li>• Pair of one-way driveways</li> <li>• <b>Entrance is 22'; exit is 28'. Unknown separation width.</b></li> <li>• <b>Turning radii not shown</b></li> <li>• The site is not a corner lot</li> <li>• Though the site width is not shown it is estimated to be less than 300'</li> </ul>	<p><b>Unknown; not met</b></p>
<ul style="list-style-type: none"> <li>• Shared access: driveways along property lines, connecting parking lots, on-site frontage roads, rear service drives. Encouraged and may be required for sites within 1/4 mile of major intersections; having dual frontage; with &lt;300' frontage; with sight distance problems; along congested or accident-prone roadway segments</li> <li>• Connection to adjacent facilities may be required; site accommodation may be required for future connection to undeveloped adjacent property</li> <li>• Letters of agreement or access easements required</li> </ul>	<p><b>Applicant does not address shared access recommendation in §1290.10(d)(1) to determine whether these provisions apply to this site</b></p>	<p><b>Unknown</b></p>
<ul style="list-style-type: none"> <li>• Triangular unobstructed view areas: from corner of two ROWs, 25' along each; from corner of ROW and driveway, 10' along driveway and 5' along ROW</li> <li>• Grass / groundcover only in 3' strip abutting driveway and ROW</li> <li>• Trees permitted if trimmed between 30" and 6' from ground level</li> </ul>	<p><b>Scaled landscape plan has not been provided</b></p>	<p><b>Unknown</b></p>
<ul style="list-style-type: none"> <li>• May require drive to be located on the far side of the property from congested intersections</li> <li>• &gt;150' from signalized intersection or 4-way stop, or right-turn-only at 75' from intersection</li> <li>• &gt;100' otherwise</li> <li>• &gt;200' from centerline of I-75 access ramps</li> </ul>	<p><b>Applicant has not addressed these requirements</b></p>	<p><b>Unknown</b></p>
<ul style="list-style-type: none"> <li>• Same side of street: Driveway spacing determined by speed limits in §1290.10</li> <li>• Across the street: Driveways directly aligned or &gt;150'</li> </ul>	<p><b>Applicant has not addressed these requirements</b></p>	<p><b>Unknown</b></p>

<p>offset (excludes right-turn-only)</p> <ul style="list-style-type: none"> <li>• Directional driveways, divided driveways, and deceleration tapers and/or by-pass lanes may be required by the Planning Commission where they will reduce congestion and accident potential</li> </ul>		
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**Items to be addressed**

- Applicant to address access management standards
- Applicant to provide a scaled landscape plan

**EMERGENCY VEHICLE ACCESS**

All buildings or groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the Fire Department and Police Department.

Emergency vehicle access will be reviewed as part of the full Site Plan Review.

**Items to be addressed**

- Emergency vehicle access to be reviewed as part of the full Site Plan Review.

**STREETS**

All streets shall be developed in accordance with the City of Lincoln Park Subdivision Control Ordinance and construction standards, unless developed as a private road in accordance with the requirements of the City.

No new streets are proposed.

**Items to be addressed**

None.

**LANDSCAPING, SCREENING, AND OPEN SPACE**

The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this Zoning Code. Landscaping shall be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property. Landscaping, landscape buffers, greenbelts, fencing, walls and other protective barriers shall be provided and designed in accordance with the provisions of Section 1296.03, Landscaping Standards. Recreation and open space areas shall be provided in all multiple-family residential and educational developments.

	Required	Proposed	Compliance
Street	Greenbelt, 10' width minimum with groundcover	Scaled landscape plan has not been provided	Unknown (likely met)



	Required	Proposed	Compliance
	1 tree and 4 shrubs per 40' of street frontage ~190' = 5 trees and 19 shrubs	<b>Scaled landscape plan has not been provided; the site shows 3 trees and 23 shrubs</b>	<b>Unknown</b> (likely not met)
	Where headlights from parked vehicles will shine into the ROW, may require a totally obscuring hedge	Headlights from parked vehicles are not anticipated to shine into ROW	Met
Interior Landscaping	10% of total lot area landscaped, including groundcover ~36,000sf*0.10 = 360sf landscaped area	<b>Scaled landscape plan has not been provided</b>	<b>Unknown</b>
	Interior landscaping to be grouped near entrances, foundations, walkways, service areas	<b>No landscaping is shown near entrances, foundations, or service areas. There are two trees/shrubs shown near one walkway.</b>	<b>Not met</b>
	1 tree per 400 sf of required landscaping and 1 shrub per 125 sf of required landscaping	<b>Scaled landscape plan has not been provided; using the rough calculations provided here, 4 shrubs can be counted toward this requirement</b>	<b>Unknown</b> (likely not met)
Parking Lot	1 deciduous or ornamental tree per 10 parking spaces	<b>Parking requirements have not been calculated; no vegetation remains to be counted toward this requirement</b>	<b>Unknown</b> (likely not met)
	100 sf of planting area per tree	<b>Scaled landscape plan has not been provided</b>	<b>Unknown</b>
Screening	Waste receptacle: Decorative masonry wall of at least 6' with solid or impervious gate	<b>Screening detail has not been provided</b>	<b>Unknown</b>

§1294.28(a) Where a Business or Industrial District abuts directly upon a Residential District, a landscaped greenbelt meeting the requirements of Section 1296.03, Landscaping Standards, shall be provided and maintained along its entire length by the users of the business or industrially zoned property.

In addition, such Business or Industrial District shall be screened from such contiguous, residentially zoned district by either a building housing a permitted use or by a solid masonry wall, ornamental on both sides, and not less than six (6) feet in height above grade, between the required greenbelt area and the commercial or industrial use. Such walls shall be constructed of the same materials as that of the main or principal building, and be faced with either brick, decorative block, or pre-cast concrete formed into a decorative pattern and painted in the same color scheme as that of the principal building.

§1294.16(a) When a drive-in or drive-through establishment adjoins property located in any Residential District, a solid masonry wall, ornamental on both sides, six (6) feet in height, shall be erected and maintained along the interior line, or if separated from the residential zone by an alley, then along the alley lot line. In addition, all outside trash areas shall be enclosed by such six (6)-foot masonry wall. Such walls shall be constructed of the same materials as that of the main or principal building, and be faced with either brick, decorative block, or pre-cast concrete formed into a decorative pattern and painted in the same color scheme as that of the principal building. Such wall shall be protected from possible damage inflicted by vehicles using the parking area by means of precast concrete wheel stops at least six (6) inches in height, or by firmly implanted bumper guards not attached to the wall, or by other suitable barriers.

*No screening or greenbelt has been proposed where the parcel is adjacent to a residential district.*

#### Items to be addressed

- Applicant to provide a landscape plan as required in §1296.03, meeting all required provisions therein
- Applicant to provide waste receptacle screening detail.
- Screening to be provided pursuant to §1294.28 where site abuts a residential district.

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#### SOIL EROSION CONTROL

*The site shall have adequate lateral support so as to ensure that there will be no erosion of soil or other material. The final determination as to adequacy of, or need for, lateral support shall be made by the Building Superintendent or City Engineer.*

Soil erosion measures are under the jurisdiction of Wayne County and shall comply with the applicable standards.

#### Items to be addressed

- Applicant to comply with all soil erosion control measures and permits as issued by Wayne County.

---

#### UTILITIES

*Public water and sewer facilities shall be available or shall be provided for by the developer as part of the site development, where such systems are available.*

Public water and sewer facilities are available on site.

#### Items to be addressed

*None.*

## STORMWATER MANAGEMENT

*Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate stormwater which complements the natural drainage patterns and wetlands, prevent erosion and the formation of dust. Sharing of stormwater facilities with adjacent properties shall be encouraged. The use of detention/ retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic or create standing water.*

Stormwater is under the purview of Wayne County; applicant to work with City Engineer to determine the appropriate permitting process.

### Items to be addressed

- Applicant to work with City Engineer to review stormwater system to determine the appropriate permitting process.

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## LIGHTING

*Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Flashing or intermittent lights shall not be permitted.*

### §1290.05(i) Off-Street Parking

All illumination for such parking facilities shall be deflected away from residential areas and shall be installed in such manner as to allow the reduction of the amount of light after normal parking hours each day. All parking lot lighting shall be designed, located, and shielded to prevent glare onto adjacent properties, and shall be arranged to prevent adverse effects on motorist visibility on adjacent rights-of-way. The source of illumination shall not be more than twenty-five (25) feet above the parking surface.

### §1294.16(c) Drive-in and Drive Through Establishments

Lighting shall be installed in a manner which will not create a driving hazard on abutting streets or which will not cause direct illumination on adjacent residential properties, and shall comply with all other requirements of this Zoning Code.

### §1294.31(g) Performance Standards

Within five-hundred (500) feet of a residentially zoned area, bare bulbs which are visible in the residential area may not exceed fifteen (15) watts. Exterior lighting shall be so installed that the surface of the source of light shall not be visible from the nearest residential district boundary and it shall be so arranged to reflect light away from any residential use. In no case shall more than one (1) foot-candle power of light cross a lot line five (5) feet above the ground. In no case shall more than ten (10) foot-candle power of light exist at any given point on site. Illumination levels shall be measured with a foot-candle meter or sensitive photometer and expressed in foot-candles. Exterior spot lighting or other illumination shall be so installed as to eliminate any nuisance to adjoining Business and Industrial Districts or the creation of a traffic hazard on public highways.

*No lighting information has been provided.*

**Items to be addressed**

- Applicant to provide detail regarding the type and arrangement of lighting used.

**NOISE**

*The site has been designed, buildings so arranged, and activities/equipment programmed to minimize the emission of noise, particularly for sites adjacent to residential districts.*

§1294.31(a)(2) Decibels are not to exceed the frequencies listed in the table below.

<b>Center Frequency (cycles per second) (H2)</b>	<b>Day</b>	<b>Night</b>
31.5	77	72
63	73	68
125	67	62
250	62	57
500	55	50
1,000	51	46
2,000	44	39
4,000	37	32
8,000	33	28

In addition to traditional drive-throughs, additional noise could be generated from this site because carhops serve patrons outside in the parking lot. It can be helpful to provide sound data from other franchises to provide an idea of how noisy the establishment could be.

It is noted that the service window and the outdoor seating areas are located on the far side of the property from the residential areas. The required solid masonry walls will also help buffer noise.

**Items to be addressed**

- If possible, estimate sound levels at property edges which abut residential zones

**MECHANICAL EQUIPMENT**

*Mechanical equipment, both roof and ground mounted, shall be screened in accordance with the requirements of this Zoning Code.*

No information about mechanical equipment has been provided.

**Items to be addressed**

- Applicant to provide detail about mechanical equipment and associated screening.

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## SIGNS

No sign plan was provided.

### Items to be addressed

- *A sign plan shall be submitted showing all proposed signage, including dimensions. Applicant shall obtain all appropriate sign permits from the City Building Department.*

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## HAZARDOUS MATERIALS OR WASTE

*For businesses utilizing, storing or handling hazardous material such as automobile service and automobile repair stations, dry cleaning plants, metal plating industries, and other industrial uses, documentation of compliance with state and federal requirements shall be provided.*

No hazardous materials or waste are expected from the development.

### Items to be addressed

*None*

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## SITE DESIGN STANDARDS FOR USES PERMITTED AFTER SPECIAL APPROVAL

*All applicable standards for uses permitted after special approval are met.*

### 1296.02 AA. Outdoor Cafés, Outdoor Eating Areas, Carry-out, and Open Front Restaurants.

1. A minimum of five (5) feet of sidewalk along the curb and leading to the entrance to the establishment must be maintained free of tables and other encumbrances. If the sidewalk is not wide enough to allow for a five (5) foot wide clearance for circulation, the outdoor café should not be permitted. Planters, posts with ropes, or other removable enclosures should be encouraged and should be used to define the area occupied by the outdoor café.

*This condition is met.*

2. Pedestrian circulation and access to building entrances should not be impaired. A boundary (maximum encroachment width and length) into the public sidewalk should be established with an accessible aisle being maintained between this line and the curb, in accordance with the provisions of all State and Federal regulations.

***A direct path from the sidewalk to the door shall be provided.***

3. The outdoor café must be kept clean, litter-free, and with a well-kept appearance within and immediately adjacent to the area of the tables and chairs. Additional outdoor waste receptacles

may be required. Written procedures for cleaning and waste containment and removal responsibilities must be included with all applications and approved by the Planning Commission.

***Applicant to provide written procedures for cleaning and waste containment and removal responsibilities.***

4. Tables, chairs, planters, waste receptacles, and other elements of street furniture should be compatible with the architectural character of the adjacent buildings. If table umbrellas will be used, they should compliment building colors.

***Applicant to provide detail regarding outdoor furnishings. The sketch renderings meet this condition.***

5. Additional signs are not permitted beyond those permitted for the existing restaurant.

***Applicant to provide a comprehensive sign plan.***

6. The hours of operation for the outdoor café should be established and noted with the application.

***Applicant to provide hours of operation.***

7. Preparation of food and beverages may be prohibited in the outdoor café.

*No outdoor preparation of food and beverages is anticipated.*

8. Liability issues for use of the public sidewalk should be addressed and reviewed by the City Attorney.

***The full Site Plan application is subject to review by the City Attorney.***

#### 1294.16 Drive-In And Drive-Through Establishments.

- (a) When a drive-in or drive-through establishment adjoins property located in any Residential District, a solid masonry wall, ornamental on both sides, six (6) feet in height, shall be erected and maintained along the interior line, or if separated from the residential zone by an alley, then along the alley lot line. In addition, all outside trash areas shall be enclosed by such six (6)-foot masonry wall. Such walls shall be constructed of the same materials as that of the main or principal building, and be faced with either brick, decorative block, or pre-cast concrete formed into a decorative pattern and painted in the same color scheme as that of the principal building. Such wall shall be protected from possible damage inflicted by vehicles using the parking area by means of precast concrete wheel stops at least six (6) inches in height, or by firmly implanted bumper guards not attached to the wall, or by other suitable barriers.

*This condition is addressed under Screening, above.*

- (b) The entire parking area shall be paved with a permanent surface of concrete or plant- mixed bituminous material and shall be graded and drained in accordance with Section 1290.04(b)(4), Off-Street Parking A Areas; Residential Districts Adjoining Business or Industrial Districts. Any unpaved area of the site shall be landscaped with lawn or other horticultural materials, maintained in a neat

and orderly fashion at all times and separated from the paved area by a raised concrete curb, six (6) inches in height.

*This condition is addressed under Parking, above.*

- (c) Lighting shall be installed in a manner which will not create a driving hazard on abutting streets or which will not cause direct illumination on adjacent residential properties, and shall comply with all other requirements of this Zoning Code.

*This condition is addressed under Lighting, above*

- (d) Adequate ingress and egress shall be provided as prescribed in Chapter 1290, Off-Street Parking and Loading.

*This condition is addressed under Access, above*

- (e) Before approval is given for any use, a site plan shall be submitted to the Police Department and the Fire Department before submittal to the Planning Commission, for review pursuant to Section 1296.01, Site Plan Review, as to the suitability of the location of entrances and exits to the site, parking area, screening, lighting and other design features.

*This condition is addressed under Other Agency Reviews, below.*

#### Items to be addressed

- A direct path from the sidewalk to the door shall be provided.*
- Applicant to provide written procedures for cleaning and waste containment and removal responsibilities.*
- Applicant to provide detail regarding outdoor furnishings.*
- Applicant to provide a comprehensive sign plan.*
- Applicant to provide hours of operation.*
- The full Site Plan application is subject to review by the City Attorney.*

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#### OTHER AGENCY REVIEWS

*The applicant has provided documentation of compliance with other appropriate agency review standards, including, but not limited to, the Michigan Department of Natural Resources, Michigan Department of Environmental Quality, Michigan Department of Transportation, Wayne County Drain Commission, Wayne County Health Department, and other federal and state agencies, as applicable.*

Permits shall be secured as necessary. Dix Highway is under the jurisdiction of MDOT; stormwater will be reviewed by the Wayne County Drain Commission; restaurant licensing is the responsibility of the Wayne County Health Department.

#### Items to be addressed

- Applicant to secure ROW permit from MDOT as required
- Applicant to secure stormwater permit from Wayne County Drain Commissioner as required
- Applicant to secure food licensing from Wayne County Health Department
- Applicant to secure all other permits and licenses as required

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## VARIANCES

No variances are requested.

### Items to be addressed

None.

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## RECOMMENDATIONS

### Findings

The site plan is missing substantial information in order to make a determination of its compliance with the zoning ordinances. While no decision is expected during this Conceptual Review, it does not appear that site development features are shown in sufficient detail to permit the Planning Commission to effectively evaluate landscaping, open space, vehicular drives, parking areas, drainage, proposed utilities, or conformance with the City's development policies and standards.

### Conditions and Waivers

- Applicant to provide all required site dimensions
- Applicant to ensure all measurements are legible
- Applicant to specify mature dimensions of vegetation at approach to curb cut
- Applicant to provide scaled elevation drawings.
- Applicant to specify building materials
- Windows to be vertically oriented
- Main door entrance to be larger than required by building code and incorporate framing devices
- Rooftop equipment and screening to be shown.
- Applicant to provide a scaled floor plan
- Applicant to provide parking lot construction detail, including curb and gutter
- Solid masonry wall to be shown between site and abutting residential areas
- Applicant to address access management standards
- Applicant to provide a scaled landscape plan
- Applicant to provide a landscape plan as required in §1296.03, meeting all required provisions therein
- Applicant to provide waste receptacle screening detail.
- Screening to be provided pursuant to §1294.28 where site abuts a residential district.
- Applicant to comply with all soil erosion control measures and permits as issued by Wayne County.



- Applicant to work with City Engineer to review stormwater system to determine the appropriate permitting process.
- Applicant to provide detail regarding the type and arrangement of lighting used.
- If possible, estimate sound levels at property edges which abut residential zones
- Applicant to provide detail about mechanical equipment and associated screening.
- A sign plan shall be submitted showing all proposed signage, including dimensions. Applicant shall obtain all appropriate sign permits from the City Building Department.
- A direct path from the sidewalk to the door shall be provided.
- Applicant to provide written procedures for cleaning and waste containment and removal responsibilities.
- Applicant to provide detail regarding outdoor furnishings.
- Applicant to provide a comprehensive sign plan.
- Applicant to provide hours of operation.
- The full Site Plan application is subject to review by the City Attorney.
- Applicant to secure ROW permit from MDOT as required
- Applicant to secure stormwater permit from Wayne County Drain Commissioner as required
- Applicant to secure food licensing from Wayne County Health Department
- Applicant to secure all other permits and licenses as required

### Recommendations

No recommendations are made as part of Conceptual Review.

LINCOLN PARK ECONOMIC DEVELOPMENT CORPORATION  
Draft MEETING MINUTES  
Regular Meeting of May 23, 2017

The Lincoln Park Economic Development Corporation met in a regular session, on Tuesday, May 25, 2017 in the Lincoln Park City Hall Council Chambers. The Chairperson, called the meeting to order at 6:10pm, when a quorum was present. George Cretu was present at 6:30pm.

PRESENT: Magina, Cretu\*, Karnes, Hildebrandt, Egglesfield, Van Cleave, Judeh

ABSENT:

EXCUSED: Brown-Knox

ALSO PRESENT: Giles Tucker, Executive Director and Attorney William Look

Motion by Hildebrandt, supported by Egglesfield  
RESOLVED, that the agenda be approved as presented.  
Motion Carried Unanimously.

Motion by Van Cleave, supported by Hildebrandt  
RESOLVED, that the EDC approve the Minutes of April 25, 2017.  
Motion carried.

Motion by Van Cleave, supported by Egglesfield  
RESOLVED, that the EDC pay the following accounts and claims payable:

EDC Meeting April 25 <sup>th</sup> 2017 and other Legal Services	\$106.25
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Total: \$106.25

Motion unanimously carried.

The EDC Board accepted the Finance Report as submitted.

The Executive Director presented to that the Board that the EDC Small Business Loans for Accounting Plus, and Al Petri are current and A&R Music have yet to submit their May payment.

Motion by Egglesfield, supported by Van Cleave  
RESOLVED, that the Planning Commission revisit the regulation and zoning of Tattoo Parlors in Lincoln Park and consider expanding the districts this use is allowed beyond its present restriction.  
Motion Unanimously Carried. (Cretu not present for vote).

The Executive Director expressed that a tentative date for the Business Expo has been set for Saturday April 21, 2017.

Motion to Adjourn 7:20pm

Respectfully submitted,

Giles Tucker  
Executive Director, EDC

## Business Plan

Ray's Hookah Lounge goal is to provide all walks of life with a new and more relaxed destination for an evening out on the town.

The Hookah is generating a tremendous amount of interest throughout the world.

The cost to retail price ratio, along with the demand for the product, makes this an excellent Business to be in.

Ray's Hookah Lounge is an absolute must for anyone who savors new experiences, new tastes or just a quiet, relaxing night out. Ray's Hookah Lounge will be the most unique and sought out destination in your city here.

## Objectives

Ray's Hookah Lounge Objectives for the first year of operation include the creation of a unique, upscale social environment that will differentiate Ray's Hookah Lounge from anyone else. Educating surrounding community on what the Hookah is.

Ray's Hookah Lounge will provide a Full array of Hookah Flavours: Margarita, Peach, Strawberry, Cherry, etc (30+ Flavours).

Ray's Hookah Lounge will also provide customers with pop, smoothies and non-alcoholic specialty beverages

Ray's Hookah Lounge will appeal to individuals of ages 18-40. The location will provide our target market with convenient access to us.

#### Hours

Ray's Hookah Lounge Hours will be  
Mon - Thu 5pm - 12am + Fri - Sun  
5pm - 2am 18+up IDs will be  
required before entry.

A Hookah is a water pipe used to smoke flavored tobaccos which are a mix of 65% fruit pulp and molasses, and 35% tobacco, with no tar and less than .05% nicotine.