



CITY MANAGER

Elaine Leven

CITY CLERK

August Gitschlag

City of Fraser

CENTENNIAL COMMUNITY

MAYOR

Michael Lesich

MAYOR PRO-TEM

Patrick O'Dell

COUNCIL

Amy Baranski

Crystal Fletcher

George-Michael Higgins

Kenny Perry Jr.

Patrice M. Schornak

Fraser Planning Commission Agenda
City Council Chambers
33000 Garfield, Fraser, MI 48026
Wednesday, February 4, 2026 @ 7:00 p.m.

- 1. Call Meeting to Order / Pledge of Allegiance**
- 2. Roll Call**
- 3. Approval of Agenda – February 4, 2026**
- 4. Chairperson's Opening Remarks**
- 5. Approval of Minutes – January 7, 2026**
- 6. New Business**
 - a. **Public Hearing** – SLU 26-01: 31331 Groesbeck Hwy, Midway Eats – 24-hour operation
 - b. SP 24-07: Site Plan Extension Request - 33420 Utica Road – duplex condominiums
 - c. SP 26-01: 34960 Utica Road, Birdies and Brew – façade review
- 7. Unfinished Business – Zoning Ordinance Discussion – Article 9: General Provisions**
- 8. Public Communication on Non-Agenda Items**
- 9. Monthly Report – January 2026**
- 10. Zoning Board of Appeals Member Liaison Report**
- 11. Commissioners' Comments and Items of Interest/Concern**
- 12. Adjournment**

Posted: January 27, 2026



CITY MANAGER

Elaine Leven

CITY CLERK

August Gitschlag

City of Fraser

CENTENNIAL COMMUNITY

MAYOR
Michael Lesich
MAYOR PRO-TEM
Patrick O'Dell
COUNCIL

Amy Baranski
Crystal Fletcher
George-Michael Higgins
Kenny Perry
Patrice Schornak

Fraser Planning Commission Agenda
City Council Chambers
33000 Garfield, Fraser, MI 48026
Wednesday, January 7, 2026 @ 7:00 p.m.
DRAFT

1. Call Meeting to Order / Pledge of Allegiance

Chairman Warunek called the meeting to order at 7:01 pm.

2. Roll Call

Present: Barr, Czarnecki, Farina, Keil, Meyer, Tuller, Warunek

Absent: None

Others present: City Planner Lauren Sayre, City Attorney Alyssa Ericson, City Clerk August Gitschlag

3. Approval of Agenda – January 7, 2026

Motion by Farina, supported by Keil to approve the agenda with the addition of adding 6e Election of Officers

Ayes: Barr, Czarnecki, Farina, Keil, Meyer, Tuller, Warunek

Nays: None

Motion Passes

4. Chairperson's Opening Remarks

Chairman Warunek delivered the Chair's opening remarks.

5. Approval of Minutes – December 3, 2025

Change the spelling error in Attorney Ericson's last name

Motion by Czarnecki, supported by Tuller to approve the minutes of the December 3, 2025 Planning Commission Meeting with the typos corrected.

Ayes: Barr, Czarnecki, Farina, Keil, Meyer, Tuller, Warunek

Nays: None

Motion Passes

6. New Business

a. SP 25-03: Site Plan - 18380 Malyn

Arton Gjoka presented

Motion by Tuller, supported by Farina to recommend approval of the site plan subject to the following conditions:

1. Corrected consistent square footage of building throughout the site plan
2. The number of employees on the largest shift should be specified so that compliance with the minimum parking requirements can be determined. The minimum parking requirements shall be met.
3. The barrier free, accessible parking aisle is dimensioned and measures at least 5 feet in width.
4. A photometric plan must be provided to ensure the standards of Section 31-86 are met.
5. The pedestrian access to the front of the building should be revised to ensure minimal conflicts with vehicular traffic
6. Applicant meets the requirements included in the engineering report and building department.

Ayes: Barr, Czarnecki, Farina, Keil, Meyer, Tuller, Warunek

Motion Passes

Nays: None

b. Interview of Kathy Czarnecki for the Planning Commission

c. Interview of Trevor Tuller for the Planning Commission

Motion by Farina, supported by Keil to recommend to City Council the reappointment of Kathy Czarnecki and Trevor Tuller to the Fraser Planning Commission

Ayes: Barr, Czarnecki, Farina, Keil, Meyer, Tuller, Warunek

Motion Passes

Nays: None

d. Annual Planning Report – 2025

Motion by Tuller, supported by Czarnecki to forward the Annual Planning Report to Council

Ayes: Barr, Czarnecki, Farina, Keil, Meyer, Tuller, Warunek

Motion Passes

Nays: None

e. Election of Officers

Motion by Czarnecki, supported by Tuller to postpone item 6e Election of Officers to the March 2026 Planning Commission meeting.

Ayes: Barr, Czarnecki, Farina, Keil, Meyer, Tuller, Warunek

Motion Passes

Nays: None

7. Unfinished Business

a. Zoning Ordinance Discussion – Article 8: Use Standards

City Planner Sayre took notes as members of the Commission made suggestions for adjusting and changing the proposed language for further review

8. Public Communication on Non-Agenda Items

None heard

9. Monthly Report – December 2025

10. Zoning Board of Appeals Member Liaison Report

Commissioner Farina announced that the December ZBA meeting had been canceled.

11. Commissioners' Comments and Items of Interest/Concern

The commissioners wished everyone a happy new year.

Chairman Warunek asked City Planner Sayre about site plans that may be expiring soon

12. Adjournment

Motion by Barr, seconded by Tuller to adjourn the meeting at 9:06 pm.

Ayes: Barr, Czarnecki, Farina, Keil, Meyer, Tuller, Warunek

Nays: None

Motion Passes

Meeting Adjourned at 9:06pm

Respectfully submitted:

August R Gitschlag
Fraser City Clerk

January 27, 2026

City of Fraser Planning Commission
33000 Garfield Road
Fraser, MI 48026

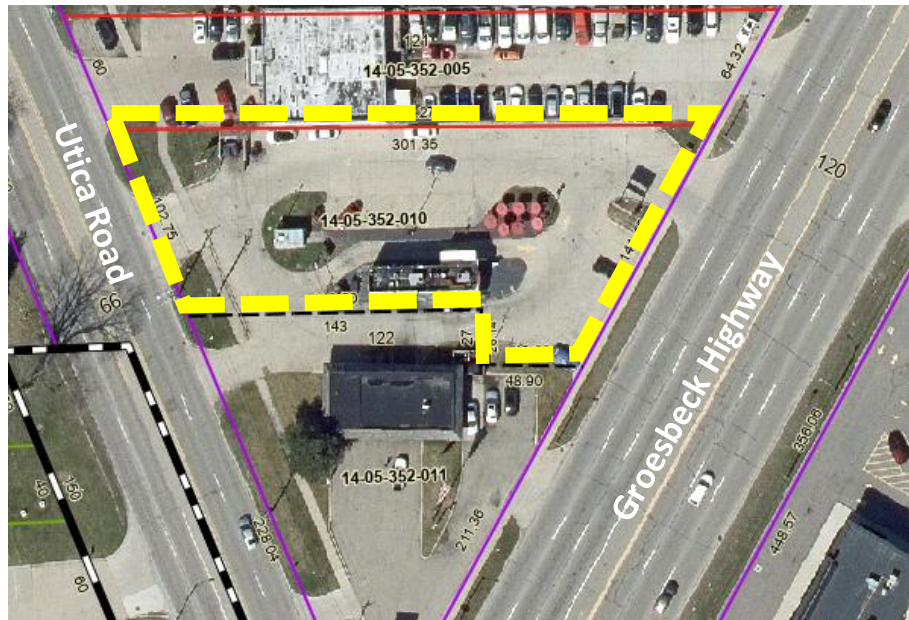
Subject: #SLU 26-01: Midway Eats: Special Land Use Review #1
Address: 31331 Groesbeck Hwy Fraser, MI 48026
Applicant: Leon Berishaj
Parcel #: 03-14-05-352-010

Dear Planning Commissioners:

A Special Land Use review and approval is required for the proposed fast-food restaurant in the City's Commercial General (CG) District, located at 31331 Groesbeck Highway for a twenty-four (24) hour operation. Because the Midway Eats is also a fast-food restaurant and utilizing the same building and layout as the previous fast food tenant, a new special land use review is not needed for the fast-food restaurant use. However, the previous fast-food restaurant was not open 24-hours, so the special land use approval requested is for the 24-hour operations.

The parcel is located between Utica Road and Groesbeck Highway, is 0.65 acres, and is zoned CG General Business District. The existing building is 785 square feet. The location of the site is shown below.

The applicant, Leon Berishaj, proposes to operate a twenty-four (24) hour fast-food operation utilizing the existing building.





RECOMMENDATION

We find the special land use standards to be met and do not anticipate any adverse impacts due to this proposed use, therefore we recommend approval of the special land use request for to operate a 24-hour operation at 31331 Groesbeck Hwy.

If you have any questions, please contact us.

Respectfully,

MCKENNA

Lauren Sayre
Senior Planner, AICP

Alicia Warren
Associate Planner

Cc: Building Official, City Engineer, City Attorney, City DPW, Applicant



STANDARDS FOR SPECIAL LAND USE APPROVAL

Section 32-152 establishes the purpose and procedures for Fraser's special land use approval process. The Planning Commission is the final decision authority for special land uses in Fraser. The Planning Commission must first conduct a public hearing according to Michigan Zoning Enabling Act requirements before they decide. Section 32-153(1) contains standards for special land uses. The planning commission must believe the proposal meets each standard to approve the application. Our comments follow each standard.

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

Applicant Comments	The applicant provided that the proposed use is currently of such location, size and character that it is in harmony with the appropriate and orderly development of the surrounding neighborhood and applicable regulations of the zoning district in which it is to be located.
Planning Comments	The location of Midway Eats is along two major thoroughfares, Utica Road and Groesbeck Hwy. The proposed 24-hour operation will utilize the existing building to conduct operations. The marathon gas station at the corner of Utica and Groesbeck is also 24-hours, and we find the commercial nature of this corridor compatible with the 24-hour use.

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

Applicant Comments	Our location is of nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off-street parking and provisions for pedestrian traffic, with particular attention to minimizing pedestrian-vehicle interference in residential districts. We have a parking lot with 2 exits on each side.
Planning Comments	The current traffic pattern is identical to the previously approved Rally's site, therefor, we do not believe the 24-hour use would impact vehicular or pedestrian traffic.



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

Applicant Comments	The location of the proposed use is designed as to the location, size, intensity, site layout and periods of operation of any such proposed use to eliminate and possible nuisance emanating therefrom which might be offensive to the occupants of any other nearby uses permitted, whether by reason of dust, noise, fumes, vibration, smoke or lights.
Planning Comments	The subject site does not abut any residential homes. The subject site is located at between Utica Road and Groesbeck Hwy. It is not anticipated that dust, noise, fumes, vibration, smoke, light, or glare will be an issue with this use as all service work will be performed within the building.

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

Applicant Comments	The proposed use is currently in a location and height of buildings or structures and location, nature and height of walls, fences and landscaping that does not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.
Planning Comments	The proposed use will be utilized within an existing structure. The structure is not being changed externally thus will not interfere with or discourage the appropriate development and use of adjacent land and buildings. The proposed building's location and height is appropriate for the area. We believe that the proposal does not unreasonably affect adjacent property values.

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

Applicant Comments	The proposed use is currently a location that relates harmoniously with the physical and economic aspects of adjacent land uses as regards prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular service and facility in specific areas of the City. We offer quick, drive thru service.
Planning Comments	We believe the proposed use shall relate harmoniously with the surrounding land uses. There are other late night related businesses in close proximity to the site. The site is also located along two major thoroughfares, Utica Road and Groesbeck Hwy.



- f. *The proposed use is necessary for the public convenience at the proposed location.*

Applicant Comments	The proposed use is necessary for the public convenience at the proposed location. We will offer fast and fresh meals through a drive thru only. There will be no congregating or service inside the location after 9pm.
Planning Comments	The site is also located along two major thoroughfares, Utica Road and Groesbeck Hwy. We believe the use will provide a necessary convenience at the proposed location.

- g. *The proposed use is so designated, located, planned and to be operated that the public health, safety and welfare will be protected.*

Applicant Comments	The proposed use is so designated, located, planned and to be operated that the public health, safety and welfare will be protected.
Planning Comments	We believe that the public health, safety and welfare are substantially protected. The proposed site layout currently accommodates pedestrian safety and circulation, vehicular movement both on- and off-site. We do not believe the proposed use would alter this.

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

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



ADDITIONAL USE STANDARDS

Section 32-190 establishes additional standards that are required for special land use approval.

(a) May be allowed in all zoning districts except residential. Twenty-four-hour operation is defined as any business or service dealing directly with the public operating anytime between the hours of midnight and 6:00 A.M.

Findings:

(b) Specific requirements and conditions:

1. *The site shall not be contiguous to any residence or residential district and shall not be located within three hundred (300) feet of the property line of any public or private school, or playground.*

Findings: This standard is met.

2. *The site shall be so located as to abut a major or secondary thoroughfare right-of-way and all ingress and egress to the site shall be directly from said thoroughfare.*

Findings: This standard is met.

3. *The building, or part thereof, devoted to such use or activity shall be designed and constructed in such a manner that no audible sound may be heard by adjoining tenants or at the lot line.*

Findings: This standard is met.

4. *Such uses shall be conducted in accordance with all applicable regulatory ordinances of the city.*

Findings: This standard is currently met.

(c) Environmental provisions and parking requirements. Environmental provisions and parking requirements shall be as required in Articles V and VI, respectively.

Findings: This standard is met.

SITE PLAN COMMENTS

Site plans are required for all special land uses in the City of Fraser. The applicant is currently utilizing the existing building. The applicant has submitted a site survey detailing the location of the property and the existing structure. Due to the nature of the project and the usage of the existing structure, we do not have any concerns regarding vehicular access and circulation, relationship to surrounding property, relationship to natural features, or infrastructure of the project.



AFFIDAVIT OF PUBLICATION

39949 Garfield Rd., Suite D, Clinton Twp., MI 48038

CITY OF FRASER
33000 GARFIELD
FRASER, MI 48026

STATE OF MICHIGAN COUNTY OF MACOMB

The undersigned, **NOELLE KLOMP** being duly sworn he/she is the principal clerk of **The Macomb Daily**, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

PC 2-4-26

Published in the following edition(s)

The Macomb Daily: 20 Jan 2026

A handwritten signature in black ink, appearing to read 'Noelle Klomp', written over a horizontal line.

Signature of Principle Clerk

Noelle Klomp

Name of Principle Clerk

Sworn to and subscribed before me this 20 Jan 2026,

A handwritten signature in black ink, appearing to read 'Jennifer A. Mosher', written over a horizontal line.

Notary Public, State of Michigan
Acting in Oakland County

JENNIFER A MOSHER
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MACOMB
My Commission Expires August 29, 2029
Acting in the County of _____

Advertiser Name / ID: CITY OF FRASER / 262703 - Ad ID: 19463-110752 - PO: - Affidavit ID: 1064



City of Fraser
Building & Code Enforcement Department

NOTICE OF PLANNING COMMISSION HEARING

NOTICE IS HEREBY GIVEN that the City of Fraser Planning Commission will meet on **Wednesday, February 4, 2026** at the City of Fraser Municipal Complex, Council Chambers located at 33000 Garfield Road, Fraser, Michigan for the purpose of conducting a Public Hearing and making a decision on the following request:

<u>REQUEST:</u>	26-01 SLU – MIDWAY EATS
<u>BY REASON OF:</u>	SEC. 32-135(2)(K) OF THE FRASER ZONING ORDINANCE
<u>PURPOSE OF REQUEST:</u>	TO OBTAIN SPECIAL LAND USE APPROVAL TO ALLOW A TWENTY-FOUR-HOUR OPERATION IN A CG "CG – GENERAL BUSINESS" ZONING DISTRICT.
<u>PROPERTY IN QUESTION:</u>	31331 GROESBECK HWY, FRASER, MI 48026 (PIN: 14-05-352-010)

NOTICE IS FURTHER GIVEN that any interested person may appear and comment upon the proposed request themselves or by agent or attorney.

The City of Fraser will provide necessary, reasonable auxiliary aids and services to individuals with disabilities at the meeting upon four (4) days' notice to the Building Department at the phone number set forth above.

Pertinent information relating to the proposed special land use request may be reviewed at the Fraser Building Department during regular business hours which are 8:00 a.m. to 4:30 p.m., Monday through Friday at the Fraser City Hall, 33000 Garfield Road, Fraser, Michigan. Questions regarding the proposed special land use can be directed to the Planner, c/o Building Department at 586-293-3100. Written comments may be submitted to the Fraser Building Department at 33000 Garfield Road, Fraser, Michigan 48026, or by email to zoning@frasercitymi.gov up to 4:30 p.m. on the meeting date.

Advertiser Name / ID: CITY OF FRASER / 262703 - Ad ID: 19463-110752 - PO: - Affidavit ID: 1064

____ Building Department
____ Fire Marshal
____ City Council/Econ. Dev. Coord.

Application No. _____
Date Received _____
Review Fee \$ _____

CITY OF FRASER
APPLICATION FOR SITE PLAN REVIEW/SPECIAL LAND USE APPROVAL

☐ Site Plan

☒ Special Land Use

Name of Project: _____

Address of Project: 31331 Groesbeck

Proposed Use: asking for extended hours.

Applicant's Name: Leon Berishaj

Address: 3432 Landview

City: Rochester Zip: 48306 Phone: 248 513-0142

Parcel Identification: 03.14.05.352.010

Complete Legal Description: (use opposite side or attach separately)

Zoning: _____ Size in acres: _____ Parcel Width: _____ Parcel Length: _____

Legal Owner:
Name: Sokol Jakaj Phone #: 586-744-1988

Address: 7020 Sugar Creek Ct. Shelby Twp 48316

Site Plan Preparer's Name: _____

Phone: _____ Fax: _____

If the Petitioner is not the owner, state basis for representative (ie, attorney, representative, option-to-buy, etc.):

required by the City of Fraser Zoning Ordinance. All plans must be voided when submitted. The applicant or representative must be present at the Planning Commission meeting. The site plan shall satisfy the requirements of the Zoning Ordinance for issuance of a building permit, but shall not exempt the applicant from compliance with all other City ordinances or requirements.

The undersigned deposes that foregoing statements and answers and accompanied information are true and correct.

Leon Berishaj
Signature of Applicant

Sokol Jakaj
Signature of Legal Property Owner

Leon Berishaj
Please print/type name below signature

Sokol Jakaj
Please print/type name below signature

CITY OF FRASER

SPECIAL LAND USE PROCEDURES

SUBMISSION REQUIREMENTS

The petitioner shall submit eighteen (18) copies of the site plan and completed application form at the City Hall at least twenty (20) days prior to a scheduled Planning Commission meeting. The special land use request and site plan shall meet all applicable submission requirements of Section 7.02 for site plan, and Section 12.02 for special land use, in the City of Fraser Zoning Ordinance. The completed application must be accompanied by the required fee, as established by resolution of the City Council. In most cases, the plans shall be prepared at standard engineering sizes and shall be folded to 10" by 12" or less in size.

The application shall also include a written report that specifically addresses each of the eight (8) standards of Section 12.02.A. Following is a reprint of these standards for your convenience:

A. Standards.

1. The proposed use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and applicable regulations of the zoning district in which it is to be located.
2. The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off-street parking and provisions for pedestrian traffic, with particular attention to minimizing pedestrian-vehicle interfaces in residential districts.
3. The proposed use shall be designed as to the location, size, intensity, site layout and periods of operation of any such proposed use to eliminate any possible nuisance emanating therefrom which might be offensive to the occupants of any other nearby uses permitted, whether by reason of dust, noise, fumes, vibration, smoke or lights.
4. The proposed use shall be such that the proposed location and height of buildings or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.
5. The proposed use shall relate harmoniously with the physical and economic aspects of adjacent land uses as regards prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the City.
6. The proposed use is necessary for the public convenience at the proposed location.
7. The proposed use is so designated, located, planned and to be operated that the public health, safety and welfare will be protected.
8. The proposed use shall not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.

The proposed use is currently of such location, size and character that it is in harmony with the appropriate and orderly development of the surrounding neighborhood and applicable regulations of the zoning district in which it is to be located.

Our location is of nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off-street parking and provisions for pedestrian traffic, with particular attention to minimizing pedestrian-vehicle interference in residential districts. We have a parking lot with 2 exits on each side.

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

The proposed use is currently in a location and height of buildings or structures and location, nature and height of walls, fences and landscaping that does not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.

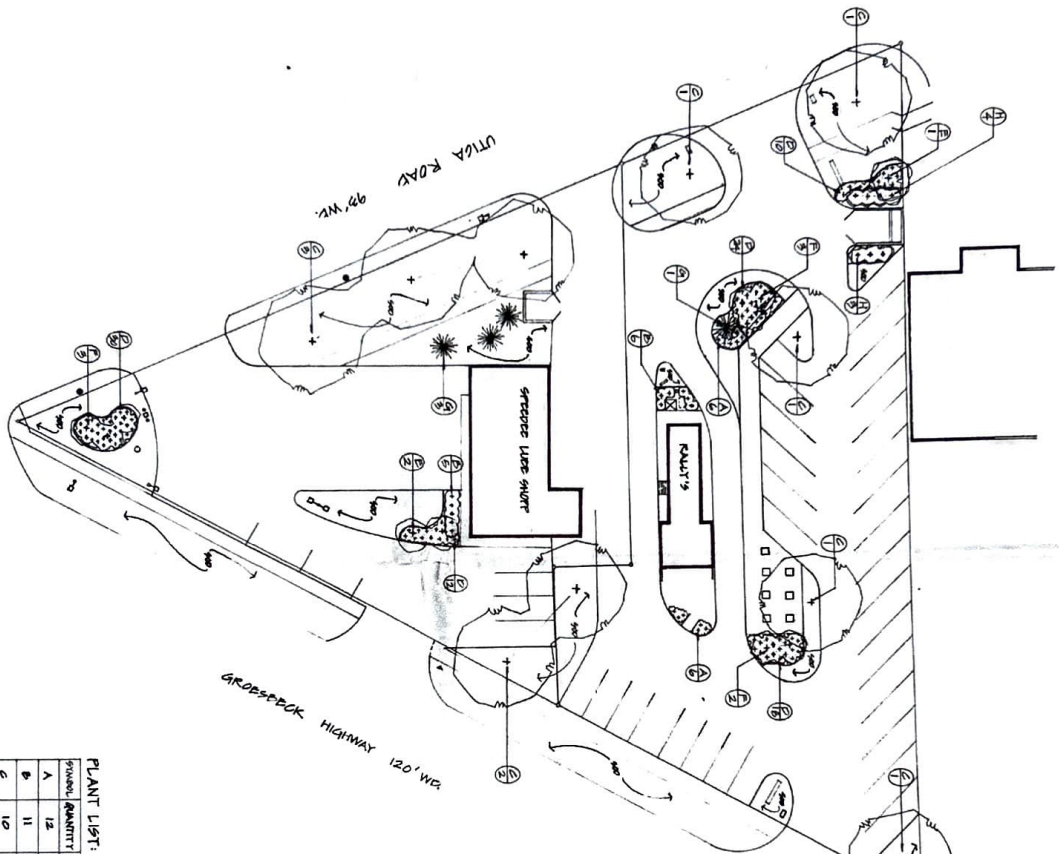
The proposed use is currently a location that relates harmoniously with the physical and economic aspects of adjacent land uses as regards prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular service and facility in specific areas of the City. We offer quick, drive thru service.

The proposed use is necessary for the public convenience at the proposed location. We will offer fast and fresh meals through a drive thru only. There will be no congregating or service inside the location after 9pm.

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

The proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not

be detrimental to existing and/or other permitted land uses in the zoning district.



PLANT LIST:

SYMBOL	QUANTITY	COMMON NAME	SIZE	SPACING
A	12	SPRINGBELL HYDRANGEA	18-24" D.B.H.	
B	11	SPRINGBELL HYDRANGEA	18-24" D.B.H.	
C	10	SPRINGBELL HYDRANGEA	18-24" D.B.H.	
D	44	SPRINGBELL HYDRANGEA	18-24" D.B.H.	
E	5	SPRINGBELL HYDRANGEA	18-24" D.B.H.	
F	5	SPRINGBELL HYDRANGEA	18-24" D.B.H.	
G	4	SPRINGBELL HYDRANGEA	18-24" D.B.H.	
H	1	SPRINGBELL HYDRANGEA	18-24" D.B.H.	

1. ALL SPECIES TO BE A CENTURY PLANT.
2. ALL SPECIES TO BE A CENTURY PLANT.
3. ALL SPECIES TO BE A CENTURY PLANT.

LANDSCAPE PLAN

NOWAK & FRAUS

Civil Engineers Land Surveyors

1310 N. Stephenson Hwy. Royal Oak Michigan (48067) Tel: (313) 760 0888

REVISIONS

DRAWN BY: J. FRAUS

CHECKED BY: J. FRAUS

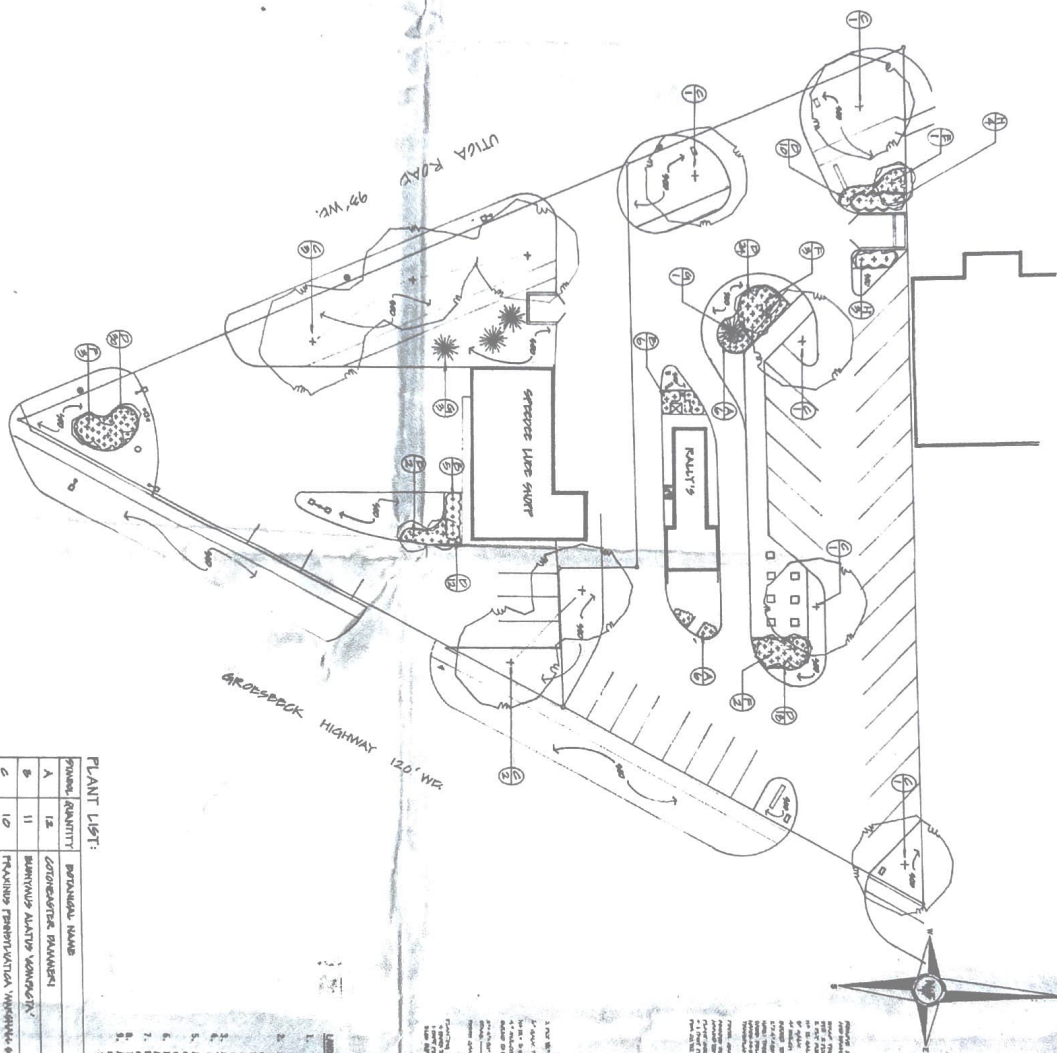
APPROVED BY: J. FRAUS

FIELD BOOK

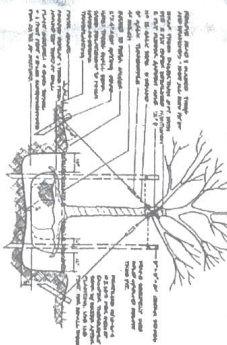
SCALE

VERTICAL 1" = 20'

HORIZONTAL 1" = 40'



TREE PLANTING DETAIL - PERSPECTIVE



PLANT LIST:

PLANT QUANTITY	COMMON NAME	SIZE	SPACING
A 12	COLEOSTERIS PALMARI	18-24" x 18"	
B 11	BURNING BUSH	18-24" x 18"	
C 10	FRAXINUS PRINCEPS	2-3" x 18"	
D 44	QUERCUS ALBA	18-24" x 18"	
E 5	MAHOGANY	1-1/2" x 18"	
F 5	MAHOGANY	1-1/2" x 18"	
G 4	MAHOGANY	1-1/2" x 18"	
H 1	MAHOGANY	1-1/2" x 18"	

1. The landscape contractor shall be responsible to install:
2. All materials and plants shall be well watered, healthy, fully grown, and of the highest quality.
3. All materials and plants shall be well watered, healthy, fully grown, and of the highest quality.
4. All materials and plants shall be well watered, healthy, fully grown, and of the highest quality.
5. All materials and plants shall be well watered, healthy, fully grown, and of the highest quality.
6. All materials and plants shall be well watered, healthy, fully grown, and of the highest quality.
7. All materials and plants shall be well watered, healthy, fully grown, and of the highest quality.
8. All materials and plants shall be well watered, healthy, fully grown, and of the highest quality.
9. All materials and plants shall be well watered, healthy, fully grown, and of the highest quality.
10. All materials and plants shall be well watered, healthy, fully grown, and of the highest quality.

LANDSCAPE PLAN
UTICA AND GROESBECK HWY,
CITY OF FRASER,
MACOMB COUNTY, MICHIGAN

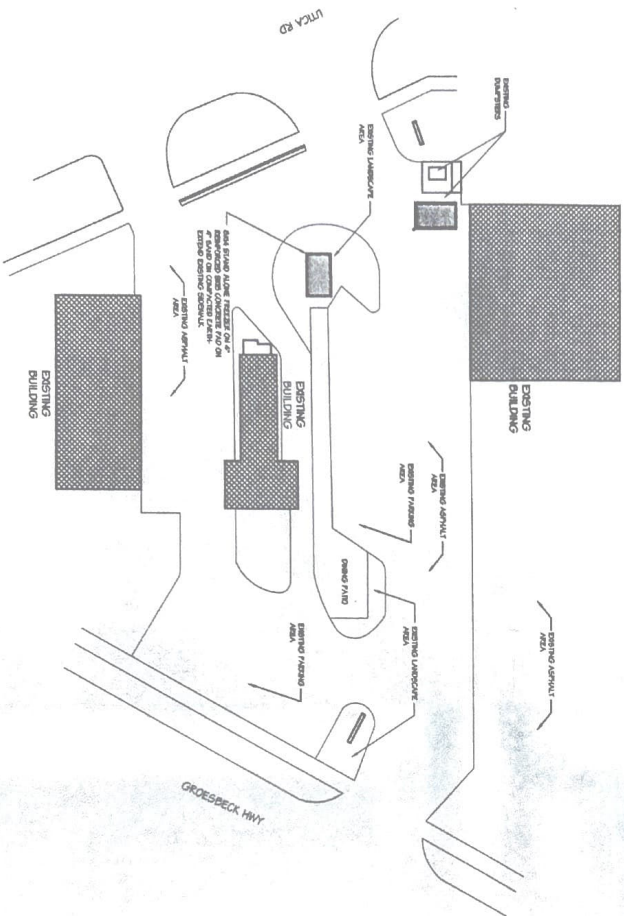
NOWAK & FRAUS
Civil Engineers Land Surveyors
1310 N. Stephenson Hwy. Royal Oak Michigan (48067) Tel (313) 399 0855

REVISIONS
DRAWN BY: J. FRAUS
CHECKED BY: J. FRAUS
APPROVED BY: J. FRAUS
FIELD BOOK
SCALE
VERTICAL
HORIZONTAL



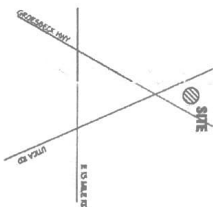
DATE: 8-14-07
JOB: 07-0716
SHEET: 1 OF 1

RAT WALL DETAIL
SCALE 1/2" = 1'-0"

[illegible]

Schematic Site Plan
SCALE: 1" = 20' 0"

Site Location



3 WORKING DAYS !!
BEFORE YOU DIG
CALL MISS DIG !!
1-800-483-7171
(TOLL FREE)



POLE LOCATED BY ALL UTILITIES HAVE BEEN
PROVEN TO BE THE MOST ACCURATE SOURCE OF
INFORMATION AVAILABLE, BUT ARE NOT
GUARANTEED AS ACCURATE AS HAVE UTILITIES
THEIR OWNERS. MISS DIG IS A PROFESSIONAL
FIELDING COMPANY THAT CAN LOCATE ALL
DEPT. OF 1-800-483-7171 FOR INFORMATION AND
HOURS UTILITY LOCATIONS. THESE LOCATIONS
WILL BE USED TO GUARANTEE YOUR

NEWCO
CRUISE REPAIR INC.

3685 Hogam Drive SE
Worthington, MA 07348
(616) 493 9340 Tel.
(616) 493 9366 Fax
www.newco88.com

CONCRETE WORK

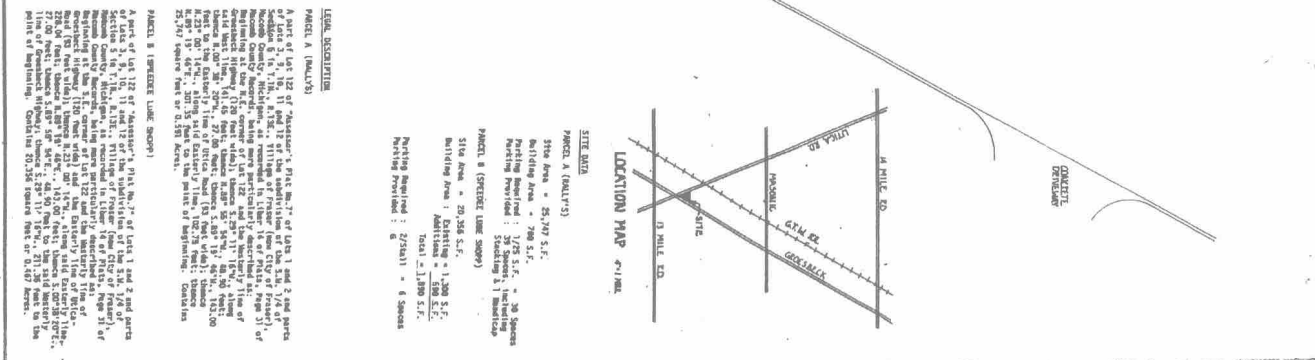
CHECKERS
BUN
FREEZER
Store 6251

Landscape
Plan,
Notes,
and
Details[illegible]

RESPONSES

[Signature]

10-01120
SHEET No.
LS-1



DOESBECK HWY,
MICHIGAN



SITE PLAN
UTICA ROAD AND
CITY OF FRASER,
MACOMB COUNTY,

8-4-87
87-6916
1 of 3



MCKENNA

Memorandum

TO: Fraser Planning Commission
FROM: Lauren Sayre, AICP
SUBJECT: 33420 Utica Road, Site Plan Extension Request
DATE: January 23, 2026

BACKGROUND

The site plan for SP 24-07 (33420 Utica Road) was conditionally approved on March 5, 2025. The site plan included plans to build seven duplex units, and also received a use variance from ZBA on November 7, 2024 to allow construction of multiplex buildings consisting of seven two-family dwellings on site with associated parking in the Residential Medium – One Family (RM) District.

On March 19, 2025, the applicant submitted updated plans to address the conditions stipulated by Planning Commission. These plans were administratively approved, and **the final plans and administrative review are attached at the end of this memo.**

Per Section 32-104(C): Approval period. A site plan approval shall be valid for one (1) year from the date of approval. If physical improvement of the site is not in actual progress at the end of a year and diligently pursued to completion, the approval shall be null and void unless renewed or extended by specific planning commission action. If approval is not extended before expiration of the one-year period, then a new application and a new approval shall be required before a building permit may be issued.



REQUEST

The applicant, Osama Razooq, has not yet physically improved the site and is seeking an extension to the site plan approval period, which would expire on March 5, 2026. The applicant is seeking a two-year extension and has provided a letter to request this extension. **Mr. Razooq's letter is attached at the end of this memo.**

HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

○ 248.596.0920
F 248.596.0930
MCKA.COM

Communities for real life.



REVIEW

The City does not have formal review standards for site plan extension requests, and the Planning Commission has discretion to approve or deny an extension of the site plan approval period. There is also no prescribed timeframe for such extensions; the Planning Commission may grant an extension for a limited period (e.g., three months) or for a longer duration (e.g., several years). While no formalized standards exist, Planning Staff offers the following considerations to help inform the Commission's decision.

Adjacent Properties: When considering extending the site plan, it is important to understand the surrounding properties and if any uses have changed that would have impacted PC's decision to approve the site plan. The surrounding properties have not changed in the past year. The site is still bordered by condominium complex to the north, Fraser Villa retirement community to the south, Utica road to the west, and a single family home to the east.

Enforcement: There are no active code enforcement cases for this site, nor have any been issued within the past year. This suggests the property continues to be maintained and reflects an ongoing vested interest by the property owner.

Applicant Follow Up: The applicant has pursued and obtained final site plan approval, meeting Planning Commission's stipulations. Further, this was provided in the same month as the conditional approval, again demonstrating the applicant's interest in developing the site.

Applicant Hardship: The applicant has provided a letter detailing why further action has not been taken after final site plan approval. The main concern is the volatility of the market, which has caused stalls in the development. While this is not a variance request where hardship needs to be found, we do find that the current economic fluctuations, especially with regard to the construction industry are founded and are extenuating circumstances outside of the applicant's control.

RECOMMENDATION

We approval of the site plan extension to March 5, 2028, as

- Surrounding land uses remain unchanged and would not alter the original approval,
- There are no active or recent code enforcement cases, indicating the site is being maintained and the applicant retains a vested interest,
- The applicant promptly secured final site plan approval and satisfied all Planning Commission stipulations, demonstrating good-faith efforts to proceed with development,
- While progress has stalled as an extenuating circumstance beyond their control, supporting approval of the extension.

We believe the 2-year request, which is appropriate given the continued economic uncertainty. If Planning Commission is uncomfortable with extending the site plan for this duration, the Planning Commission may extend it for a shorter period of time or require certain development milestones be met throughout the two-years.



City of Fraser

Building & Code Enforcement Department

March 19, 2025

Osama Razooq
8755 Crestview Drive
Sterling Heights, MI 48312

Subject: Administrative Final Site Plan Review

On March 5, 2025, Planning Commission conditionally approved SP 24-07, 33420 Utica Road with the following stipulations to be reviewed by the City Planner. Below are the conditions and our findings based on the updated site plan dated with revisions on March 10, 2025, the updated elevations provided March 19, 2025, and gazebo rendering shown at the March 5, 2025 Planning Commission Meeting, the landscape plan dated March 12, 2025, and the photometric plan dated January 31, 2025 (all attached).

Condition	Planning Comment
1. The applicant shall provide parking stall dimensions for the barrier free spaces that are compliant with Section 32-94(2) and federal requirements.	The two required barrier free spaces are both 8 feet with a shared 8 foot access aisle which is compliant with ADA requirements. Complies.
2. The applicant shall provide details of screening wall along the rear property line, which must architecturally match the neighboring property to the north.	The screening wall detail is provided in the updated site plan and will match the neighboring wall. Complies.
3. The applicant shall provide details of dumpster enclosure which must match the building materials.	The dumpster enclosure detail is provided in the updated site plan and will match the duplex building materials. Complies.
4. The building colors shall alternate and be natural colored.	A note has been added to the site plan that the color of the brick will alternate between brown and red for each building. Complies.
5. A landing pad will be added to the rear access of each building to provide access from the sliding doors to the ground.	Addressed in updated site plan. Complies.
6. The brick will be returned up to the start of the gabled roof instead of the vinyl siding.	Addressed in updated elevations. Complies.
7. The gazebo will be constructed in accordance with the elevation provided at the March 5, 2025 Meeting and will be landscaping will be provided along the gazebo.	Gazebo rendering attached and landscape plan complies with landscaping requirement around the gazebo. Complies.

We find that all of the conditions of site plan approval have been met, and therefore, **final site plan approval is granted.**

Thank you,

CITY OF FRASER

A handwritten signature in black ink, appearing to read "Lauren Sayre", with a stylized, flowing script.

Lauren Sayre, AICP
City Planner and Zoning Administrator
zoning@micityoffraser.com

Building Department 33000 Garfield Road Fraser, MI 48026 (586) 293-3100
--

BENCHMARK DATA, NAVD-88 DATM
BENCHMARK#1 SET PK NAIL IN WEST FACE OF UTILITY POLE
EAST SIDE OF UTICA ROAD BY PROPERTY SOUTHWEST CORNER.
ELEVATION 608.58

BENCHMARK#2 SET PK NAIL IN WEST FACE OF UTILITY POLE
EAT SIDE OF UTICA ROAD ±30 FEET NORTH OF PROPERTY.
ELEVATION 607.65

BENCHMARK#3 ARROW ON HYDRANT NORTH OF PROPERTY ±115
FEET EAST OF EAST PROPERTY LINE.
ELEVATION 608.16

NOTE:
BUILDING COLORS ARE RED AND BROWN ALTERNATIVELY

PROJECT:
THE PROJECT IS TO BUILD 7 BUILDINGS EACH HAS 2 UNITS

LOCATION MAP
NOT TO SCALE

**BEARING
CONSTRUCTION
AND
CONSULTING
L.L.C**
32969 HAMILTON CT.
STE. 120
FARMINGTON HILLS, MI
PH:(248) 470-9057

PROJECT

PROPOSED
MULTI FAMILY
COMPELX

33420 UTICA
FRASER, MI

CLIENT

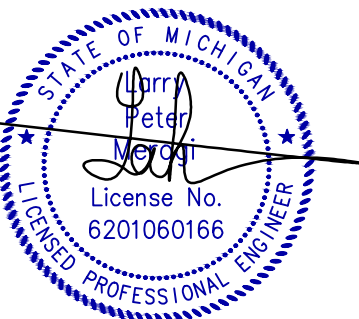
REVISIONS

11/22/2024
01/06/2025
01/27/2025
02/26/2025
03/10/2025

NOTES

APPROVED BY
LARRY MEROGI

SEAL



SCALE:

AS NOTED

DATE

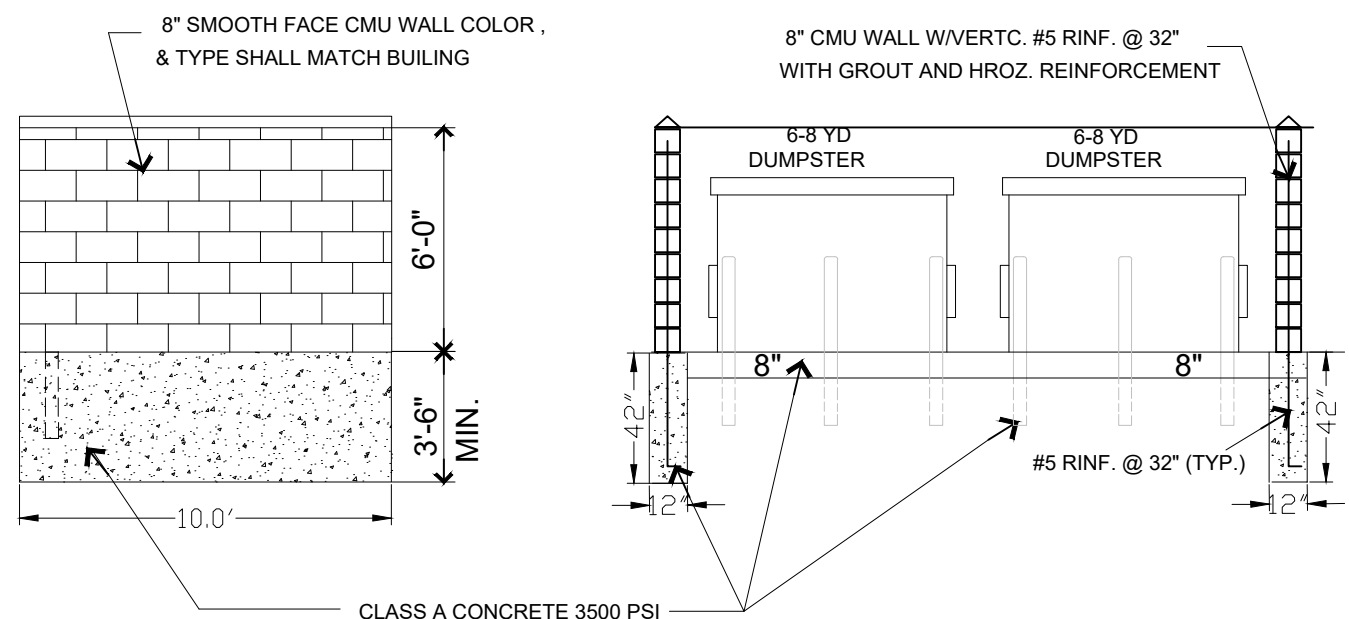
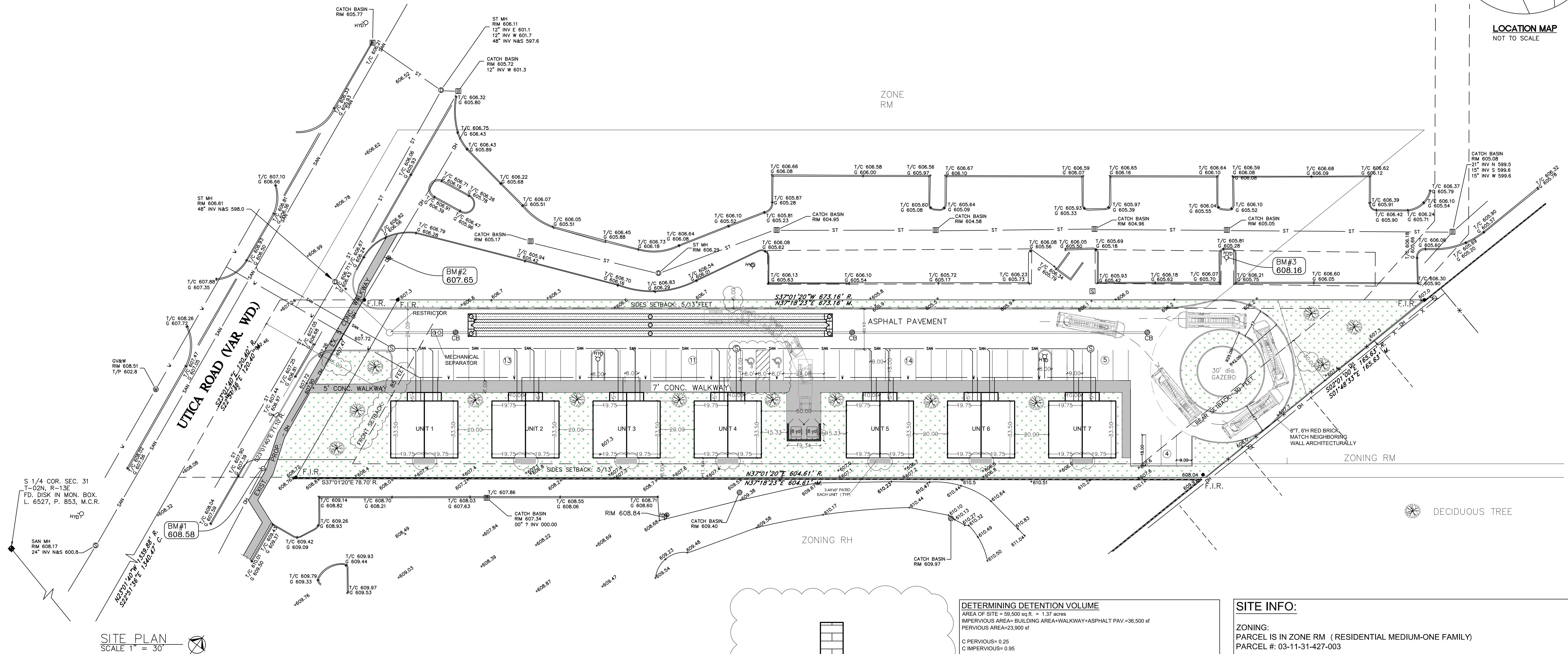
11/15/2024

SHEET TITLE

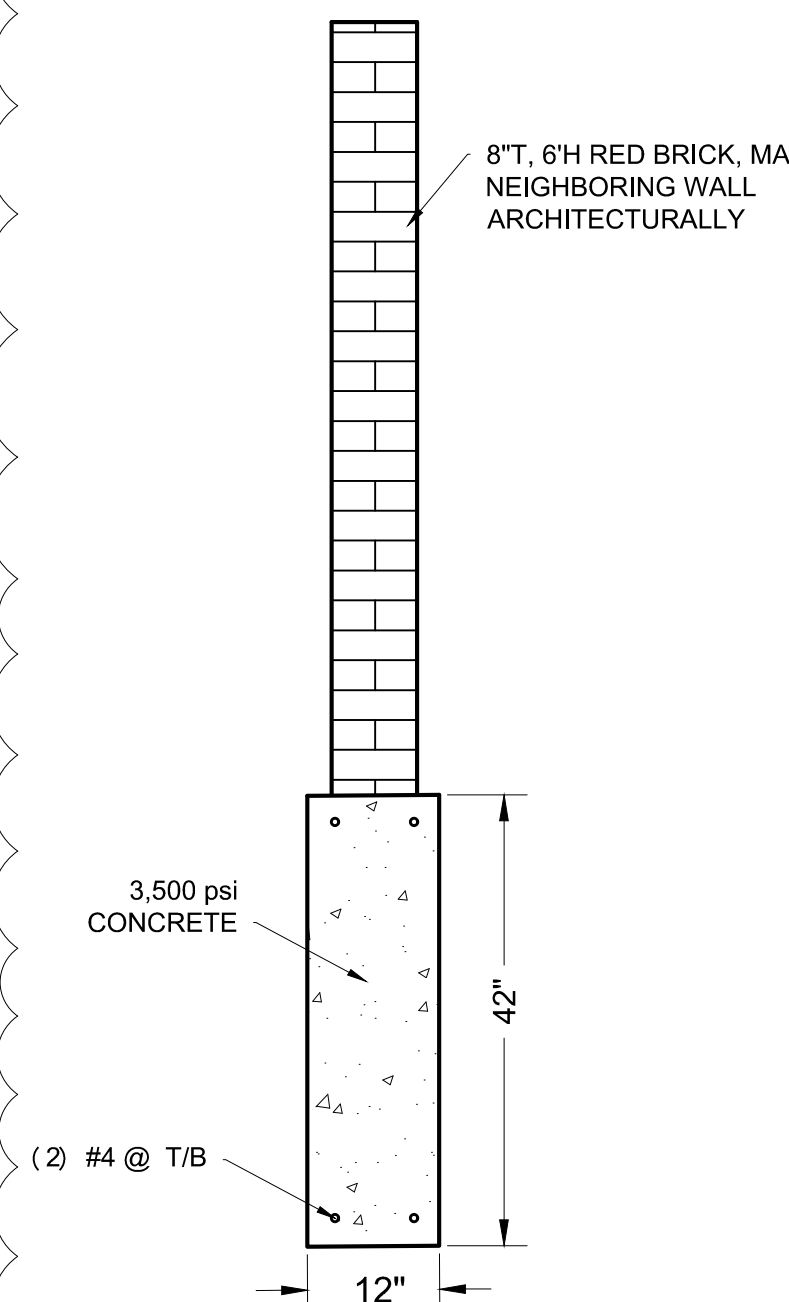
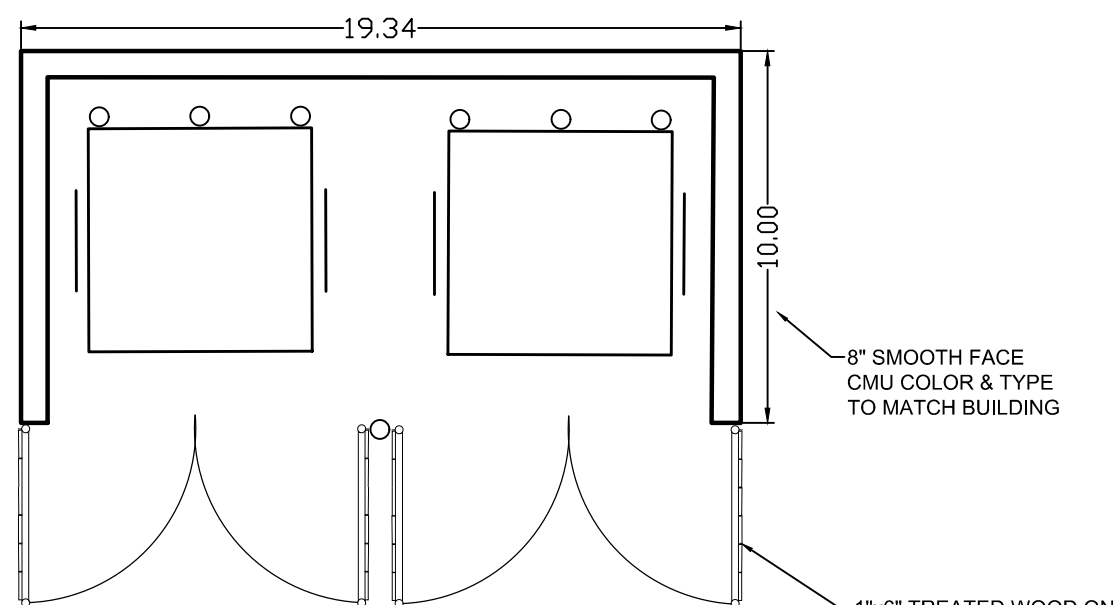
SITE PLAN

SHEET

C-I



DUMPSTER DETAIL
NOT TO SCALE



SCREEN WALL SEC.
NOT TO SCALE

DETERMINING DETENTION VOLUME
AREA OF SITE = 59,500 sq.ft. = 1.37 acres
IMPERVIOUS AREA= BUILDING AREA+WALKWAY+ASPHALT PAV.=36,500 sf
PERVIOUS AREA=23,000 sf

C PERVIOUS= 0.25
C IMPERVIOUS= 0.95

AVERAGE (C) VALUE FOR PROPOSED CONDITIONS:
(0.25X23,000 + 0.95X36,500)/59,500 = 0.67
AVERAGE RUNOFF COEFFICIENT (C) = 0.67

$Qa = 1 \text{ cfs/acre}$

$Qo = 1/(1.37 \times 0.67) = 1.09 \text{ cfs}$

$T = 25 \div \sqrt{(6562.5/1.09)} = 53 \text{ MIN.}$

$Vs = (10500T/(T+25)) - 40QoT = 4,824 \text{ ft}^3$

$Vt \text{ (REQUIRED)} = 4,824 \times 1.37 \times 0.67 = 4,428 \text{ ft}^3$

$Vt \text{ (PROVIDED)} = \text{THREE (3) } 36'' \times 210'' \text{ LONG CORRUGATED H.D.P.E PIPES:}$

$3 \times 210 \times 36 \times 3.14/4 = 4,453 \text{ ft}^3 > 4,428 \text{ ft}^3 \text{ OK}$

LEGAL DESCRIPTION:

Land situated in the City of Fraser, County of Macomb, State of Michigan

Commencing at the Southeast corner of Section 31, Town 2 North, Range 13 East; thence South 88 degrees 12 minutes 20 seconds West 840.34 feet; thence North 23 degrees 01 minutes 40 seconds West 1339.88 feet recorded (1353.88 feet per tax assessors records) along the center line of Utica Road to the point of beginning; thence North 37 degrees 01 minutes 20 seconds East 604.61 feet; thence North 02 degrees 01 minutes West 165.63 feet; thence South 37 degrees 01 minutes 20 seconds West 673.16 feet to a point on the center line of Utica Road; thence South 23 degrees 01 minutes 40 seconds East 120.40 feet along said center line of Utica Road to the point of beginning.

Aporition of the above described parcel also being a part of Lot 72 of Assessor's Plat No. 3 of part of South 1/2 of Southeast 1/4 of Section 31, Town 2 North, Range 13 East, Village of Fraser, Macomb County, Michigan, according to the plat thereof as recorded in Liber 14, Page 27 of plats, Macomb County Records. Said portion of Lot 72 also described as follows: Beginning at the Northwest corner of Lot 72; thence South 23 degrees 01 minutes 40 seconds East 71.10 feet; thence North 37 degrees 01 minutes 20 seconds East 78.70 feet to a point on the North line of said Lot 72; thence West along said North line of Lot 72 to the point of begrining, except that part taken for widening of Utica Road as recorded in Liber 5829, Page 10, Macomb County Records.

SITE INFO:

ZONING:
PARCEL IS IN ZONE RM (RESIDENTIAL MEDIUM-ONE FAMILY)
PARCEL #: 03-11-31-427-003

PROPERTY AREA EXCLUDING R.O.W=59,500 sf =====> 1.37 ac

PROPOSED BUILDINGS:
14 CONDOMINIUMS IN 7 BUILDINGS, EACH BUILDING HAS 1,423 sf GROUND FLOOR AREA.

TOTAL BUILDING GROUND FLOOR AREA= 7x1,423 = 9,961 sf
PAVEMENT AREA (CONC. & ASPH.) = 3,213+22,576=25,689 sf
TOTAL IMPERVIOUS AREA = 35,650 sf

BUILDING COVERS 9,961/59,500 x 100%=16.74%
IMPERVIOUS AREA COVERS 35,650 / 59,500 x100%=59.9%

PARKING SPACES
REQUIRED:
ALL UNITS ARE 3 BEDROOMS HOME
2 PARKING SPACES FOR 1st BEDROOM PLUS 1/2 FOR EACH ADDITIONAL BEDROOM=3 SPACES
TOTAL REQUIRED IS 14x3=42 PARKING SPACES

PROVIDED:
47 PARKING SPACES INCLUDING 2 ADA SPACES

SETBACKS:

FRONT: 85 FEET FROM CENTER LINE OF ROAD
BACK: 30 FEET
SIDES: 5/13 FEET

NOTE: SETBACK INFORMATION TO BE VERIFIED BY THE CITY OF FRASER PRIOR TO ANY DESIGN OR DEVELOPMENTS.)

Project:

**14 UNIT
CONDOMINIUM
PROJECT**
33420 Utica Road
Fraser, Michigan

Project Sponsor:

Mr. Osama Razooq, PE

Sheet Name:

Landscape Plan

**NOT FOR
CONSTRUCTION**

Seal:



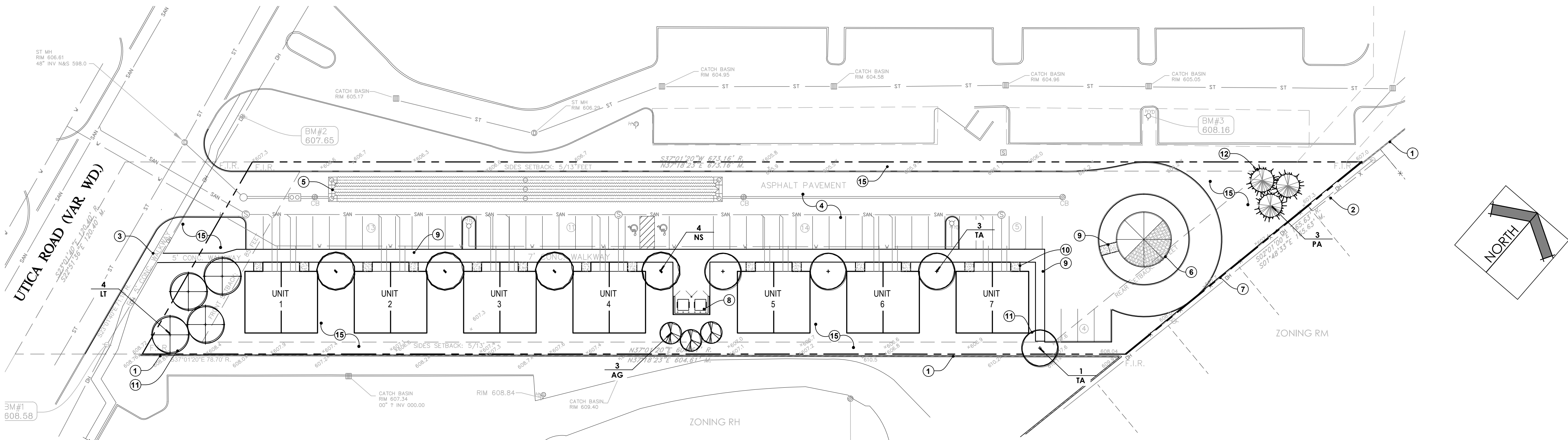
Drawn: JG
Checked: JG
Date: 02.2025
Scale: 1" = 20'-0"

Project Number:

25.008

Sheet Number:

L-1



OVERALL PLAN
SCALE: 1" = 30'-0"

NOTE KEY:

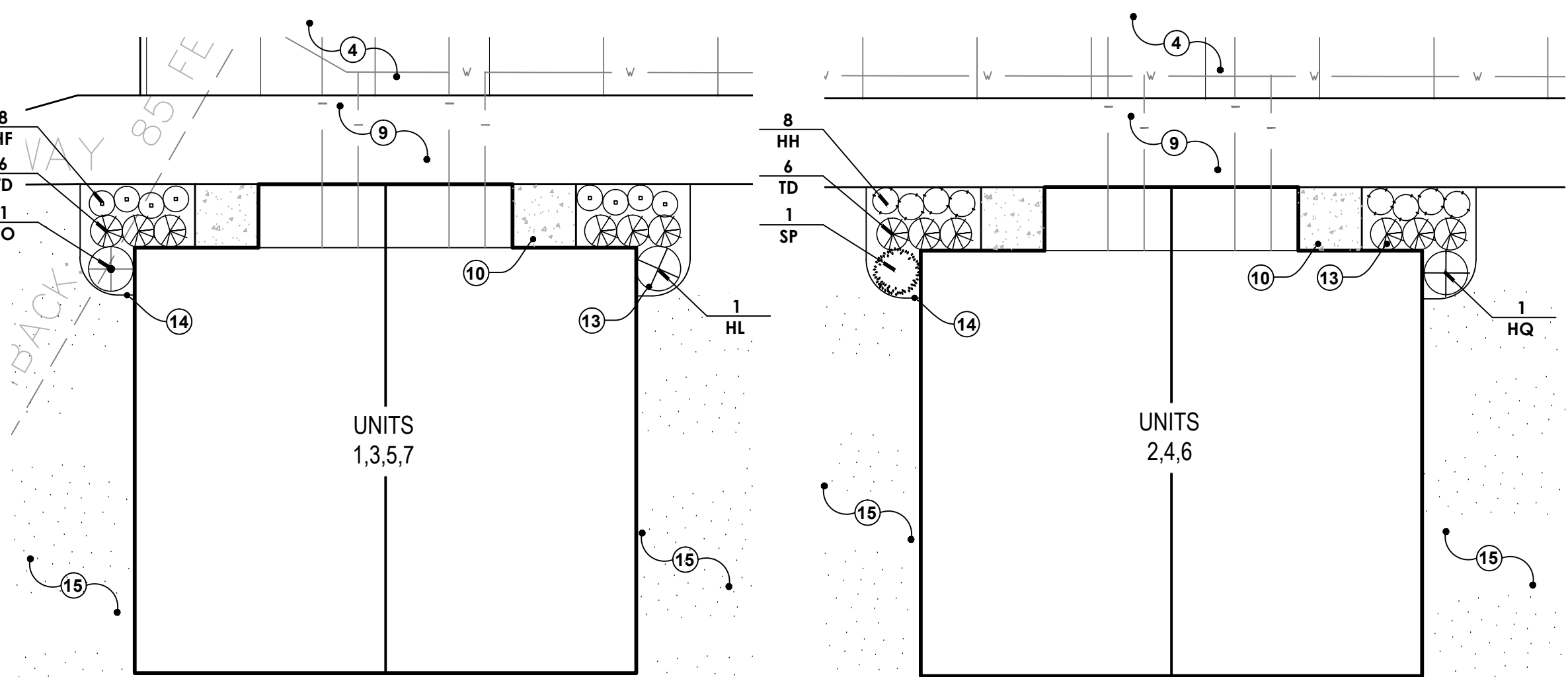
- EXISTING 6' HIGH BRICK WALL
- EXISTING FENCE TO REMAIN
- EXISTING WALK TO REMAIN
- PROPOSED DRIVE AISLE AND PARKING
- PROPOSED UNDERGROUND STORM WATER DETENTION, SEE ENGINEERING DRAWINGS
- PROPOSED 30" DIAMETER GAZEBO, SEE ARCHITECTURE
- PROPOSED 6' HIGH SCREEN WALL, SEE ENGINEERING DRAWINGS
- DUMPSTER ENCLOSURE, SEE ENGINEERING
- PROPOSED CONCRETE SIDEWALK, TYPICAL
- PROPOSED 5'X5'X4" DEPTH CONCRETE PAD, TYPICAL AT ALL UNITS
- DECIDUOUS CANOPY TREE, SEE TYPICAL DETAIL
- EVERGREEN TREE, SEE TYPICAL DETAIL
- SHRUB PLANTING, SEE TYPICAL DETAIL
- METAL EDGING BETWEEN LAWN AND LANDSCAPE, TYPICAL
- SEEDED LAWN OVER MINIMUM 3" DEPTH TOPSOIL TO LIMITS OF DISTURBANCE

STANDARD NOTES

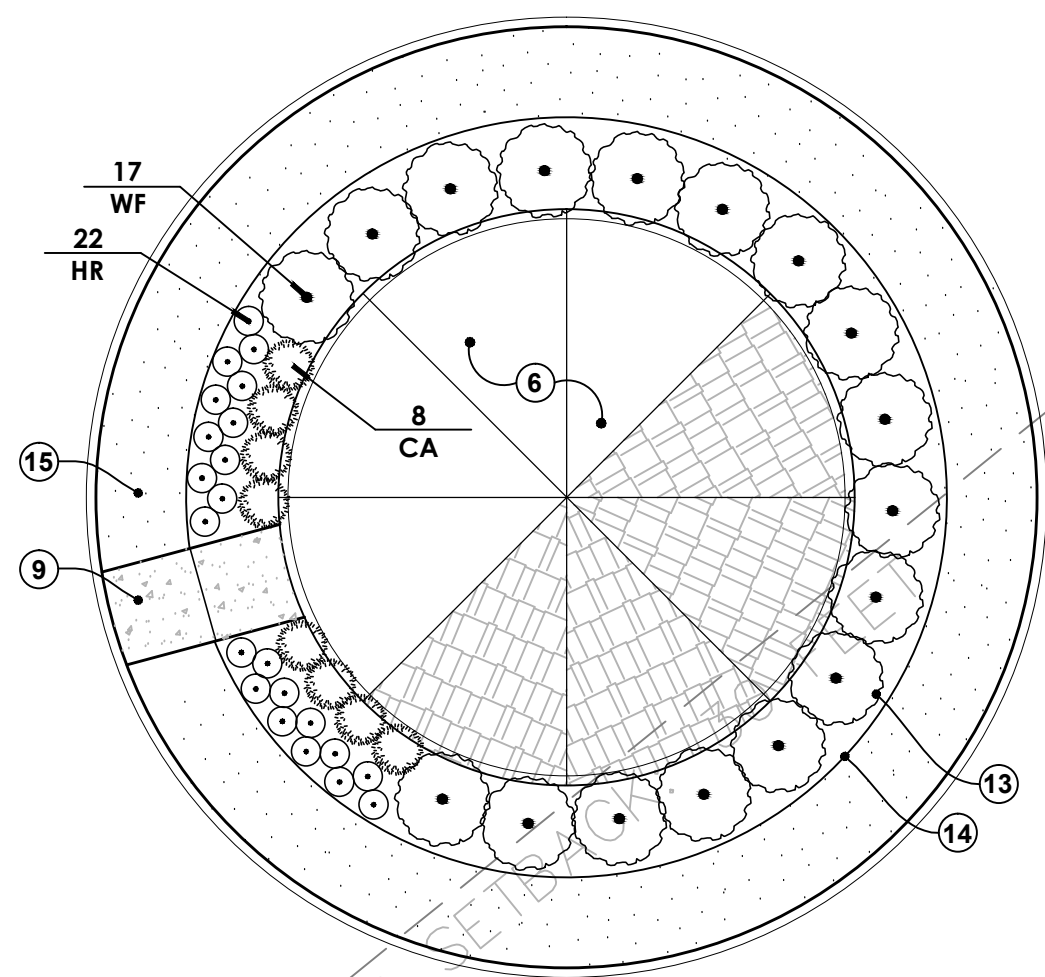
- ALL LANDSCAPE MATERIALS, INSTALLATION, AND MAINTENANCE SHALL COMPLY W/ ZONING ORDINANCE.
- ALL PLANT MATERIAL SHALL BE LOCALLY GROWN OF THIS NORTH MIDWEST AMERICAN REGION AND CONFORM TO THE MOST CURRENT AAN STANDARDS. USE NO.1 GRADE PLANT MATERIAL ONLY.
- ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION FREE OF WEEDS AND DEBRIS. THE ESTABLISHMENT (GUARANTEED) PERIOD SHALL BE ONE (1) YEAR FROM THE DATE OF APPROVAL OF PLANTINGS BY THE CITY. FAILING PLANT MATERIAL SHALL BE REPLACED WITHIN ONE YEAR.
- ALL TREE WRAP, STAKES AND GUY WIRES SHALL BE REMOVED AFTER ONE WINTER SEASON.
- ALL LAWN AND LANDSCAPE AREAS SHALL BE IRRIGATED BY AN AUTOMATIC IRRIGATION SYSTEM.**

PLANT SCHEDULE

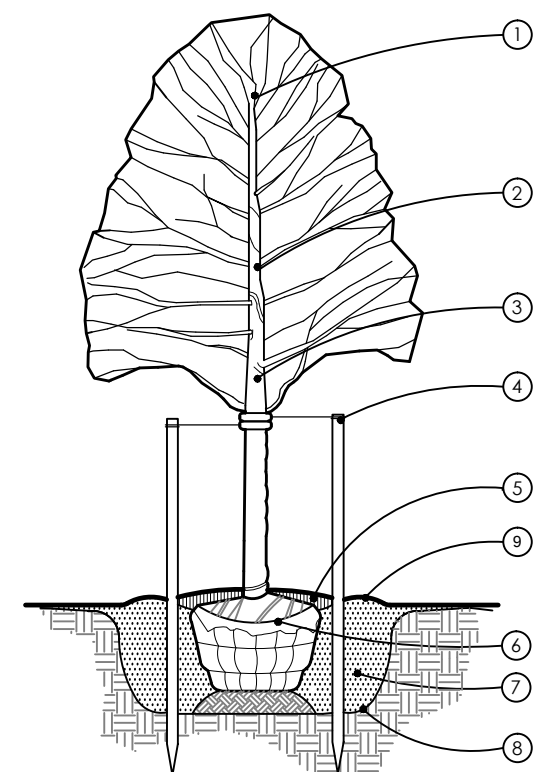
TREES							
QTY	SYM	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	ROOT	COMMENTS
3	AG	<i>Amelanchier x g. 'Autumn Brilliance'</i>	Autumn Brilliance Serviceberry	8' ht.	as shown	B&B	Minimum 5 stems
4	LT	<i>Liriodendron tulipifera</i>	Tulip Tree	2.5" cal.	as shown	B&B	Single straight trunk
3	PA	<i>Picea abies</i>	Norway Spruce	6' ht.	as shown	B&B	Unsheared, branched to ground
4	NS	<i>Nyssa sylvatica</i>	Blackgum	2.5" cal.	as shown	B&B	Single straight trunk
4	TA	<i>Tilia americana 'Redmond'</i>	Redmond American Basswood	2.5" cal.	as shown	B&B	Single straight trunk
SHRUBS							
4	HL	<i>Hydrangea p. 'Little Lime'</i>	Little Lime Hydrangea	30" ht.	as shown	cont.	Well rooted
3	HQ	<i>Hydrangea p. 'Little Quick Fire'</i>	Little Quick Fire Hydrangea	30" ht.	as shown	cont.	Well rooted
4	PO	<i>Physocarpus o. 'Summer Wine'</i>	Summer Wine Ninebark	30" ht.	as shown	cont.	Well rooted
42	TD	<i>Taxus x m. 'Densiformis'</i>	Dense Yew	24" ht.	as shown	B&B	Trim to Hedge
3	SP	<i>Syringa p. 'Miss Kim'</i>	Miss Kim Dwarf Korean Lilac	30" ht.	as shown	cont.	Well rooted
17	WF	<i>Weigela f. 'Red Prince'</i>	Red Prince Weigela	36" ht.	as shown	cont.	Well rooted
PERENNIALS							
32	HF	<i>Hosta 'Frances'</i>	Frances Hosta	#1	as shown	cont.	Well rooted
24	HH	<i>Hosta 'Halcyon'</i>	Halcyon Hosta	#1	as shown	cont.	Well rooted
8	CA	<i>Calamagrostis a. 'Karl Foerster'</i>	Karl Foerster Feather Reed Grass	#2	as shown	cont.	Well rooted
22	HR	<i>Hemerocallis 'Happy Returns'</i>	Happy Returns Daylily	#1	as shown	cont.	Well rooted



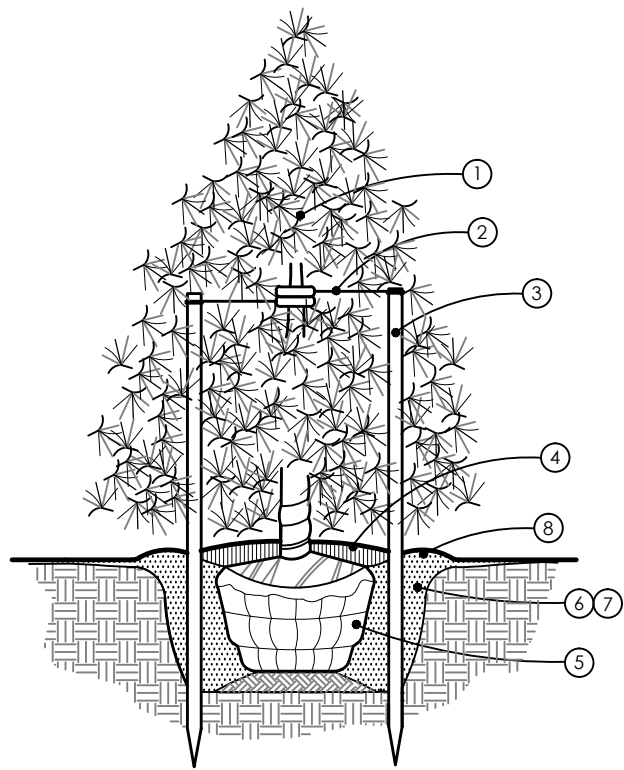
UNIT TYPICAL PLANTING PLANS
SCALE: 1" = 10'-0"



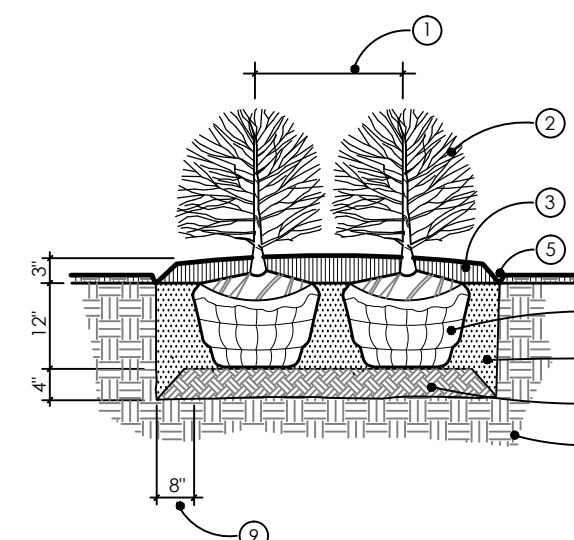
GAZEBO PLANTING PLAN
SCALE: 1" = 10'-0"



1 DECIDUOUS TREE PLANTING
NOT TO SCALE

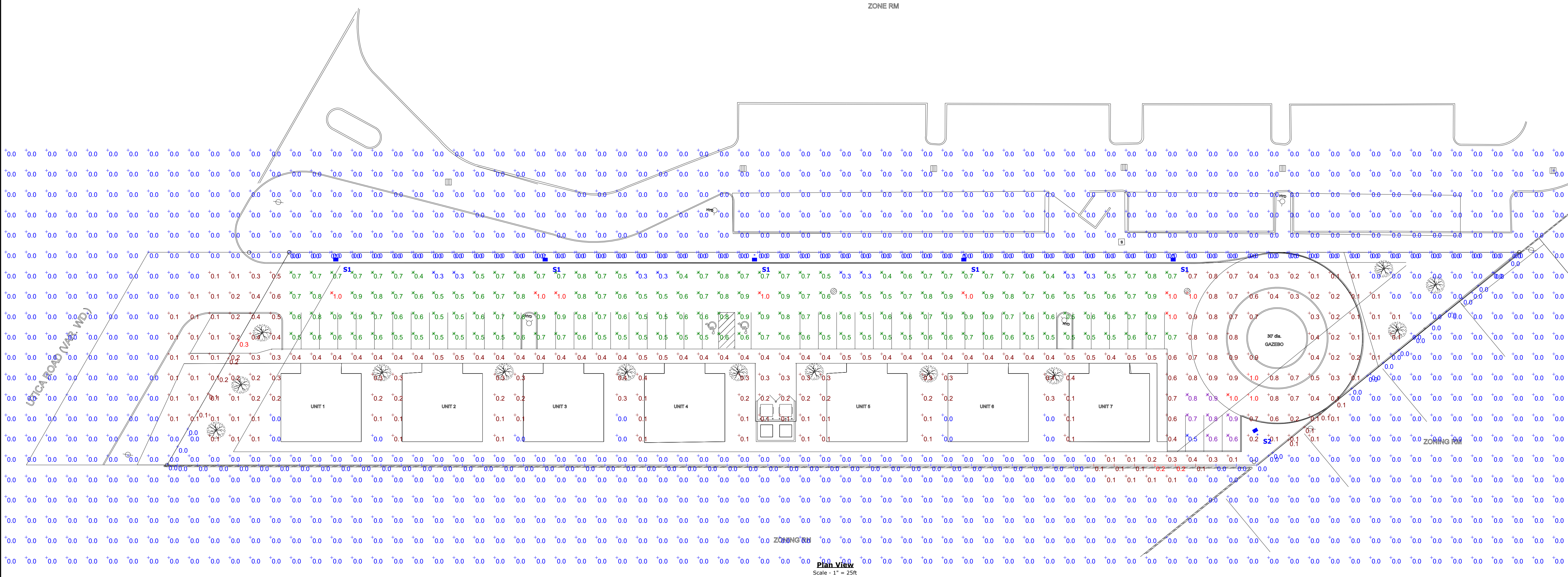


2 EVERGREEN TREE PLANTING
NOT TO SCALE



3 SHRUB PLANTING
NOT TO SCALE

- NOTES:**
- CONTRACTOR TO VERIFY PERCOLATION OF PLANTING PIT PRIOR TO INSTALLATION
 - SET TOP OF ROOTBALL 2" ABOVE FINISH GRADE
 - SEE PLAN FOR SPACING
 - SHRUBS, SEE PLANT SCHEDULE
 - 3" DEPTH DOUBLE SHREDDED HARDWOOD MULCH, TYPICAL
 - REMOVE ALL NON-BIODEGRADABLE TWINE FROM ENTIRE ROOTBALL. REMOVE BURLAP FROM TOP 10" OF ROOTBALL
 - SHOVEL CUT OR METAL EDGE, SEE PLAN
 - EXCAVATE EXISTING SOIL TO 12" DEPTH, REPLACE WITH PLANT MIX
 - SCARIFY TO 4" DEPTH AND RECOMPACT
 - UNDISTURBED SUBGRADE
 - MINIMUM 8" BETWEEN ROOTBALL AND EDGE OF PLANTING PIT



Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Front Parking Area	✕	0.6 fc	1.0 fc	0.3 fc	3.3:1	2.0:1
Overall	+	0.1 fc	1.0 fc	0.0 fc	N/A	N/A
Property Line - Front	+	0.1 fc	0.3 fc	0.0 fc	N/A	N/A
Property Line - Sides/Back	+	0.0 fc	0.2 fc	0.0 fc	N/A	N/A
Side Parking Area	✕	0.8 fc	1.0 fc	0.5 fc	2.0:1	1.6:1

General Note

1. SEE SCHEDULE FOR LUMINAIRE MOUNTING HEIGHT.
2. SEE LUMINAIRE SCHEDULE FOR LIGHT LOSS FACTOR.
3. CALCULATIONS ARE SHOWN IN FOOTCANDLES AT: 0' - 0"

THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING / FUTURE FIELD CONDITIONS. THIS LIGHTING LAYOUT REPRESENTS ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRE MAY VARY DUE TO VARIATION IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS, AND OTHER VARIABLE FIELD CONDITIONS. MOUNTING HEIGHTS INDICATED ARE FROM GRADE AND/OR FLOOR UP.

THESE LIGHTING CALCULATIONS ARE NOT A SUBSTITUTE FOR INDEPENDENT ENGINEERING ANALYSIS OF LIGHTING SYSTEM SUITABILITY AND SAFETY. THE ENGINEER AND/OR ARCHITECT IS RESPONSIBLE TO REVIEW FOR MICHIGAN ENERGY CODE AND LIGHTING QUALITY COMPLIANCE.

UNLESS EXEMPT, PROJECT MUST COMPLY WITH LIGHTING CONTROLS REQUIRMENTS DEFINED IN ASHRAE 90.1 2013. FOR SPECIFIC INFORMATION CONTACT GBA CONTROLS GROUP AT CONTROLS@GASSERBUSH.COM OR 734-266-6705.

Alternates Note

THE USE OF FIXTURE ALTERNATES MUST BE RESUBMITTED TO THE CITY FOR APPROVAL.

Ordering Note

FOR INQUIRIES CONTACT GASSER BUSH AT QUOTES@GASSERBUSH.COM OR 734-266-6705.

Drawing Note

THIS DRAWING WAS GENERATED FROM AN ELECTRONIC IMAGE FOR ESTIMATION PURPOSE ONLY. LAYOUT TO BE VERIFIED IN FIELD BY OTHERS.

Mounting Height Note

MOUNTING HEIGHT IS MEASURED FROM GRADE TO FACE OF FIXTURE. POLE HEIGHT SHOULD BE CALCULATED AS THE MOUNTING HEIGHT LESS BASE HEIGHT.



D-Series Size 0
LED Area Luminaire

Specifications

Height: 14.50 ft (4.42 m)
Length: 26.14 ft (7.96 m)
Width: 14.50 ft (4.42 m)
Height H1: 2.25 ft (0.69 m)
Height H2: 2.25 ft (0.69 m)
Weight: 23.14 lb (10.5 kg)

Ordering Information

EXAMPLE: DSX0 LED P6 40K 70CRI T3M MVOLT SPA NETAIR2 PIRN1 DDBD2

Introduction

The modern styling of the D-Series features a highly refined aesthetic that blends seamlessly with its environment. The D-Series offers the benefits of the latest in LED technology into a high performance, high efficiency, long life luminaire.

The photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. D-Series outstanding photometric aids in reducing the number of poles required in a given application, with typical energy savings of 70% and expected service life of over 100,000 hours.

Design Notes

For additional information, please visit our website at www.gasserbush.com or call us at 734-266-6705.



Description

Label	QTY	Manufacturer	Catalog	Description	Lamp Output	LLF	Input Power	Mounting Height
S1	5	Lithonia Lighting	DSX0 LED 50K 70CRI	D-Series Size 0 Area Luminaire Performance Package 5000K CCT 70 CRI	4733	0.9	45.14	25'
S2	1	Lithonia Lighting	DSX0 LED 50K 70CRI	D-Series Size 0 Area Luminaire Performance Package 5000K CCT 70 CRI	3553	0.9	33.21	25'

1. SEE SCHEDULE FOR LUMINAIRE MOUNTING HEIGHT.
2. SEE LUMINAIRE SCHEDULE FOR LIGHT LOSS FACTOR.
3. CALCULATIONS ARE SHOWN IN FOOTCANDLES AT: 0' - 0"

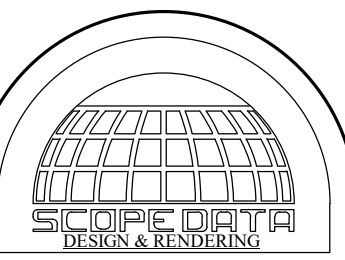
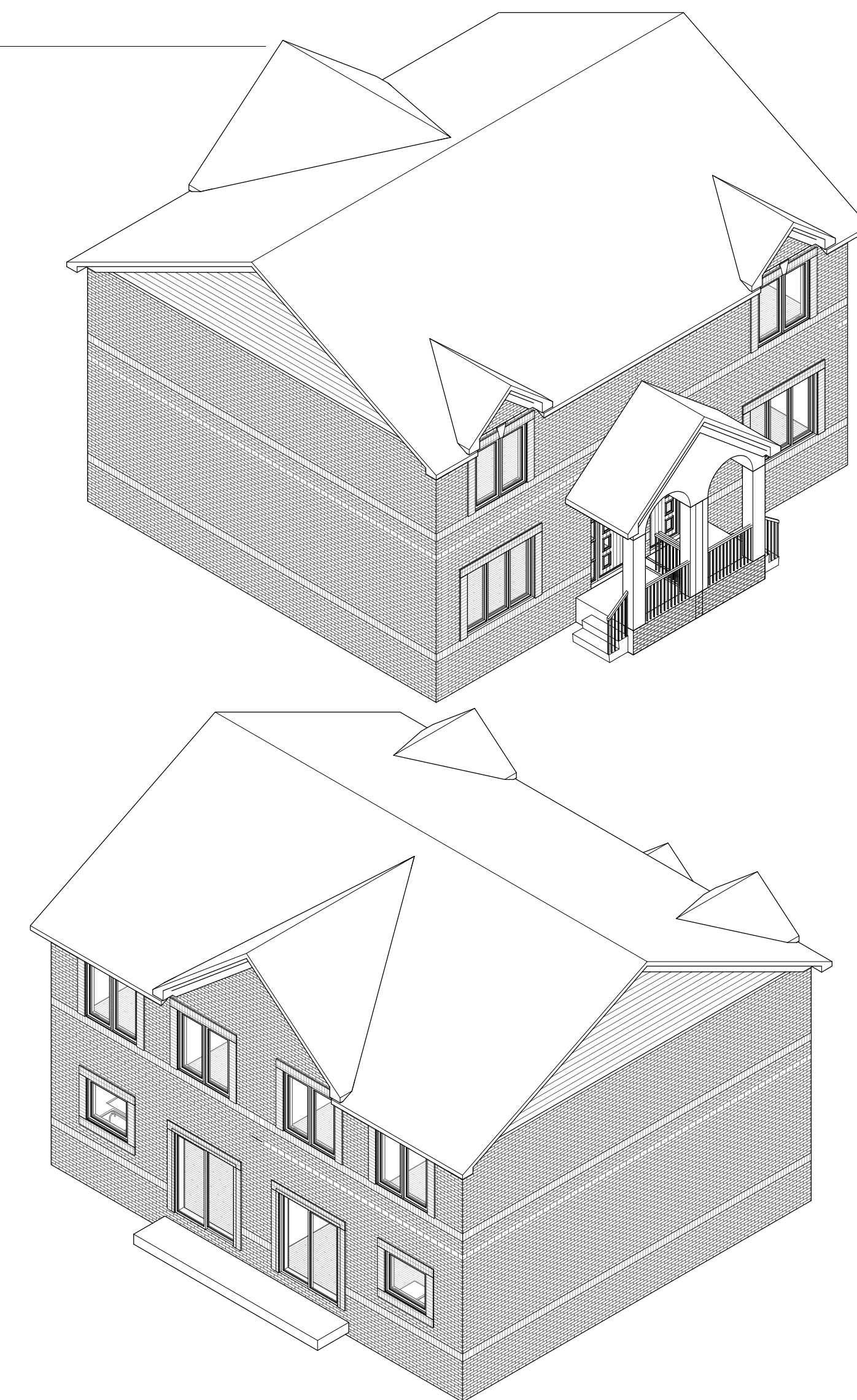
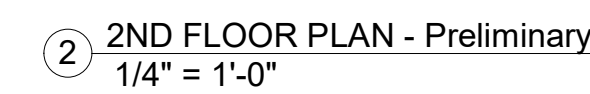
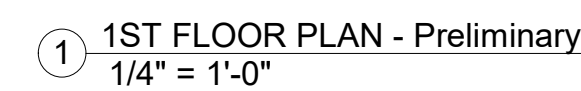
THESE LIGHTING CALCULATIONS ARE NOT A SUBSTITUTE FOR INDEPENDENT ENGINEERING ANALYSIS OF LIGHTING SYSTEM SUITABILITY AND SAFETY. THE ENGINEER AND/OR ARCHITECT IS RESPONSIBLE TO REVIEW FOR MICHIGAN ENERGY CODE AND LIGHTING QUALITY COMPLIANCE.

THE USE OF FIXTURE ALTERNATES MUST BE
RESUBMITTED TO THE CITY FOR APPROVAL.

FOR INQUIRIES CONTACT GASSER BUSH AT
QUOTES@GASSERBUSH.COM OR 734-266-
6705.

MOUNTING HEIGHT IS MEASURED FROM GRADE TO FACE OF FIXTURE. POLE HEIGHT SHOULD BE CALCULATED AS THE MOUNTING HEIGHT LESS BASE HEIGHT.

Designer
KS
Date
01/31/2025
Scale
Not to Scale
Drawing No.
#25-38825_V





SHEET #
A101



Have questions about this feature? Call 1-888-293-2339 Mon-Fri: 8AM-6PM EST

Extension Request for the 14 condominiums project on 33420 Utica Rd.

01/22/2026

City of Fraser planning commissioners,

I am writing to formally request a brief extension for the 14 condominiums project, currently due on March 6th, 2026.

The future economy is hard to predict, marked by high risk and unknowns from factors like policy changes, or market volatility, causing businesses to delay investment and hiring, and individuals to save more, slowing growth

Due to our project movement is impacted by the Economic uncertainty, I need some more time to ensure the project meets the high standards we both expect.

I propose a new deadline of March 6th, 2028, which I am confident I can meet.

Thank you for considering my request.

Best regards,



Osama Razooq

Memorandum

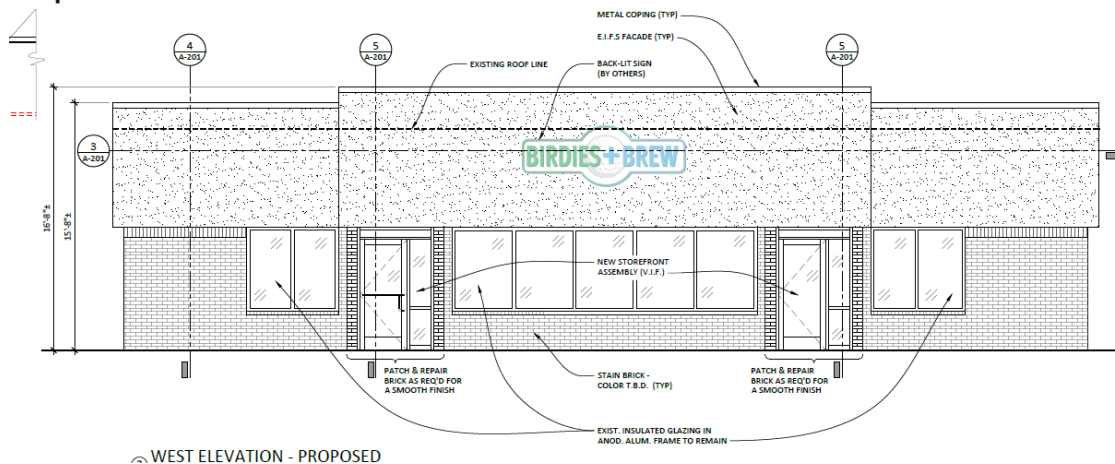
TO: Fraser Planning Commission
FROM: Lauren Sayre, AICP, Alicia Warren
SUBJECT: 34860 Utica Road – Exterior Façade Review
DATE: January 23, 2026

The applicant, Jonathan Juliano on behalf of Owner Clinton Valley Properties, is proposing exterior façade changes to the building located at 34860 Utica Road (on the east side of Utica just south of 15 Mile Road). This site is located in the CG, Commercial General district. The proposed changes delineate and change the signage, patch and repair existing brick and then staining it, replace existing doors, and add EIFS to top half of west elevation. No other changes to the site or the structure are proposed.

Existing:



Proposed:





ZONING ORDINANCE REVIEW

Section 32-131(a): Exterior facing materials. *The exterior of all buildings hereafter erected shall be constructed of aesthetically pleasing brick and/or stone building materials. Other durable, decorative building materials may be approved by the planning commission in instances where the character and style of the proposed structure warrants special consideration. The architecture and approved exterior finish of any building shall be complementary and compatible in style and be of uniform finish on all sides of its exterior when the site is adjacent to any noncommercial or non-industrial district. Within the office and commercial districts, the architecture and approved exterior finish shall be returned on the building side(s) a sufficient distance, as determined by the planning commission, to provide a continuous appearance from the street.*

For commercial districts, such as the CG District, any exterior building material that is not aesthetically pleasing brick and/or stone must be approved by the Planning Commission. The standard states that it must be:

- Complementary and compatible in style
- Be of uniform finish on all sides of its exterior
- The architecture and approved exterior finish shall be returned on the building side(s) a sufficient distance.

Section 32-131(d) requires roof-mounted mechanical equipment to be screened. We note that the existing building is noncompliant with this requirement, as mechanical equipment is visible from Utica Road.

Roof-mounted fixture screening. Roof-mounted appliances, including, but not limited to, air conditioners, heating apparatus, dust collectors, filters, transformers, and any other such appliance or apparatus, shall be enclosed on all sides by view-obscuring screening so as not to be visible from off the site. The design of the screening shall be approved by the planning commission as compatible with the architectural design of the building upon which it is located.





MASTER PLAN ALIGNMENT

The Future Land Use Map designates this parcel as General Commercial. Building and site design standards for this category indicate that buildings should be constructed of high-quality materials which wrap around the entire building and feature attractive signage.

The proposed façade is composed of high-quality materials and meets the intent of the Master Plan.

BUILDING DESIGN AND COMPATIBILITY WITH SURROUNDINGS

Materials

Stucco is typically a mixture of cement, sand, lime, and water. This building material has become increasingly popular as it is durable, fire-resistant, low maintenance, and relatively inexpensive. Fraser Planning Commission has recently approved EFIS (External Insulation and Finishing Systems) on new buildings such as 34275 Utica Road (Juan Blancos) and 36600 Utica Road (Strip Mall), and 16000 15 Mile Road (retail center adjacent to this building). There are also many instances of stucco used as an exterior façade material in Fraser's commercial districts and retail centers (shown below), as well as similar configurations of facades that incorporate different base cladding materials (including cobblestone veneer as proposed), storefront zone cladding, and signage area cladding. It is noted on the building plans that the brick will be stained and color is TBD. Staining color should be discussed and approved by the Building Official and City Planner, as required in Section 32-37(1).



31270 Groesbeck Hwy



31896 Groesbeck Hwy



16000 15 Mile Road



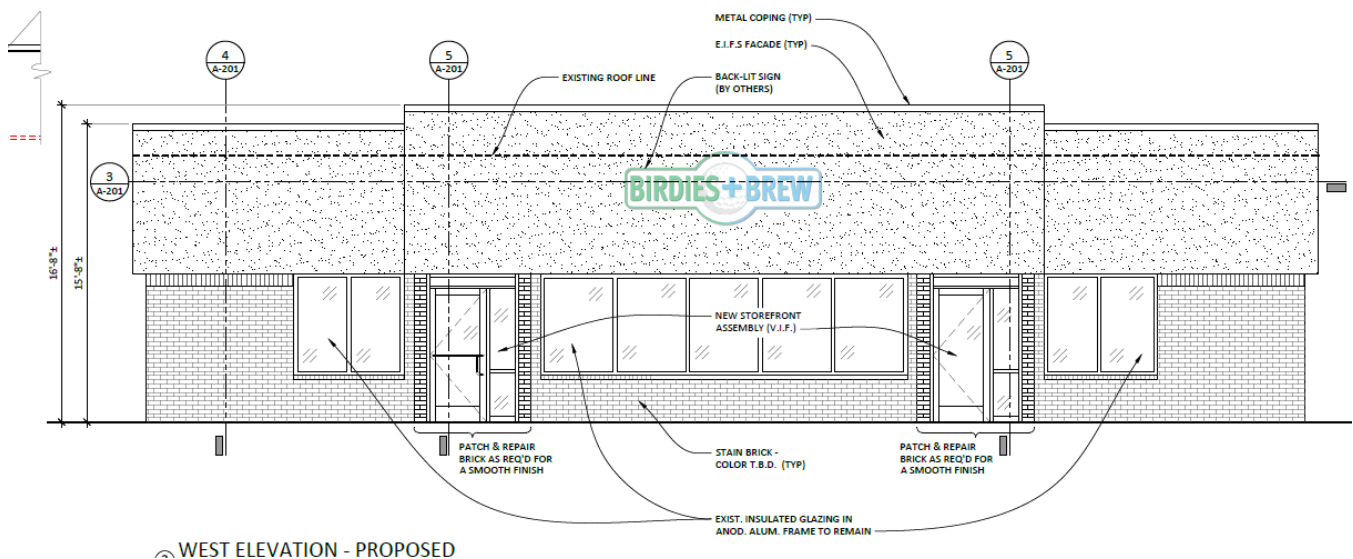
Screening

The proposed façade modifications will certainly bring the existing building more into compliance with Zoning Ordinance requirements for equipment screening, as the new, raised parapet would more effectively obscure the rooftop mechanical equipment. However, it is not apparent from the material provided whether the extended parapets will fully screen the equipment from view off-site.

TO BE ADDRESSED:

1. *The applicant should demonstrate to the Planning Commission's satisfaction that all mechanical equipment will be screened from view off the site as a result of the proposed façade modifications. If not, additional screening compatible with the architectural design of the building must be added and submitted to the Planning Commission for review.*

Signage



The proposed façade provides natural sign placement area on the new stucco, and conceptual sign location is indicated on the provided elevations.

All new or relocated signs are subject to additional review and permitting for compliance with Zoning Ordinance requirements.



RECOMMENDATION

The proposed renovation represents a positive investment in Fraser's retail stock, and we believe it will contribute to the viability of the existing retail center. We recommend the Planning Commission consider approving the exterior façade modifications, subject to resolution of the following:

1. *The applicant should demonstrate to the Planning Commission's satisfaction that all mechanical equipment will be screened from view off the site as a result of the proposed façade modifications. If not, additional screening compatible with the architectural design of the building must be added and submitted to the Planning Commission for review.*
2. *Applicant shall provide brick stain color prior to the Building Official and City Planner for approval.*

Please feel free to contact us with any questions. We look forward to discussing this matter at your upcoming meeting.

Submittal Date: _____
Initial Review Fee: _____

Meeting Date: _____
Application #: _____

CITY OF FRASER
APPLICATION FOR SITE PLAN REVIEW/SPECIAL LAND USE APPROVAL

☒ Site Plan

☐ Special Land Use

Name of Project: BIRDIES + BREW
Address of Project: 34860 UTICA RD
Proposed Use: INDOOR GOLF SIMULATORS AND MINI GOLF

Applicant's Name: JONATHAN JULIANO
Address: 15485 LUXEMBURG
City: FRASER Zip: 48026 Phone: (231) 499-3877
Email: jnathan@clintonvalleyproducts.com

Parcel Identification: 03-11-31-201-013
Complete Legal Description: (use opposite side or attach separately)
Zoning: CG Size in acres: 0.580 Parcel Width: 80' Parcel Length: _____

Legal Owner:
Name: CLINTON VALLEY PROPERTIES Phone #: (231) 499-3877
Address: 15485 LUXEMBURG, FRASER, MI 48026

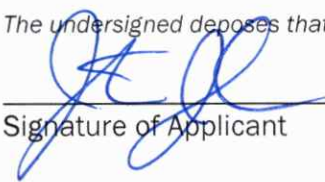
Site Plan Preparer's Name: _____
Phone: _____ Fax: _____

If the Petitioner is not the owner, state basis for representative (ie, attorney, representative, option-to-buy, etc.):

Fifteen (15) copies of the application and site plan shall be submitted to the City at least twenty (20) days prior to a scheduled Planning Commission meeting (First Wednesday of the month at 7:00pm.) The site plan shall include all information required by the City of Fraser Zoning Ordinance. All plans must be folded when submitted. The applicant or representative must be present at the Planning Commission meeting. The site plan shall satisfy the requirements of the Zoning Ordinance for issuance of a building permit, but shall not exempt the applicant from compliance with all other City ordinances or requirements.

If additional reviews are required beyond the initial, each review thereafter is 50% of the initial cost.

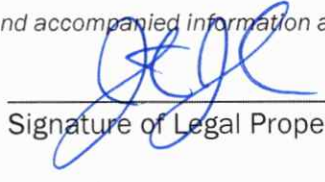
The undersigned deposes that foregoing statements and answers and accompanied information are true and correct.



Signature of Applicant

JONATHAN JULIANO

Please print/type name below signature

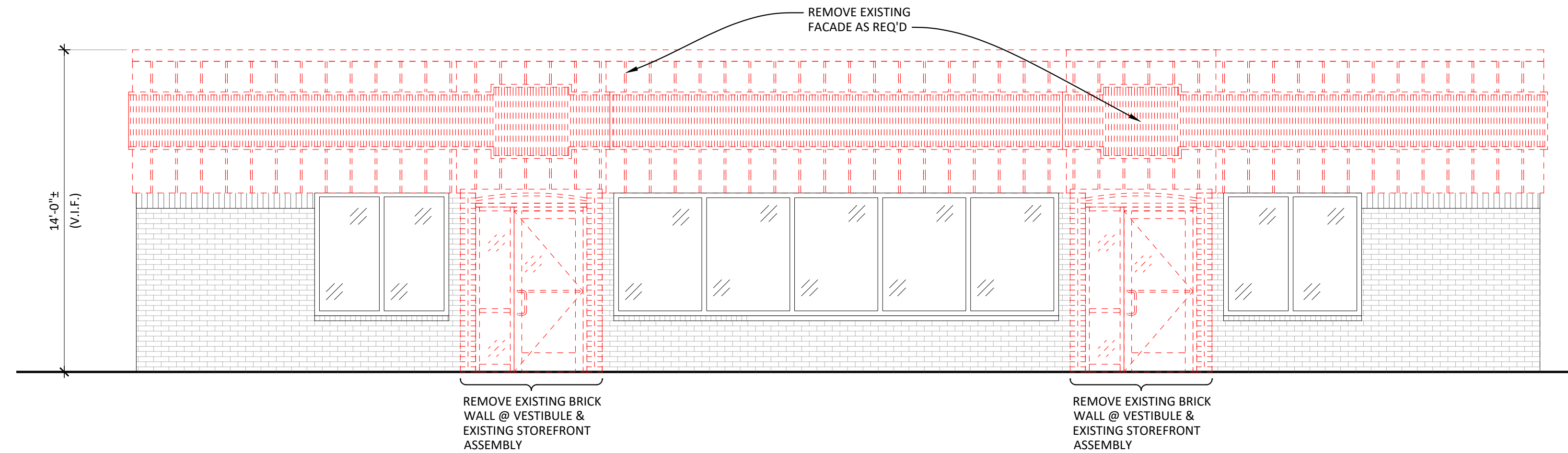
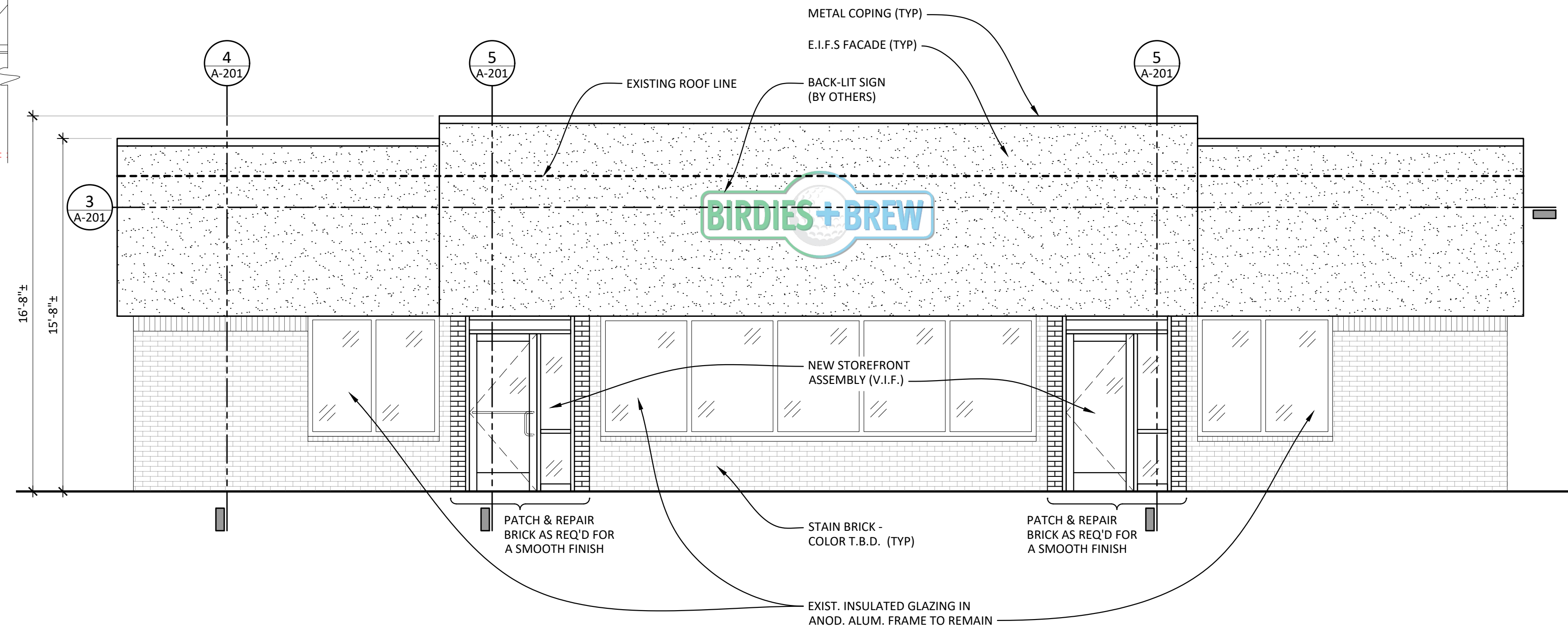
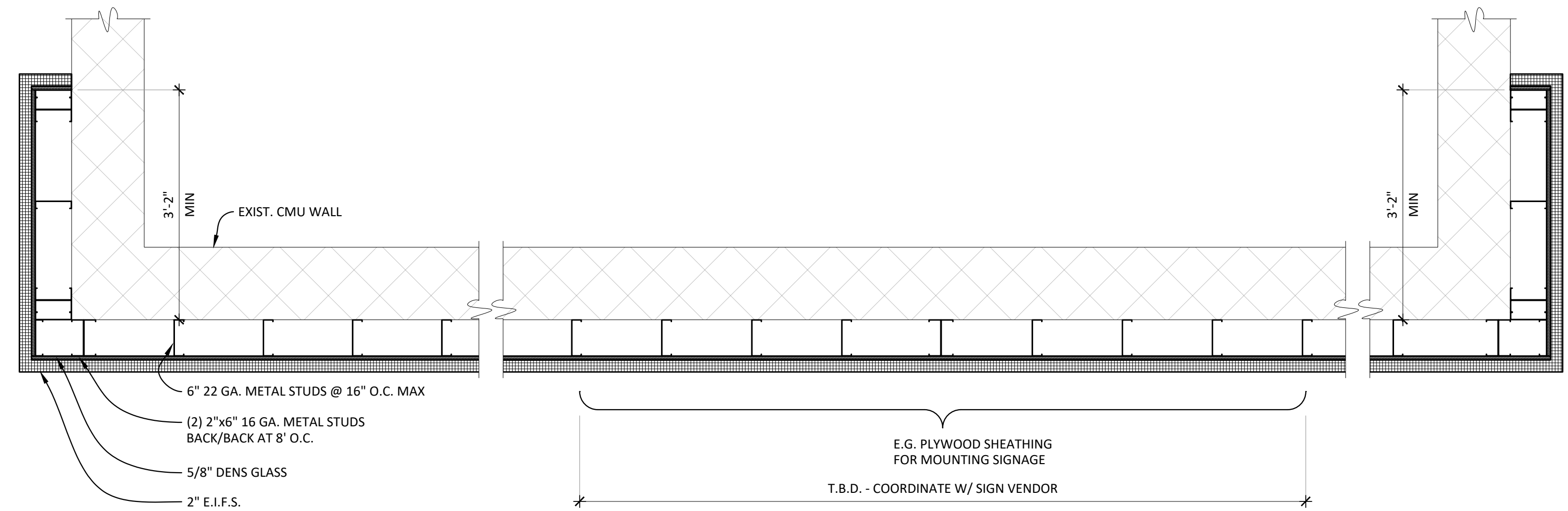
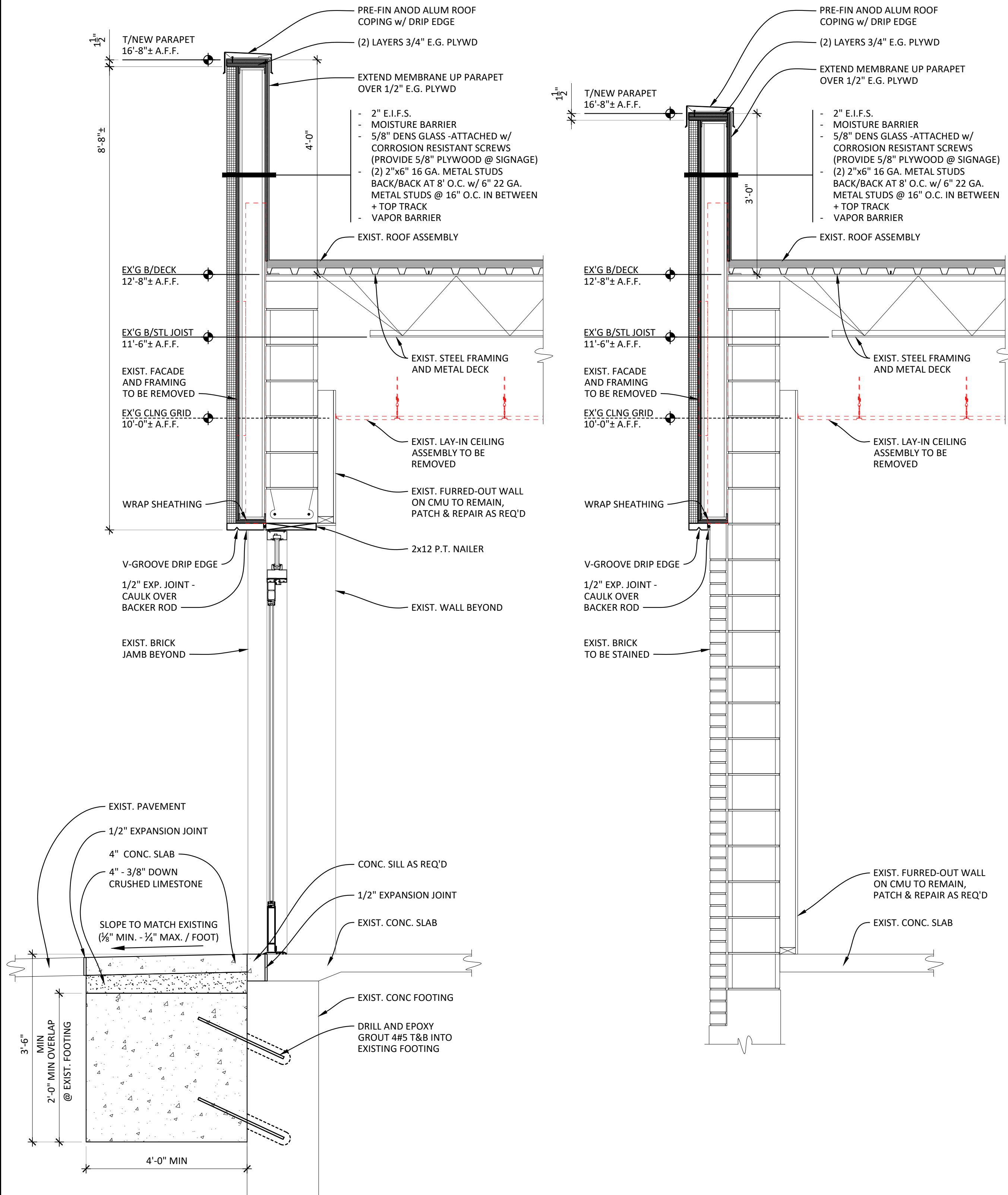


Signature of Legal Property Owner

JONATHAN JULIANO

Please print/type name below signature

T2N R13E SEC 31; COMM AT THE N 1/4 POST SEC 31; TH S01°01'40"W 300 FT; TH S88°25'30"W 43 FT TO POB; TH S88°25'30"E 234.36 FT; TH N01°39'30"E 10 FT; TH S88°25'30"E 80 FT; TH S01°39'30"W 90 FT; TH N88°25'30"W 313.48 FT; TH N01°50"E 80 FT TO POB; ALSO INCLUDING THAT PORTION OF THE VACATED ROADWAY (86 FT WIDE) LYING EAST OF THE CENTERLINE OF THE VACATED MIAMI AVENUE.



Proposed
BIRDIES & BREWS

34860 UTICA ROAD
FRASER, MI 48026

	01/08/2026	REVISION #1
	09/12/2025	BUILDING PERMIT SUBMITTAL
CV	DATE	ISSUED

This drawing is an instrument of service, remains the property of Detroit Architectural Group, Inc. Any changes, publication, or unauthorized use is prohibited unless expressly approved.

SEAL:



DRAWN BY: MV

CHECKED BY: JMR, VW

IN CHARGE: JMR, VW

SHEET NAME:
EXTERIOR ELEVATIONS

JOB NO:

25-058

SHEET NO:

A-201

Proposed
**BIRDIES &
BREWS**

34860 UTICA ROAD
FRASER, MI 48026

	01/08/2026	REVISION #1
	09/12/2025	BUILDING PERMIT SUBMITTAL
REV	DATE	ISSUED

This drawing is an instrument of service, remains the property of Detroit Architectural Group, Inc. Any changes, publication, or unauthorized use is prohibited unless expressly approved.

SEAL:

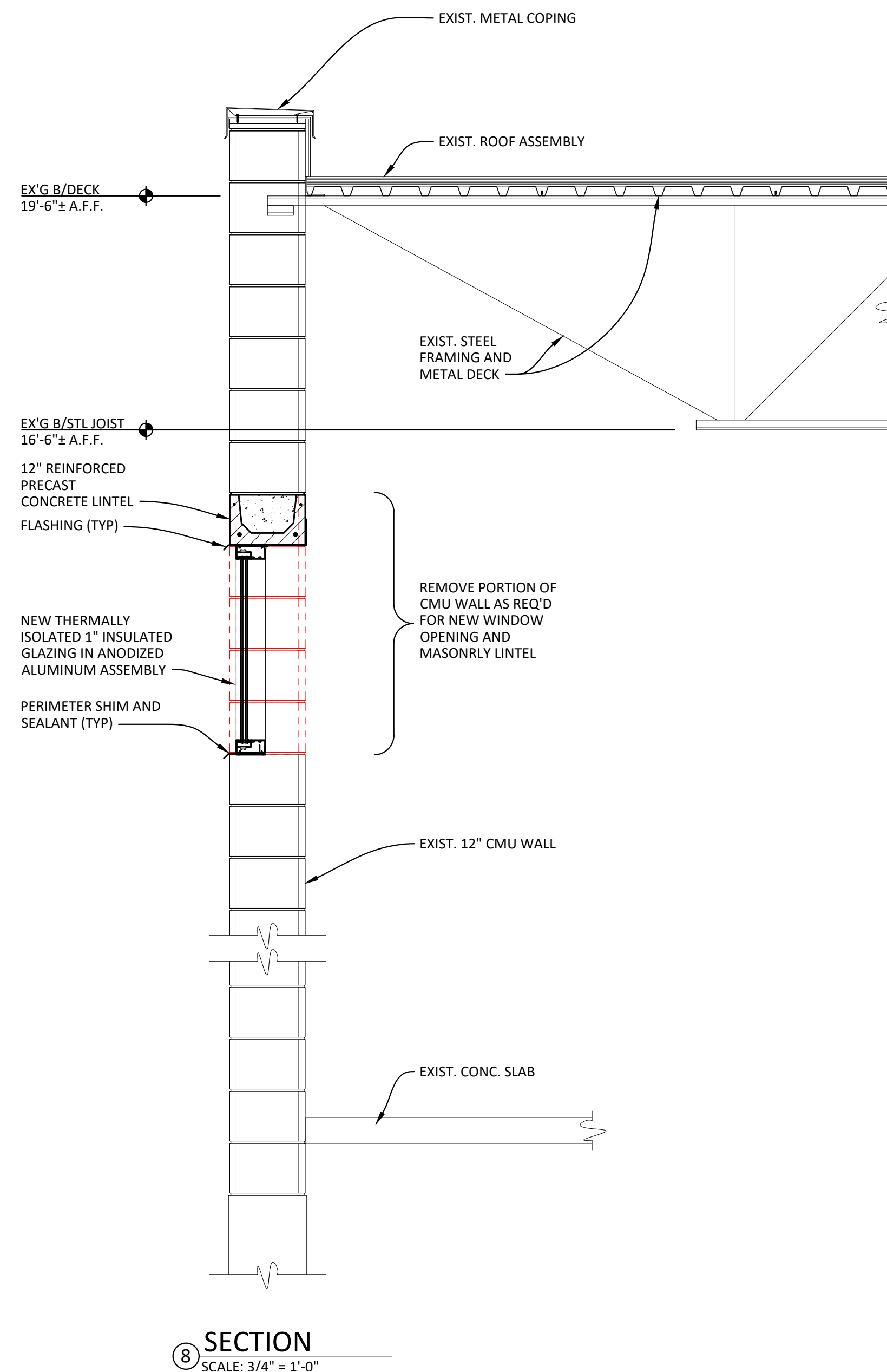


DRAWN BY: MV
CHECKED BY: JMR, VW
IN CHARGE: JMR, VW

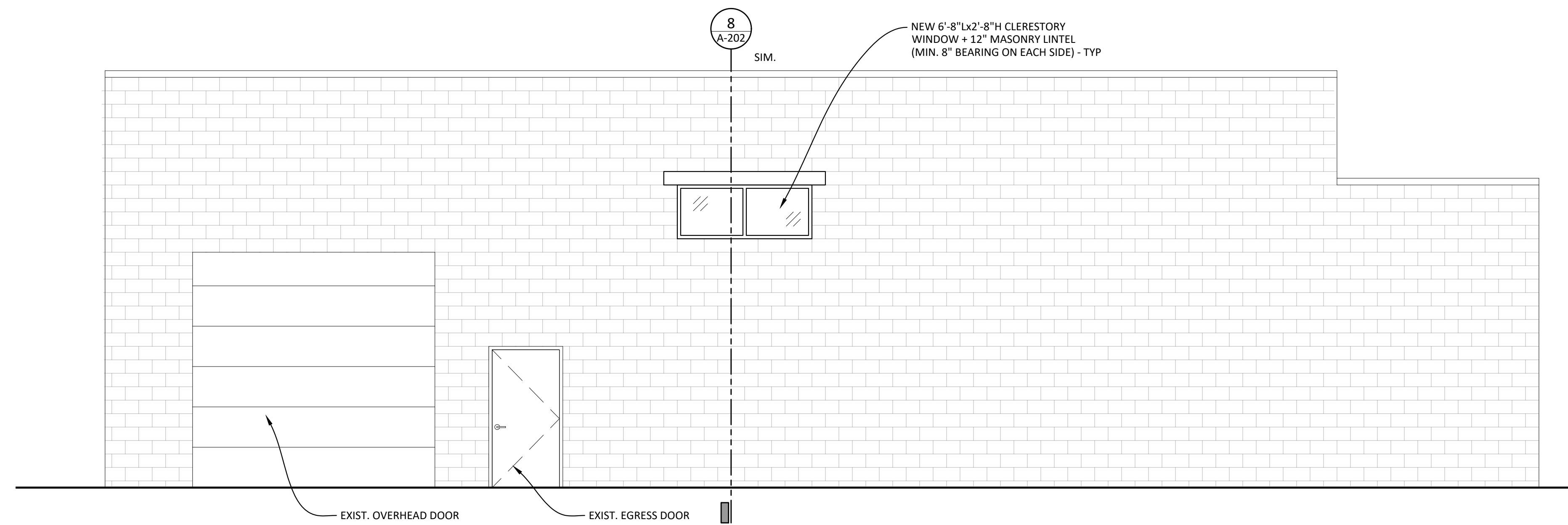
SHEET NAME:
EXTERIOR ELEVATIONS

JOB NO:
25-058

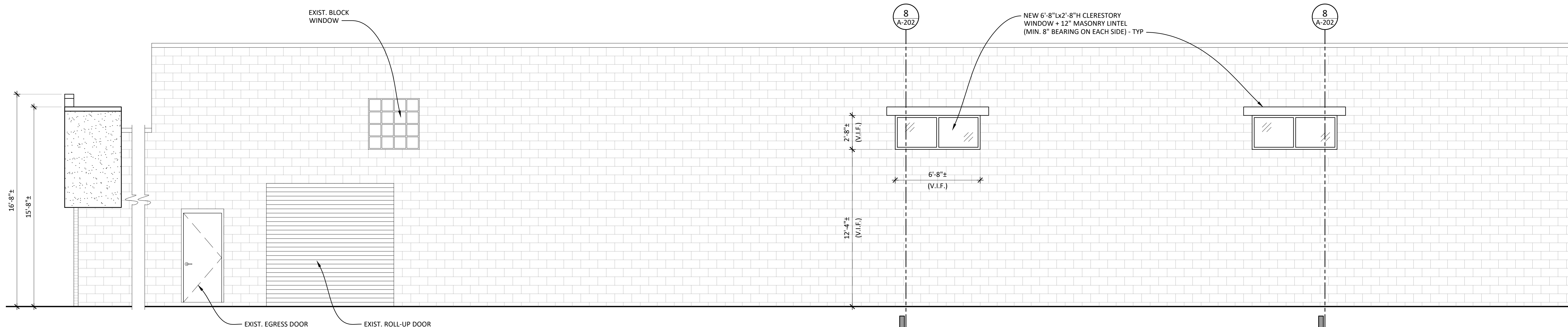
SHEET NO:
A-202



8 SECTION
SCALE: 3/4" = 1'-0"



7 EAST ELEVATION
SCALE: 1/4" = 1'-0"



6 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



MCKENNA

Memorandum

TO: Fraser Planning Commission
FROM: Lauren Sayre, AICP
SUBJECT: **Zoning Discussion**
DATE: January 26, 2025

Following the discussion on January 7, 2026, please find the updated Articles 3 through Articles 6 attached. We will be reviewing Article 9: General Provisions on February 4, 2026.

Please note, that updated Articles will be provided as we finish reviewing, but the entire zoning ordinance will not be provided each time, as most of the remaining sections have not been updated and the document is just under 200 pages.

ADU LOT SIZES

The next page includes maps of the residential parcels in Fraser that meet the 7,500 and 10,200 proposed thresholds for having an ADU on their lot. Hopefully this is a helpful reference and can help guide discussion at the February Planning Commission Meeting.

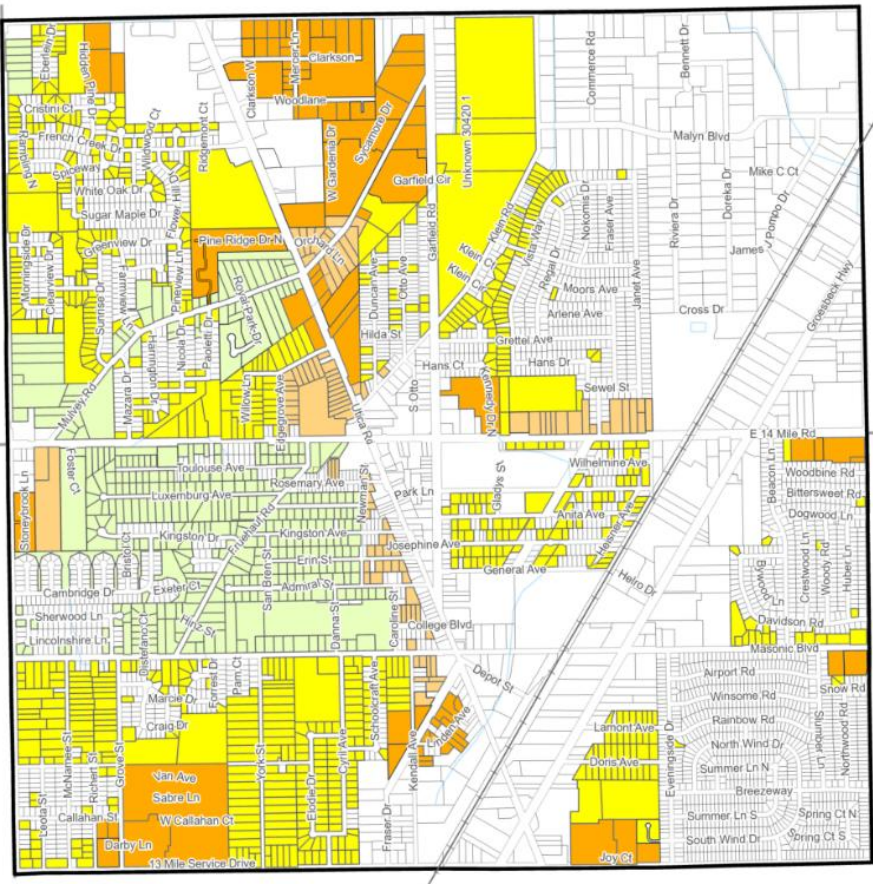
Please also keep in mind that they would also have to conform with maximum lot coverages and impervious surface coverages.



Eligible Attached ADU
(7,500 sq. ft./ 0.17 acres)



Detached ADU
(10,200 sq. ft./ 0.23 acres)



Article 8

Use Standards



Section 32-58 Accessory Dwelling Unit (ADU) – PENDING FEB PC MEETING.

a. **ADUs Permitted:**

- (1) When permitted as an accessory use in a zoning district, the ADU is only permitted as accessory to a single unit detached dwelling.
- (2) One (1) ADU is permitted per parcel, and only on parcels that are improved with a single unit detached dwelling. ADUs shall not be permitted on parcels improved with a duplex, townhouse, multiplex, or multifamily structure.
- (3) An ADU may be integrated into the principal dwelling structure, attached to the principal dwelling structure, or located in, or above, a detached accessory structure.
- (4) Mobile homes, recreational vehicles, and travel trailers shall not be used as ADUs.

b. **Ownership and Occupancy:**

- (1) Ownership of the ADU shall remain with the owner of the property. In no case may the owner of the property divide ownership rights between the principal and accessory dwelling units through a land division, condominium, or other means.
- (2) Prior to leasing either the principal dwelling unit or ADU, the property owner shall obtain a Certificate of Compliance for Non-Owner Occupied Housing as described in **Section 6-301** through **6-310** of the Code of Ordinances.

- c. **Dimensional Requirements.** ADUs shall comply with the following dimensional requirements:

Requirement		Attached ADU	Detached ADU
Minimum Lot Size		7,500 square feet	10,200 square feet
Minimum Unit Size		250 square feet	
Maximum Unit Size		750 square feet	
Setbacks	Front Yard	ADUs are not permitted in the front yard	
	Side Yard	Same as principal structure setbacks	Same as detached accessory buildings (Section 32-85)
	Rear Yard	Same as principal structure setbacks	Same as detached accessory buildings (Section 32-85)
Maximum Height		Same as principal structure maximum height	

- d. **Nonconforming Detached Structures.** A nonconforming detached accessory building existing prior to the Effective Date of this Zoning Ordinance which is greater than two hundred and fifty (250) square feet may be converted into an ADU as long as the change in use does not increase the nonconformity of the structure, or if a variance is received from the Zoning Board of Appeals. In considering such requests, the City may require fencing and/or landscape screening around the structure along neighboring property lines. The fence or landscaping shall be at least six (6) feet in height and achieve a high level of opacity to obscure views from neighboring properties.
- e. **Entry and Design:**
- (1) **Attached ADU.** The primary entry, and any associated external staircases, for an attached unit shall be placed at the side or rear of the principal structure. An attached ADU shall be designed to maintain the appearance of the detached single-family home.
 - (2) **Detached ADU:**
 - (a) The primary entry for a detached unit shall be oriented towards the front or interior of the lot. This standard does not apply to side street lot lines or rear lot lines with alley access.
 - (b) A detached ADU shall be designed so that the appearance of the building remains that of a detached accessory building such as a garage or carriage house.
 - (c) No rooftop or second-story decks are permitted on a detached ADU unless oriented towards the interior of the lot and designed to limit visibility from properties sharing a common side or rear lot line. This standard does not apply to side street lot lines or rear lot lines with alley access.
 - (3) **ADUs shall be designed to match the appearance of the principal structure with regard to exterior building materials and color.**
- f. **Utilities.** An ADU shall be connected to an approved water and sewer system and comply with [Chapter 31](#) of the Code of Ordinances.
- g. **Parking.** One (1) additional off-street parking space is required for an ADU.
- h. **Requirements for Occupancy.** The following shall be required prior to occupancy of an ADU:
- (1) A Zoning Permit and Building Permit.
 - (2) A deed restriction that runs with the land to be filed with the County Register of Deeds which incorporates the following restrictions:
 - (a) The ADU may not be sold separately from the single-family dwelling.
 - (b) The owner occupancy requirement.
 - (c) The deed restriction shall be in effect until the ADU is removed.
 - (3) A Certificate of Occupancy issued in accordance with [Section 32-131](#).

Section 32-59 Adult Businesses

a. **Buffering:**

- (1) No portion of the property upon which such business is situated is permitted within **one thousand two hundred and fifty (1,250)** feet of any of the following uses. The method of measurement shall utilize the two (2) property edges closest to each other, measured with a direct line.
 - (a) A residentially-zoned district;
 - (b) Property upon which a residential use exists;
 - (c) A religious institution;
 - (d) A K-12 school;
 - (e) A child care center;
 - (f) An existing adult business;
 - (g) Any public park.
- (2) Adult uses may not occupy any multi-tenant commercial building.
- (3) Residential uses cannot be located on the same lot as an adult business.

Section 32-60 Cemeteries

a. **General Requirements:**

- (1) Cemeteries shall be established in compliance with Public Act 251 of 1968, as amended, Public Act 88 of 1875, as amended, and other applicable state laws.
- (2) Minimum cemetery site shall be ten (10) acres. Where a state law specifically permits a smaller size or sets a maximum size less than ten (10) acres, this regulation shall not apply to an addition to the site of a use existing at the time of adoption of this chapter.

b. **Screening and Buffering:**

- (1) A minimum ten (10) foot wide greenbelt and a minimum four (4) foot masonry wall or sight-obscuring fence shall be installed along the perimeter of the site, but not closer to the front site line than established as the front setback line for buildings in the zoning district in which the use is proposed.
- (2) The greenbelt and wall shall be maintained as required, and the City may require a bond for the installation.
- (3) No building shall be located closer than fifty (50) feet from a property line that abuts any residentially used or zoned property.

c. **Parking and Access Management:**

- (1) The use shall be so arranged that adequate assembly area is provided off-street for vehicles to be used in a funeral procession. This assembly area shall be provided in addition to any required off-street parking area.
- (2) The proposed roads and parking areas shall be adequate for the use and shall be paved.

Section 32-61 Drive-Thru Facilities

a. **General Requirements:**

- (1) The site shall not be contiguous to a residential district and shall not be located within two hundred (200) feet of the property line of any residentially zoned or residentially used property.

- (2) The site and use shall be located on a major or secondary thoroughfare having a right-of-way equal to, or greater than, one hundred and twenty (120) feet.
- (3) Ingress and egress points shall be located at least sixty (60) feet from the intersection of any two (2) streets.

b. Stacking Spaces:

- (1) The minimum number of stacking spaces required per service lane is determined by use in the following table.

Use	Minimum Stacking Spaces per Service Lane
Financial Institution	6
Laundry / Dry Cleaner	4
Pharmacy	3
Restaurant (Sit Down / Takeaway)	12
Vehicle Repair / Service Shop	3
Vehicle Wash (Automatic)	8
Vehicle Wash (Self)	1

- (2) Each stacking space must be a minimum of nine (9) feet in width and twenty (20) feet in length.
- (3) If a loading space is required, it may not be located within the same area as any required stacking spaces.
- (4) Each drive-thru service lane must be a minimum of ten (10) feet in width and positioned to not interfere with normal vehicular on- or off-site traffic.
- (5) An escape lane from the drive-thru service lane must be provided to allow other vehicles to pass those waiting to be served. A maneuvering lane can be considered as an escape lane.
- (6) Public streets, alleys, and sidewalks cannot be used as stacking spaces. Where a pedestrian crosswalk crosses a drive-thru, a path will be designated and marked.

c. Menu Boards. Menu boards must comply with the standards in [Section 32-122.n](#).

Section 32-62 Gas Stations

a. General Requirements:

- (1) The site shall contain an area of not less than twenty-one thousand (21,000) square feet.
- (2) The site for the gasoline self-service station shall have one hundred and fifty (150) feet of frontage on the principal street serving the station.
- (3) Must be located at least one thousand (1,000) feet away from an existing gas station. The method of measurement shall utilize the two (2) property edges closest to each other, measured with a direct line.

b. Screening and Buffering. A twenty (20) foot buffer shall be provided between any portion of a gas station (e.g., buildings, access drives, pumps, canopies, parking areas) and the property line of a residentially zoned or used parcel, screened and landscaped in accordance with [Article XII](#).

c. Vehicular Access:

- (1) Gas stations, when located on a corner lot, shall provide vehicular entrances or exits (curb cuts) no less than thirty-five (35) feet from the corner intersection of the property lines.
- (2) All curb openings, whether on a corner lot or not, shall not exceed thirty-five 35 feet in width at the property line.

- (3) On corner lots, no driveway from a side street shall be less than ten (10) feet from rear property line as measured along the side street property line. Curbs shall be provided to prevent ingress or egress except at the required locations.
- d. **Canopy Setbacks.** Canopy Setbacks. Fuel station pumps, recharging stations, and canopies shall be subject to the minimum principal building setback requirements for the district, with the exception of those abutting residential properties which shall be setback in accordance with the residential separation buffer requirement, above ([Section 32-61.b.](#)).
- e. **Canopy Height.** Gas station canopies shall not exceed a height of twenty (20) feet, measured to the highest point of the canopy.
- f. **Canopy Lighting.** Canopy lighting shall comply with the standards of [Article X](#) (Lighting). With the exception of illuminated signage, the exterior of canopies shall not be illuminated.
- g. **Vehicle Storage.** Disabled vehicles shall not be stored on the property. Rental or storage of trucks, trailers, and other vehicles is prohibited.
- h. **Outdoor Display and Sales.** Outdoor ancillary sales display areas (including display of windshield solvent, motor oil, propane, and ice) shall be denoted on the Site Plan and shall not restrict pedestrian movement on the site. Outdoor display and sales are subject to the use-specific requirements for outdoor display and sales, [Section 32-70](#).

Section 32-63 Home-Based Business

a. General Requirements:

- (1) The operation of a home-based business that involves on-site customers requires a permit.
- (2) The following standards shall apply to all home-based businesses.

Operational Element	Standards
Employees	Maximum of 1 nonresidential employee
Floor Area	Maximum of 50% of a single story may be used for the home-based business.
Merchandise Sold on the Premises	Prohibited.
Deliveries	Limited to the customary delivery and pickup of mail and packages by the Postal Service or other private home-delivery services.
Non-Residential Exterior Building Alterations	Prohibited.
Parking / Traffic	Cannot generate parking or circulation concerns or draw truck traffic into the neighborhood.
Outdoor Activities	Prohibited
Signage	Identification and name plate signs mounted on the exterior wall, no larger than two (2) square feet in area are permitted. Section 32-120.b(4) .

b. Review Process:

- (1) Applications for a home-based business permit shall be submitted to the Building Department on a form approved by the City and must include the following:
 - (a) Property address
 - (b) Owner name
 - (c) Owner contact information
 - (d) Description of business

- (e) Number of employees
 - (f) Floor area
 - (g) Number of customers per day
 - (h) Verification that merchandise is not sold on premises
 - (i) Verification that no outdoor activities will be conducted
 - (j) Sketch plan showing proposed home-based business
- (2) The City Planner reviews all final home-based business applications and determines if the proposed request meets all the requirements of this Section.
 - (3) Prior to the issuance of a home-based business permit, a fee must be paid, as established by the City's fee schedule.
 - (4) Home-based businesses shall be inspected by the building official, or designee prior to issuance of a permit. Approval is granted only if the home-based business is in compliance with the approved plans and all applicable Zoning and Building Code standards.
 - (5) All rights and privileges acquired by any person under the provisions of this Section may be revoked upon violation of any of the conditions herein.
 - (6) A home-based business permit must be renewed two (2) years after the date of issuance on the permit.

Section 32-64 Hospitals

a. General Requirements:

- (1) Hospital sites shall contain a minimum area of two (2) acres.
- (2) All ingress and egress from the site shall be directly onto a major or secondary thoroughfare having an existing or planned right-of-way width of at least one hundred and twenty (120) feet.
- (3) Emergency rooms, ambulance bays, and helipads shall be set back at least one hundred and fifty (150) feet from residential use or a residential zoning district.
- (4) Ambulance and delivery areas shall be obscured from all adjacent residentially-zoned or used properties by an obscuring wall or fence not less than six (6) feet in height

- b. **Licensing.** All applicants for a use under this Section shall show evidence of procurement of a license to operate a hospital under the statutes of the State of Michigan and the regulations of any administrative agency required

Section 32-65 Mobile Food Vending

- a. **Permit Required.** No person shall engage in mobile food vending without first obtaining a license from the City authorizing mobile food vending and obtaining required licenses or permits required by state or local laws and codes.

b. Exemptions:

- (1) A person exempt from the licensing requirements of this article under state or federal law.
- (2) A person engaging in mobile food vending at a farmers market, special event, festival, block party, or other temporary use approved by the City.

c. Submittal Requirements:

- (1) **Application.** A mobile food vendor intending to obtain a permit shall submit the following on an application provided by the City Clerk:

- (a) Applicant name, address, driver's license, and contact information.
- (b) Written approval from the property owner of the mobile food court to operate on said property.
- (c) A copy of the approved food license from the Macomb County Environmental Health Services.
- (d) A written description of the nature of the proposed use, including the business name, methods of food preparation and cooking, electrical hookup, frequency, duration, and hours of operation.
- (e) Details of the mobile food vehicle, including the type, dimensions, elevation drawings or photos, and details of any furniture or other physical features associated with the proposed use.
- (f) A copy of the approved mobile food Site Plan, marked up to denote the location of trash receptacles, signs, tables, generators, outdoor cooking appliances, and any other associated activity.

(2) **Insurance:**

- (a) If the mobile food vending unit is a licensed motor vehicle, proof of vehicle registration with the State of Michigan and proof of motor vehicle or other applicable insurance for the unit in an amount meeting State of Michigan minimum requirements.
- (b) Proof of a comprehensive general liability policy written on an occurrence basis having policy limits of no less than one million dollars (\$1,000,000.00) per occurrence. A certificate of insurance naming the City as an additional insured shall be filed by the licensee with the approved application. The certificate shall provide that the City will receive thirty (30) days written notice of cancellation or non-renewal.

d. **Review Process.** Mobile food vending permits shall be submitted and reviewed by the City Manager or their designee. The submittal process for a mobile food vending permit is as follows:

- (1) **Submittal of Application.** A complete application, required proof of insurance, and required fee must be submitted to the City Manager or their designee.
- (2) **Permit Review.** The City Manager or their designee will review the mobile food vending application for compliance with subsection g.
- (3) **Inspections.** Prior to the issuance of any mobile food vending permit, electrical, mechanical, fire safety, and all other inspections deemed necessary by the City must be completed and approved.
- (4) **Permit Issuance.** If the mobile food vending application is compliant with all applicable zoning Ordinance standards and all required inspections are completed and found in compliance, a mobile food vending permit will be issued.

e. **Annual Renewal.** Permits shall be valid for a period of one (1) year after issuance. Certificates of Occupancy may be renewed annually.

f. **Revocation of Permit.** An approved mobile food vendor permit may be revoked by the Building Official upon a proper showing that the operation of the mobile food vending unit is not in compliance with the approved mobile food Site Plan or upon a proper showing that the operation of such use has become detrimental to the health, safety and general welfare of the City, residents, or surrounding business or property owners.

g. **Requirements.** Mobile food vendors, mobile food vending units, and mobile food vending shall comply with the following requirements and regulations:

- (1) Mobile food vending units may operate on private property in the CN, CBD, CG, LI, and GI districts if the mobile food vending is accessory to a permitted use or approved special land use in the subsequent district and is in compliance with the applicable provisions of the Zoning Ordinance.
- (2) Mobile food vendors shall not operate on City-owned property or on public streets or rights-of-way unless approval is obtained for street closure and except as such times and in such locations permitted by the City Council. When mobile food vendors are permitted to operate on public streets, no food service shall be allowed on the driving lane side of the mobile food vending unit.
- (3) No food shall be sold, prepared, or displayed outside of the mobile food vending unit while on the location noted on the permit.

- (4) Mobile food vendors shall provide appropriate waste and recycling receptacles at the site of the unit and remove all litter, debris, and other wastes attributable to the mobile food vendor or customers on a daily basis. Spills of food or food by-products shall be cleaned up by the vendor, and no dumping of gray water on the ground or streets.
- (5) Mobile food vendors shall not use any flashing, blinking, or strobe lights, or similar effects to draw attention to the mobile food vending unit: all exterior lights over sixty (60) watts shall contain opaque hood shields to direct the illumination downward.
- (6) Mobile food vendors shall not use loud music, amplification devices, video/LED screens, or any other audible methods to gain attention which causes a disruption or safety hazard as determined by the City.
- (7) There shall be no signage used by mobile food vendors except for what is on the mobile vending unit itself and one(1) two (2) by three (3) foot weighted A-frame sign not placed in the right-of-way.
- (8) When operating the mobile food vendor shall not place personal property outside of the unit including but not limited to dining furniture, fixtures, and equipment.
- (9) No mobile food vendor or unit shall utilize any electricity or power without the prior written authorization of the power customer; no power cable shall or similar device shall be extended across any street, sidewalk, or parking lot except in a safe manner as approved by the Building Official.
- (10) No mobile food vendor or unit shall utilize any power from utility poles or directly from the power company.
- (11) Mobile food vendors shall comply with all applicable City, county, and state laws, regulations, and Ordinances, including those regulating noise, signage, and loitering.
- (12) Only one mobile food vendor shall operate per zoning lot at any one time unless permitted by the City.
- (13) The location of the mobile food vendor on the lot shall not create any unsafe access to the business or vendor.
- (14) Mobile food vendors must comply with the site frequency of not more than thirty (30) total days at any one (1) location in every twelve (12) month period either consecutively or throughout the year at any location in the City. This pertains to all lots or parcels with shared usage such as strip malls. Site frequency is exempt for grand opening events at new businesses.
- (15) Mobile food vendors shall operate between the hours of 6:00 a.m. and 10:00 p.m. The vehicle must leave the lot and no overnight parking of the vehicle is permitted.
- (16) Mobile food vendors shall not represent the granting of a permit under this chapter as an endorsement of the City.
- (17) Prior to approval, the property owner or lessee must be in compliance with the City's Code of Ordinances including outstanding Ordinance enforcement actions such as pavement condition, overgrown grass and weeds, open storage, etc., any open permits, unpaid taxes, or water bills.

Section 32-66 Manufactured Housing

a. **General Requirements:**

- (1) Manufactured housing is prohibited outside of a manufactured housing community.
- (2) The dwelling must be firmly anchored to a permanent foundation; dwellings cannot be installed with attached wheels, or have any exposed towing mechanism, undercarriage, or chassis. **The foundation is subject to a Building Official approval following a foundation inspection.**
- (3) Additions **shall be designed to match the appearance of the principal structure with regard to exterior building materials and color.**
- (4) Where the dwelling is required by state or federal law to comply with regulations for construction that are different than those imposed for single unit dwelling site-built housing, federal or state regulations control.

b. **Manufactured Housing Communities:**

(1) **Lot Size:**

- (a) The minimum parcel area for a manufactured housing community shall be twenty-five (25) acres.
- (b) The minimum area of an individual manufactured home lot shall be five thousand (5,000) square feet.

(2) **Perimeter Setbacks.** No manufactured house shall be located closer than forty (40) feet from any public road rights-of-way and twenty (20) feet from all other property lines.

(3) **Internal Yard Setbacks.** The placement of manufactured housing within a manufactured housing community shall observe the following setback requirements:

- (a) Twenty (20) feet from another manufactured home, or any structure attached thereto used for living purposes.
- (b) Ten (10) feet from an attached or detached structure or accessory structure of an adjacent manufactured home which is not used for living purposes.
- (c) Fifty (50) feet from permanent park-owned structures (e.g., community centers, offices, etc.).
- (d) Ten (10) feet from the curb of an internal street.
- (e) Seven (7) feet from the inner edge of a common pedestrian walkway.

(4) **Height.** Permanent structures or manufactured home shall not exceed a height of twenty-five (25) feet. Accessory structures shall not exceed a height of fifteen (15) feet but shall in no case exceed the height of the structure unto which it is accessory.

(5) **Access, Internal Streets, and On-Street Parking.** Internal circulatory streets within a manufactured housing community shall be curbed and drained and shall comply with the following standards:

- (a) Individual mobile home sites within the manufactured home park shall be accessed internally rather than directly from public roads.
- (b) Two-way streets shall have a minimum width of twenty-one (21) feet where no parallel parking is permitted, thirty-one (31) feet where parallel parking is permitted along one side of the street, and forty-one (41) feet where parallel parking is permitted along both sides of the street.
- (c) The minimum width of a one-way street shall be thirteen (13) feet where no parallel parking is permitted, twenty-three (23) feet where parallel parking is permitted along one side of the street, and thirty-three (33) feet where parallel parking is permitted along both sides.
- (d) A dead-end road shall terminate with an adequate turning area. A blunt-end road is prohibited. Parking shall not be permitted within the turning area.
- (e) All streets within the manufactured housing park shall be of bituminous aggregate or similar surface meeting AASHTO public street construction specifications.
- (f) Internal concrete sidewalks shall be constructed within the manufactured home park to provide adequate access between individual manufactured home lots and community facilities.

(6) **Outdoor Storage and Accessory Buildings.** Common storage areas for the storage of boats, motorcycles, recreation vehicles, and similar equipment may be provided in a manufactured home park, but shall be limited to use only by residents of the manufactured housing community. The location of such storage area shall be shown on the Site Plan. No part of such storage area shall be located in any yard required around the perimeter of the manufactured housing community. Such storage area shall be adequately screened from view from adjacent residential properties. Each manufactured home lot shall be permitted one (1) detached storage building, not including a garage or carport.

(7) **Utilities.** All individual manufactured home sites shall be provided with municipal water and sanitary sewer service.

- (8) **Housing Design Standards.** Any manufactured home installed in a manufactured housing community shall comply with the construction standards of all State and Local authorities applicable to the construction of manufactured homes and the current standards of the Manufactured Home Construction and Safety Standards as adopted by the Housing and Urban Development (HUD) Department. Further, all manufactured home parks shall comply with the applicable requirements of Public Act 96 of the Michigan Public Acts of 1987, as amended.
- (9) **Site Plan Review.** Manufactured Housing Communities are subject to Site Plan review, per [Article XIII](#).

Section 32-67 Multi-Unit Dwellings

- a. **Applicability.** The provisions in this Section apply to multi-unit dwellings which include dwelling units with two (2) or more attached units, but does not include single detached dwelling units, single attached dwelling units, single duplexes, single triplexes, upper-level residential, or accessory dwelling units.
- b. **Site Plan Approval.** Multi-unit dwellings are subject to Planning Commission Site Plan approval in accordance with [Article XIII](#).
- c. **Internal Setbacks.** In multi-unit developments containing more than one principal structure, a minimum internal setback of ten (10) feet shall be provided between structures.
- d. **Accessibility.** Multi-family developments containing more than one (1) principal structure on a single lot or parcel must include an unobstructed walkway or pathway providing access between the principal structures.
- e. **Façade Variation.** Each multiple-unit building shall feature a variety of massing elements, wall planes, roof lines, and other characteristics which divide facades into human-scaled proportions. Variation may be provided by one or more of the following means:
 - (1) Building projections and recesses
 - (2) Balconies
 - (3) Covered box or bay windows
 - (4) Changes in roof plane and elevation
 - (5) Dormers or gables
 - (6) Variation in building height or cornice heights
 - (7) Change of wall material or wall color
- f. **Exterior Finish Materials.** Primary materials shall include brick, natural stone, cultured stone, smooth wood siding, or fiber cement siding. Accent materials (up to twenty-five (25) of the net façade) may include architectural metal, asphalt siding, stucco, aluminum siding, EIFS, reflective glass, vinyl cladding, or concrete block (CMU). The City Planner or Planning Commission may consider alternative accent materials.
- g. **Parking.** To the maximum extent feasible, parking structures, carports, and garages shall not be located between the front or primary façade of a multi-family building and the street frontage/internal drive frontage adjacent to the front lot line. Parking shall be internalized within building groups so as not to be directly visible from the street frontage.

Section 32-68 Outdoor Dining

- a. Outdoor seating and dining are permitted as an accessory use to any legal permitted restaurant or food-related use or approved restaurant or food-related special land uses, subject to the following standards:
 - (1) **Hours of Operation.** The hours of operation shall not exceed the normal hours of operation for the principal use.

- (2) **Location.** Outdoor seating areas shall be located in a manner to maintain a minimum pathway of six (6) feet (clear of structures, such as light poles, trees, and hydrants) along the private sidewalk area so as not to interfere with pedestrian traffic. In instances where the minimum width for the pathway cannot be maintained, an alternate pathway may be provided to maintain pedestrian connectivity.
- (3) **Access.** Outdoor dining areas shall be connected to an entrance to the principal building by a paved, barrier free path.
- (4) Properties that directly abut residential districts are subject to the following additional standards:
 - (a) Outdoor seating areas shall be set back a minimum of forty (40) feet from any property line that abuts residential district(s). Portions of outdoor seating areas that directly face residential districts or uses shall be screened in a manner to reduce visual and noise impacts to residential neighbors.
 - (b) Outdoor seating areas shall not be used between the hours of 11:00 p.m. and 7:00 a.m.
 - (c) Outdoor seating areas on a second story balcony or above, or rooftop, shall require special land use approval.
 - (d) External speakers or live entertainment may be permitted up to close of business and shall not exceed twenty-five (25) decibels at the property line abutting the residential district.
- (5) Properties that do not directly abut residential districts are subject to the following additional standards:
 - (a) Outdoor seating on a second story balcony or above, or rooftop, may be permitted by right.
 - (b) External speakers or live entertainment may be permitted up to close of business and shall not exceed sixty-five (65) decibels between the hours of 7:00 a.m. and 11:00 p.m. or fifty (50) decibels between the hours of 11:00 p.m. and 7:00 a.m. at the property line.
- (6) **Enclosure and Shade Structures.** Proposed enclosures or shade structures are subject to the following standards:
 - (a) Outdoor seating areas shall be enclosed by a permanent edge feature where there is alcohol service or when located within fifteen (15) feet of parking or maneuvering lanes. Enclosures shall be a minimum of thirty-six (36) inches tall and shall consist of metal railings, wood railings, brick walls, bollards, or other suitable materials, subject to approval of the approving body.
 - (b) Temporary open shade structures such as an umbrella similar to what is used in a residential backyard may be permitted without a building permit.
 - (c) Enclosed structures which exceed one hundred and twenty (120) square feet in area, such as tents, canopies, pergolas, etc. shall require a building permit.
- (7) **Maintenance.** Chairs and tables shall be of quality durable material such as metal or wood. Waste receptacles shall be provided in instances where wait staff does not clear all tables. The outdoor dining area must be kept sanitary, neat, and clean at all times.
- (8) **Application Requirements:**
 - (a) For outdoor seating areas requiring additional hardscape improvements in excess of one thousand five hundred (1,500) square feet, a Site Plan shall be submitted in accordance with [Section 32-142.c.](#) (Planning Commission Site Plan Review) and must be approved by Planning Commission.
 - (b) For outdoor seating areas which do not involve additional hardscape improvements in excess of one thousand five hundred (1,500) square feet, or do not require additional site improvements, a Site Plan shall be submitted in accordance with [Section 32-143.b.](#) (Administrative Site Plan Review) and must be approved administratively in accordance with [Section 32-142.b.](#)

Section 32-69 Outdoor Sales

a. Exemptions:

- (1) Items sold or displayed outdoors that are six (6) feet or less from the edge of the storefront (including private sidewalk areas), where the aggregate display area does not exceed twenty-five (25) of the linear frontage of the storefront or twenty (20) linear feet, whichever is greater. In such cases, a minimum continuous pavement walkway and clear pedestrian path of not less than five (5) feet in width shall be maintained.
 - (2) Temporary outdoor sales and display areas or temporary seasonal sales lots, [Section 32-78](#).
 - (3) Accessory outdoor storage, [Section 32-71](#).
 - (4) Outdoor dining, [Section 32-69](#).
 - (5) The outdoor sales/display of vehicles at a vehicle sales and rental establishment, [Section 32-82](#).
- b. **General Standards.** Permanent Outdoor Sales, which are utilized more than six (6) consecutive months in a period of twelve (12) consecutive months, are subject to the Following Standards:
- (1) Permanent outdoor sales and display areas are permitted as listed within the Permitted Use Table, [Section 32-30](#), as an accessory use to a principal use listed in the same district. Only those products that are sold or similar to the products sold within the principal building on the sale lot shall be sold or displayed outdoors.
 - (2) Outdoor sales and display areas shall be subject to the minimum setback standards of the zoning district.
 - (3) Outdoor sales and display areas shall not be permitted within fifty (50) feet of any residential zoning district or residential use, with the exception of mixed-use buildings.
 - (4) Outdoor sales and display areas shall not be located within any designated parking areas, vehicle circulation areas, pedestrian circulation areas, fire lanes, or required landscape areas.
 - (5) Outdoor sales and display areas shall be located immediately adjacent to the front, side, or rear building façade.
 - (6) A permanent barrier must maintain a separation between the outdoor sales and display area and any parking or drive aisles.
 - (7) Outdoor sales and display areas greater than five hundred (500) square feet shall be enclosed with a solid fence or wall to screen views from public rights of way and adjacent properties. The design of the fencing or wall shall be compatible with the principal building(s).
 - (8) The area used for permanent outdoor sales and display areas shall not exceed twenty-five (25) percent of the gross floor area of the corresponding principal commercial building.
 - (9) Outdoor sales and display areas shall be paved with asphalt, concrete, or other material that can be maintained in a dust-free condition. Gravel is not permitted.

Section 32-70 Outdoor Storage

- a. **Applicability.** Permanent outdoor storage and display areas are permitted as listed within the Permitted Use Table, [Section 32-30](#), as an accessory use to a principal use listed in the same district.
- b. **Exemptions.** Vehicle Sales and Rental are exempt from these provisions but are subject to use standards found in [Section 32-82](#).
- c. **Surface.** Open storage areas shall be hard surfaced with gravel or other suitable approved material and drained to meet City Engineering requirements. If open storage is to park wheeled vehicles, then it shall be paved to parking lot standards or provided with a surface acceptable to the City Engineer.
- d. **Screening.** Outdoor storage areas must be screened in accordance with [Section 32-116.d](#).

Section 32-71 Pawn Shop

- a. **Buffering.** No portion of the property upon which such business is situated is permitted within **one thousand two hundred and fifty (1,250)** feet of any of the following uses. The method of measurement shall utilize the two (2) property edges closest to each other, measured with a direct line.
- (1) A residentially-zoned district;
 - (2) Property upon which a residential use exists;
 - (3) A religious institution;
 - (4) A K-12 school;
 - (5) A child care center;
 - (6) Any public park.

Section 32-72 Public Utility

- a. **Generally.** This use is permitted where government/municipal services are permitted.
- b. **Utility Approval.** Except as provided elsewhere in this chapter, the erection, construction, alteration, maintenance, addition, reconstruction, or replacement by public utilities of underground, surface, or overhead distribution of gas, electricity, communications, steam or water transmission or distributing systems, collection, supply or disposal system, including poles, mains, drains, sewers, pipes, conduits, wires, cables, high voltage transmission lines, towers in connection with such lines, and other similar equipment and accessories in connection therewith shall require City Council approval pursuant to Article VII, Section 29, of the 1963 Michigan Constitution, after review and recommendation by the Planning Commission based on the standards outlined in Article XII of this chapter and of Act 368 of the Public Acts of the State of Michigan 1925, as amended.

Section 32-73 Single Attached Dwelling Unit

- a. **Applicability.** This provision applies to the following:
- (1) Single attached dwelling units that include four (4) or more consecutive units sharing a common wall.
 - (2) A single attached dwelling unit development that includes two (2) or more buildings with two (2) or more consecutive units sharing a common wall.
- b. **Site Plan Approval.** Single attached dwelling units are subject to Planning Commission Site Plan approval in accordance with **Article XIII**.
- c. **Location.** Multiple single attached dwelling units may be placed on a single parcel, similar to a multi-family development, or be placed on individual fee-simple lots.
- d. **Number of Units.** A single attached dwelling unit shall include a minimum of two (2) and a maximum of eight (8) consecutive units sharing a common wall.
- e. **Internal Setbacks.** In single attached dwelling unit developments containing more than one principal structure, a minimum internal setback of ten (10) feet shall be provided between structures.
- f. **Accessibility.** Single attached dwelling unit developments containing more than one principal structure on a single lot or parcel must include an unobstructed walkway or pathway providing access between the principal structures.
- g. **Façade Variation.** Each multiple-unit building shall feature a variety of massing elements, wall planes, roof lines, and other characteristics which divide facades into human-scaled proportions. Variation may be provided by one or more of the following means:
- (1) Building projections and recesses

- (2) Balconies
 - (3) Covered box or bay windows
 - (4) Changes in roof plane and elevation
 - (5) Dormers or gables
 - (6) Variation in building height or cornice heights
 - (7) Change of wall material or wall color
- h. **Exterior Finish Materials.** Primary materials shall include brick, natural stone, cultured stone, smooth wood siding, or fiber cement siding. Accent materials (up to twenty-five (25) of the net façade) may include architectural metal, asphalt siding, stucco, aluminum siding, EIFS, reflective glass, vinyl cladding, or concrete block (CMU). The City Planner or Planning Commission may consider alternative accent materials.
- i. **Parking.** To the maximum extent feasible, parking structures, carports, and garages shall not be located between the front or primary façade of a multi-family building and the street frontage/internal drive frontage adjacent to the front lot line. Parking shall be internalized within building groups so as not to be directly visible from the street frontage.

Section 32-74 Site Condominium Subdivision

- a. **Intent.** The intent of these requirements is to ensure that all site condominium subdivisions are developed in compliance with accepted planning and engineering standards applicable to similar forms of development, as reflected in the Ordinances and requirements of the City.
- b. **Applicability.** Single unit detached condominiums may be allowed as a permitted use in the RL and RM zoning districts, subject to Site Plan review by the Planning Commission. Commercial and industrial condominiums that result in condominium unit(s) that exceed the building envelope(s) shall also be regulated by this Section.
- c. **Submission Requirements.** All site condominium subdivision plans shall be submitted for review, as required by [Article XIII](#) of this Zoning Ordinance (Site Plan review requirements and procedures) and [Section 66](#) of the Condominium Act, and include the following additional information:
- (1) A boundary survey of the site condominium subdivision-site.
 - (2) A plan delineating all natural and man-made features on the site, including, but not limited to, drains, ponds, lakes, streams, floodplains, wetlands, and woodland areas.
 - (3) The location, size, shape, area, and width of all condominium units and common areas and the location of all proposed streets.
 - (4) A copy of the master deed and a copy of all restrictive covenants to be applied to the project. Such deeds shall include an acceptable means of converting the project to a platted subdivision, under the provisions of Act 228 of 1969, at some future date.
- d. **Review Procedures.** Pursuant to authority conferred by Section 141 of the Condominium Act, all condominium subdivision plans for site condominium projects shall require approval by the Planning Commission before units may be sold or site improvements initiated. In determining whether to approve a site condominium subdivision plan, the Planning Commission shall consult with the City Attorney, City Planner and engineer regarding the adequacy of the submission as it relates to this chapter and requirements of the Condominium Act. The review process shall consist of the following two steps:
- (1) **Preliminary Plan Review.** In the preliminary review phase, the Planning Commission shall review the overall plan for the site, including basic road and unit configurations and the consistency of the plans with all applicable provisions of this chapter. The master deed is not required to be submitted during this phase.

- e. **Final Plan Review.** Upon receipt of preliminary plan approval, the applicant shall prepare the appropriate engineering plans and apply for final review by the Planning Commission. Final plans shall include information as required by the submission requirements. Such plans and information shall be reviewed by the City Attorney, City Engineer, and City Planner. Further, such plans shall be submitted for review and comment to all applicable local, county and state agencies. Final approval shall not be granted until such time as all applicable review agencies have had an opportunity to comment on said plans.
- f. **District Requirements.** The development of any site condominium subdivision shall observe the applicable yard setback and minimum floor area requirements of the zoning district within which the project is located. The density of the project (including the number of dwelling units per acre in residential projects) shall be no greater and spacing (yards) no less than would be permitted if the property were subdivided.
- g. **Design Standards.** All development in a site condominium subdivision shall conform to the design standards of **Chapter 26** of the Code of Ordinances, being Articles VII and VIII. This includes the requirement that all streets and roads be dedicated to the public. Street connections shall be required, where necessary, to provide continuity to the public road system.
- h. **Utility Easements.** The site condominium subdivision plan shall include all necessary easements granted to the City for the purposes of constructing, operating, inspecting, maintaining, repairing, altering, replacing, and/or removing pipelines, mains, conduits, and other installations of a similar character for the purpose of providing public utilities, including the conveyance of sewage, water, and stormwater run-off across, through and under the property, subject to said easement, and excavating and refilling ditches and trenches necessary for the location of said structures.
- i. **Final Acceptance.** The City shall also require all the appropriate inspections. After construction of the site condominium subdivision, an as-built reproducible mylar of the completed project shall be submitted to the City for review and approval by the City Engineer. A final certificate of occupancy and any building bonds will not be released to the developer/owner until said as-built mylar has been reviewed and accepted by the City.
- j. **Conversions.** A majority of co-owners, as defined pursuant to Condominium Act, Public Act 1978 No. 59, as amended, may require that the project be platted in accordance with the Subdivision Control Act of 1967. Public Act 1967 No. 288. Platting of such condominium projects shall not terminate the project unless four-fifths (4/5) of co-owners vote for such termination.

Section 32-75 Smoking Lounges

- a. **General Requirements:**
 - (1) Such facilities shall comply with all other county health laws and other applicable federal, state, or local laws.
 - (2) All such uses shall ingress and egress directly onto a major or secondary thoroughfare having an existing or planned right-of-way of at least one hundred and twenty (120) feet.
 - (3) All activities other than the parking of motor vehicles and loading or unloading shall be conducted within a completely enclosed building except for an outdoor activity specifically approved and/or licensed by the City.
 - (4) No buildings shall be closer than fifty (50) feet to any property line.
 - (5) Maximum lot coverage will not exceed thirty (30) percent.
 - (6) No uses shall abut an existing residential district on more than one (1) side.
- b. **Operational Requirements:**
 - (1) No such business shall operate earlier than 11:00 a.m. nor later than 12:00 midnight.
 - (2) No person under eighteen (18) years shall be permitted to be present, including, but not limited to as a patron or employee upon the premises.
- c. **Buffering.** No portion of the property upon which such business is situated is permitted within **one thousand two hundred and fifty (1,250)** feet of any of the following uses. The method of measurement shall utilize the two (2) property edges closest to each other, measured with a direct line.

- (1) A residentially-zoned district;
- (2) Property upon which a residential use exists;
- (3) A religious institution;
- (4) A K-12 school;
- (5) A child care center;
- (6) Any public park.

d.

Section 32-76 State Licensed Residential Facilities

a. **Licensing.**

- (1) The licensee must permanently reside as a member of the household.
- (2) The following uses must be registered with the applicable state licensing authority prior to operation.
 - (a) State Licensed Family Child Care Home (up to seven (7) children)
 - (b) State Licensed Group Child Care Home (up to fourteen (14) children)
 - (c) State Licensed Foster Care, Family Home
 - (d) State Licensed Foster Care, Family Group Home
 - (e) State Licensed Foster Care, Adult Family Home (one (1) to six (6) persons)
 - (f) State Licensed Foster Care, Adult Small Group Home (seven (7) to twelve (12) persons)
 - (g) State Licensed Foster Care, Adult Large Group Home (thirteen (13) to twenty (20) persons)

b. **Accessory Use.** When permitted as an accessory use in a zoning district, state licensed residential facilities are only permitted as accessory to a single detached dwelling unit.

Section 32-77 Temporary Uses

- a. **Intent.** Temporary uses, such as mobile vendors and outdoor sales, serve as effective tools for activating underutilized spaces. Depending on their nature, these uses may be short-term or long-term and play a key role in placemaking, fostering entrepreneurship, and supporting a business-friendly environment within the City. This Section outlines various types of temporary uses and establishes standards to minimize adverse impacts on surrounding areas while maintaining a high-quality environment. No temporary use described in this Section shall display goods or merchandise in a manner that obstructs pedestrian or vehicular traffic safety or violates fire or police regulations.
- b. **Types of Temporary Uses.** Below is a table of temporary uses differentiating between those that require a temporary use permit from the City Clerk's office, and those that do not require a permit or license.
 - (1) Temporary Uses Requiring a Temporary Use Permit:
 - (a) Outdoor Sales
 - (b) Seasonal Sales Lots
 - (c) Special Events
 - (2) Temporary Uses Not Requiring a Temporary Use Permit:
 - (a) Garage or Yard Sales

- (b) **Emergency Facilities:** Temporary facilities to accommodate emergency health and safety needs and activities.
- (c) **Temporary Construction Yards – on-site:** Yards and sheds for the storage of materials and equipment used as part of a construction project, provided a valid building permit has been issued and the materials and equipment are stored on the same site as the construction activity.
- (d) **Temporary Construction Office or Temporary Real Estate Office.** A temporary construction or real estate office used during the construction of a principal building, buildings, or uses on the same site, subject to building permits and trade permits.
- (e) Activities conducted on public property or within the public right-of-way that are approved by the City or as otherwise required by the Zoning Ordinance or Municipal Code.
- (f) Temporary events or activities occurring within, or upon the grounds of, a private residence or upon the common areas of a multi-family residential development.
- (g) Temporary portable on-site storage units in accordance with [Section 32-85.h](#).

c. **Submittal Requirements:**

- (1) **Complete Application.** A completed application and required fee.
 - (2) **Written Description.** A written statement describing the requested use and the proposed hours and days of operation.
 - (3) **Illustrative Plan.** An illustrative plan that shows the following, plus any other information needed to demonstrate compliance with the specific use requirements contained within this article as requested by the Building Official:
 - (a) The site boundary.
 - (b) Location of fire hydrants.
 - (c) Existing and proposed buildings / structures.
 - (d) Boundaries of proposed sales or activity areas.
 - (e) Location and method of waste disposal.
 - (f) Any other information deemed necessary by the Planning and Building Departments.
 - (4) **Signs.** Temporary signs are permitted as part of a temporary use with the following standards:
 - (a) Signs must be in the same location as the vendor/display.
 - (b) Signs located on a canopy or vending unit must be banner.
 - (c) Signs located apart from a canopy or vending unit must be a yard sign or sandwich board sign.
 - (5) **Proof of Ownership / Property Owner Permission.** Proof of ownership or, if the applicant is not the owner of the land, written permission from the owner to use the property for said use. If the activity is proposed to occur in public right-of-way, then Public Safety must provide written permission.
 - (6) **Liability Insurance.** A temporary use permit applicant must provide a copy of their insurance policy demonstrating the company and policy number upon application submission.
 - (7) **Additional Permits / Approvals.** Outside agency permits and approvals must be obtained, if necessary.
- d. **Review Process.** Temporary use permits shall be submitted and reviewed by the City Manager or their designee. The submittal process for a temporary use is as follows:
- (1) **Submittal of Application.** A complete application, required proof of insurance, and required fee must be submitted to the City Manager or their designee.

- (2) **Permit Review.** The City Manager or their designee will review the temporary use application for compliance with subSection e.
 - (3) **Inspections.** Prior to the issuance of any temporary use permit, electrical, mechanical, fire safety, and all other inspections deemed necessary by the City must be completed and approved.
 - (4) **Permit Issuance.** If the temporary use application is compliant with all applicable zoning Ordinance standards and all required inspections are completed and found in compliance, a temporary use permit will be issued.
- e. **Standards Applicable to all Temporary Uses.** All temporary uses, including but not limited to those listed in this Section, shall comply with the following standards:
- (1) No temporary use shall be established or conducted so as to cause a threat to the public health, safety, comfort, convenience, and general welfare, either on or off the premises.
 - (2) Temporary uses shall be set back a minimum of twenty-five (25) feet from abutting residentially-zoned parcels or residential uses, with the exception of existing mixed-use buildings.
 - (3) Temporary uses shall not obstruct required fire lanes, access to buildings or utility equipment, clear vision triangle, ADA spaces or aisles, or egress from buildings on the lot or on adjoining property.
 - (4) Temporary uses shall provide adequate parking area and improvements adequate to accommodate anticipated vehicular traffic. Safe pedestrian accessibility shall be provided between parking areas and the temporary use, with a separation between vehicular and pedestrian traffic areas.
 - (5) Temporary uses shall be conducted completely within the lot on which the principal use is located, unless the City authorizes the use of City-owned property or right-of-way.
 - (6) During the operation of the temporary use, the lot on which it is located shall be maintained in an orderly manner, shall be kept free of litter, debris, and other waste material, and all storage and display of goods shall be maintained within the designated area.
 - (7) Signs for temporary uses shall be permitted only in accordance with the following:
 - (a) Signs must be in the same location as the vendor/display.
 - (b) Signs located on a canopy or vending unit must be banner.
 - (c) Signs located apart from a canopy or vending unit may only be a yard sign, "A" frame or inverted "T" portable sign, air-blown sign, or feather sign.
 - (8) Temporary uses shall comply with all requirements of the Fire Code and other applicable codes and regulations.
- f. **Allowed Temporary Uses and Use-Specific Standards.** The following temporary uses may be permitted via approval from the Planning and Zoning Administrator, subject to satisfying use-specific standards.
- (1) **Temporary Outdoor Displays / Sales.** The establishment of temporary outdoor sales and the temporary display of goods, including promotional sales, sidewalk sales, and parking lot sales, may be conducted accessory to an otherwise lawfully permitted or allowed principal use on the same site, subject to the following:
 - (a) Temporary outdoor displays and sales shall only be permitted in a non-residential zoning district, accessory to an existing business located on the same property.
 - (b) Products displayed and sold outdoors shall relate to the on-site use and business, and all activities shall be conducted within the lot.
 - (c) Temporary outdoor displays and sales are limited to a period of thirty (30) consecutive days. Two (2) thirty (30) day periods are permitted per calendar year, which may or may not be consecutive.
 - (d) Sales and display areas may not occupy more than fifteen (15) percent of the parking area and shall not substantially alter the existing circulation or fire access on site.

- (2) **Seasonal Sales Lots.** Temporary seasonal sales activity (e.g., Christmas trees, pumpkin sales, plant sales, fireworks sales) may be permitted, subject to the following:
 - (a) Seasonal sales lots may be permitted in any non-residential zoning district, or on any public, quasi-public, or institutional site.
 - (b) Temporary seasonal sales are limited to a period of thirty (30) consecutive days. Two (2) thirty (30) day periods are permitted per calendar year, which may or may not be consecutive.
 - (c) Sales and display areas may not occupy more than fifteen (15) percent of a parking area and shall not substantially alter the existing circulation or fire access on site.
- (3) **Special Events.** Special events such as auctions, craft fairs, and carnivals, may be permitted, subject to the following:
 - (a) Special events may be permitted in any non-residential, or on any property approved for public, quasi-public, or institutional uses.
 - (b) The temporary special event is limited to a maximum of seven (7) consecutive days. A total of three (3) seven (7) day periods are permitted per year, separated by a stretch of fourteen (14) consecutive days.
 - (c) Permitted hours of operation shall be limited to between 8:00 a.m. to 10:00 p.m.
- g. When a temporary use is not specifically mentioned in this Section, the City Planner may determine that such use is similar in nature to listed use(s) above and shall establish the term, and make necessary findings and conditions for the particular use. The City Planner reserves the right to refer any request for a temporary use permit to the Planning Commission for action.
- h. In issuing a temporary use permit, the approving authority may impose conditions which it finds necessary for the protection and preservation of property rights and values of adjacent properties.

Section 32-78 Twenty-Four Hour Operations

- a. **General Requirements:**
 - (1) The site shall not be contiguous to any residence or residential district and shall not be located within three hundred (300) feet of the property line of any public or private school, or playground.
 - (2) The site shall be so located as to abut a major or secondary thoroughfare right-of-way, and all ingress and egress to the site shall be directly from said thoroughfare.
 - (3) The building, or part thereof, devoted to such use or activity shall be designed and constructed in such a manner that no audible sound may be heard by adjoining tenants or at the lot line.

Section 32-79 Upper-Level Residential

- a. **Intent.** To encourage and provide for the economic vitality of the Central Business District, residential occupancy shall be permitted in buildings of two (2) stories in height or greater, subject to the conditions in this Section.
- b. **Ground Level Residence Prohibited.** No dwelling unit shall occupy any portion of the building at ground level or below ground level. Businesses may occupy any number of total floors.
- c. **Mixed Uses on Same Floor.** In those instances where residential uses are proposed to occupy the same floor as a business use, the Planning Commission shall review such mixed use and may approve such mixed use based on findings that compatibility of the business with residential occupancy will occur. Such findings may include but are not limited to:
 - (1) Compatible hours of operation.
 - (2) Noise of operation or occupancy that would be detrimental to the business operation or vice versa.

- (3) Excessive foot traffic.
- d. **Parking.** Off-street parking shall be provided in accordance with **Article VII** of this chapter and shall be provided in designated off-street parking areas within one thousand three hundred and twenty (1,320) feet of the dwelling unit they are to serve.

Section 32-80 Vehicle Repair / Service Shop

- a. **General Requirements:**
 - (1) All repair activities shall be confined to the interior of the building and adequate measures shall be taken to ensure that any noise, dust, smoke, odor, fumes, or other negative environmental impacts are confined to the site.
 - (2) No outdoor storage is permitted.
 - (3) An adequate means of waste disposal shall be provided so that the byproducts of automobile repairs and services and other waste are disposed of properly. Solid waste, rubbish, and trash storage areas shall be screened by decorative poured concrete wall of six (6) feet in height enclosing three (3) sides, **and a sight obscuring gate enclosing the fourth side.**

Section 32-81 Vehicle Sale / Rental

- a. **Minimum Lot Area and Width.** The parcel shall contain a minimum area of twenty thousand (20,000) square feet. The parcel shall have a minimum width of one hundred (100) feet along the principal street serving the facility.
- b. **LI / GI Special Land Use When Abutting Residential.** Within the LI and GI zoning districts, special land use approval shall be required when the vehicle sales or vehicle rental use shares a property line with a residentially zoned or used parcel.
- c. **Vehicular Access and Circulation:**
 - (1) Vehicle sales facilities, when located on a corner lot, shall provide vehicular entrances or exits (curb cuts) no less than thirty-five (35) feet from the intersection of the property lines at the corner.
 - (2) A maximum of two (2) curb cuts are permitted per street frontage.
- d. **Paving.** Auto display, parking, and circulation areas shall be paved with a durable surface.
- e. **Vehicle Display and Storage.** Outdoor vehicle display, sales, and storage areas, when permitted, shall be located a minimum of ten (10) feet from all property lines and right-of-way lines and shall be screened in accordance with **Section 32-116(1)** (Parking Lot Landscaping). Within the LI and GI zoning districts, vehicle display areas may be permitted in the front yard a minimum of twenty (20) feet from right-of-way lines. All display vehicles shall be parked in designated display spaces and shall not be parked in required parking spaces. Vehicles displayed for sale shall not be artificially elevated above grade.
- f. **Sales Office.** A minimum of five hundred (500) square foot permanent structure shall be provided on the lot to serve as offices and restrooms for vehicle sales use.
- g. **Accessory Vehicle Repair / Service Shop.** Vehicle repair and service associated with the vehicle sales use shall receive separate approval for "Vehicle Repair / Service Shop", in districts where permitted, and shall be subject to the use specific standards for "auto repair and service facilities" in **Section 32-81.**

Section 32-82 Vehicle Wash (Automatic & Self)

- a. **Residential Separation Buffer.** A twenty (20) foot buffer shall be provided between any portion of an auto wash facility (e.g., buildings, access drives, vacuuming areas, parking areas) and the property line of a residentially zoned or used parcel, screened and landscaped in accordance with **Section 32-116.b.**

- b. **Minimum Lot Area and Width.** The parcel shall contain a minimum area of fourteen thousand (14,000) square feet. The parcel shall have a minimum width of one hundred (100) feet along the principal street serving the facility.
- c. **Vehicle Wash Design:**
 - (1) All washing services, except vacuuming and hand towel drying, shall be completely within an enclosed building.
 - (2) Bay doors facing a right-of-way shall be adequately screened with landscaping and/or masonry walls, at minimum, in accordance with perimeter parking lot screening of [Section 32-116.a.](#)
 - (3) The site shall provide a dry-off area sufficient in size and drainage to prevent build-up of surface water or ice on the exit driveway.
- d. **Vacuum Stations.** Outdoor vacuum station areas shall comply with the minimum setbacks for the principal structure, with the following additional provisions:
 - (1) Vacuum areas shall be set back a minimum of fifty (50) feet from the property line of a residentially-zoned or used parcel.
 - (2) Outdoor vacuum stations shall not be permitted between the principal building and the principal street right-of-way, nor project closer to the principal street right-of-way line than the principal building.
 - (3) Outdoor vacuum stations and related equipment visible from a street or adjacent residential property shall be adequately screened by landscaping and/or masonry walls, at minimum, in accordance with perimeter parking lot screening of [Section 32-116.a.](#)
- e. **Stacking Spaces.** Stacking spaces for waiting traffic shall be provided in accordance with [Section 32-62.b.](#)
- f. **Vehicular Access and Circulation:**
 - (1) Vehicle wash facilities, when located on a corner lot, shall provide vehicular entrances or exits (curb cuts) no less than thirty-five (35) feet from the intersection of the property lines at the corner.
 - (2) A maximum of one (1) curb cut is permitted per street frontage. All curb openings shall not exceed thirty-five (35) feet in width at the property line.
 - (3) On corner lots, no driveway from a side street shall be less than ten (10) feet from rear property line as measured along the side street property line. Curbs shall be provided to prevent ingress or egress except at the required locations.
 - (4) A bypass lane shall be provided to allow vehicles a way to enter and exit the site without having to turn around on the site or travel through a car wash tunnel or bay.
 - (5) All maneuvering areas, stacking lanes, and exit driveways shall be located within the auto wash property. Exit driveways leading immediately from the auto wash building shall not directly connect to the public right-of-way.
- g. **Hours of Operation.** No vehicle wash services or vacuuming shall be performed before 7:00 a.m. or after 10:00 p.m.

Section 32-83 Wireless Communication Towers

- a. Wireless communication towers, including their respective transmission towers, relay and/or receiving antennas, and normal accessory facilities involved in television, radio, microwave, cable systems, cellular, personal communication, and similar communication services and facilities, shall be designed and located in such areas so as to have a limited visibility and impact on neighboring residential areas and shall be in conformance with the following requirements:
 - (1) The applicant shall submit verification of FCC and FAA compliance.
 - (2) A written explanation of the design characteristics and ability of the structure(s) and attendant facilities to withstand winds, ice and other naturally occurring hazards shall be submitted. This information shall also

address the potential for the tower or other mounting structure and/or antennae to topple over or collapse, and what tower configuration should be expected in such an event. Technical documentation of any information regarding these concerns shall also be provided. Monopole (stealth or equivalent type) antenna structures shall be required where such are technologically feasible. Such towers shall be designed to accommodate at least three (3) additional co-locators antennae structures. In all cases, communication towers shall be designed to blend into the surrounding environment to the maximum extent feasible.

- (3) In order to maximize the efficiency of providing such services, while minimizing the negative impact of such facilities on the City, co-location of such facilities on an existing tower or other existing structure is required, when feasible. An applicant shall furnish written documentation as to why a co-location at another site is not feasible and whether they have, in fact, contacted the owners of existing facilities to determine if co-location is possible. Applicants shall provide the name, address, and telephone number of contact persons for potential co-locations for verification purposes. Applicants shall also provide signal propagation maps which clearly convey the need for such tower at the proposed location and clearly shows that existing towers and preferred locations do not work. If the application represents a new tower/antenna facility, the applicant shall provide a letter of intent to lease any excess space on a tower facility and shall commit itself to:
 - (a) Promptly responding to any requests for information from a potential co-user of their tower/antenna;
 - (b) Negotiate in good faith and allow for leased, shared use of the facility, when it is technically practical; and
 - (c) Make no more than a reasonable charge for a shared use lease.
- (4) If the application involves co-location on an existing tower or structure, the public hearing requirements shall be waived, and approval shall only include a Site Plan and documentation by the co-user as to their compliance with all of the terms and conditions required of the host applicant. Co-location may be permitted by the Planning Commission, after Site Plan review, on all existing towers and existing similar structures, regardless of the zoning district in which it is located.

b. **Requirements to Show Colocation is not Possible.** Approval of a communication tower facility shall not be granted until such time that the applicant has demonstrated all of the following:

- (1) The proposed facility is needed because the telecommunications provider is unable to co-locate its facility with another provider or other structure; and
- (2) The proposed facility is needed to correct a significant gap in coverage.
- (3) The applicant shall also demonstrate that there are no suitable tower sites within the preferred industrial zoning districts or on City-owned properties.

c. **Siting.** The development of any such facility, together with accessory uses, shall be in such a location, size, and character as to be compatible with the orderly development of the zoning districts in which it is situated and shall not be detrimental to the orderly and reasonable development or use of properties in the adjacent areas or the community at large. Furthermore, the location and improvement of facilities, as provided for herein, shall also be subject to the following additional requirements:

- (1) Towers shall be permitted in the LI and GI zoning districts upon site approval and provided the location of such facilities do not represent a hazard to the use and/or development of other uses on the site and in the area. The development of new towers is specifically prohibited in all other zoning districts in the City, unless the applicant can demonstrate that no suitable site exists for a tower within the LI and GI districts. Upon such a finding, tower locations shall be sought based on the hierarchy listed below. The applicant shall demonstrate that no suitable site exists in each zoning district listed, prior to requesting the next district on the list. District Hierarchy:
 - (a) CG Zoning District
 - (b) CBD Zoning District
 - (c) CN Zoning District
 - (d) RH Zoning District

- (e) RT Zoning District
 - (f) Other Remaining Districts
- (2) The site shall be of such size and shape that the proposed tower facility may be developed in compliance with all requirements of the City, and any such tower/antenna shall not exceed one hundred and twenty (120) feet in height above the average grade around the structure it is mounted upon.
 - (3) The tower site shall meet all City standards relating to drainage, lighting, landscaping, general safety, and other applicable standards. All landscaping shall be placed in an aesthetically pleasing and functional manner. Such landscaping shall be incorporated along access drives servicing the tower site and around fencing and all associated cabinets.
 - (4) Maintenance of all landscaped areas associated with the construction of a tower or the co-location of an antenna shall be the sole responsibility of the tower owner. All landscaped areas shall be continuously maintained in a sound, weed-free, healthy, and vigorous growing condition. All unhealthy and dead material shall be replaced within one (1) year.
 - (5) All communication towers and facilities shall be surrounded by a six (6) foot high fence to prevent unauthorized access and vandalism. Two (2) staggered rows of six (6) foot high evergreen screening trees, as approved by the City, shall be placed outside of said fence to screen the tower base and ancillary facilities, unless the topography and elevation of the site permit another form of landscaping obscurement as determined by the Planning Commission. Each row of trees shall be planted at intervals of ten (10) foot on center. The fence surrounding the tower shall be a decorative vinyl coated chain-link material (earthen color) or other similar decorative fence determined appropriate by the commission.
- d. **Lighting.** Lighting associated with communication towers and facilities shall comply with all applicable FAA regulations. Such lighting shall not exceed FAA minimum standards. Where ground level lighting is required, it shall be shielded or directed to the maximum extent possible to minimize the amount of light that falls onto nearby properties. Ground level lighting shall operate on motion detectors to minimize any negative impacts.
 - e. **Access.** A twelve (12) foot wide paved access road shall be provided and maintained in a good condition to provide access for service and emergency vehicles. Such access road shall meet all City Engineering design requirements.
 - f. **Setback.** Setback requirements will be determined in relation to the tower/antenna design and collapse data previously required in this Section. Minimum setback requirements, unless otherwise provided for, are as follows:
 - (1) When adjacent to nonresidential zoning districts, the setback shall not be less than the overall height of the tower/antennas. This setback requirement shall also apply to any accessory buildings. If the design and collapse data for the tower properly documents its ability to collapse down upon itself, the setback requirements to any side or rear yard property line abutting a non-residential zoning district may be reduced to one-half (½) the overall height of the tower. In no instance shall any tower facility be located within a front yard. Accessory buildings shall be screened from view by an obscuring Greenbelt.
 - (2) When adjacent to any residential zoning district, the tower setback shall not be less than the overall height of the tower/antennas, plus fifty (50) feet. If the design and collapse data for the tower properly documents its ability to collapse down upon itself, the setback requirement to any side or rear yard property line abutting any residential district may be reduced to the overall height of the tower/antenna. In no instance shall any tower be located within a required front yard. Accessory buildings and uses shall be screened in the same manner as communication towers and facilities. Accessory buildings shall be constructed of a brick material, the color selection as approved by the Planning Commission to provide for harmonization with the surrounding area. Roof design, i.e., gable or flat roof, shingled and color shall be determined and approved by the Planning Commission so as to provide harmony and obscurement in relation to the existing area and surrounding uses.
 - (3) Further modifications to the side and rear yard setbacks may be considered when it is documented that the adjacent property is unbuildable due to wetlands, floodplains, or other significant limitations. It shall also be found that no adverse effects on reasonable development patterns in the area would be created by developing the tower.

- g. **Accessory Structures.** Cellular antennae and supporting structures shall be permitted to be attached to buildings and structures in all zoning districts whether or not they are accessory to the building use, subject to the following conditions.
- (1) The principal use is a conforming use and the building is a conforming structure.
 - (2) If connected directly to the main building, antennae may be attached to any portion of the building. Such antennae or antennae with supporting structure may not exceed twenty (20) feet in height.
 - (3) The structure that supports antennae may not exceed ten (10) feet in height.
 - (4) Such antennae with supporting structure shall not be credited to the overall height of the building.
 - (5) Any structure that supports antennae shall be setback from the outermost vertical wall or parapet of the building, a distance equal to at least two (2) times the height of such supporting structure.
- h. **Review.** In addition to Site Plan review, the Planning Commission, with a majority vote, may require an independent third-party review of an application. Such review shall be conducted by a professional engineer specializing in this type of communication technology and will be paid for by the applicant. The requirement for such a review shall be based on one (1) or more of the following findings:
- (1) The applicant has not substantiated a need for a proposed tower to the satisfaction of the commission.
 - (2) The applicant has been unable to disprove the ability to co-locate on an existing tower or structure to the satisfaction of the commission.
 - (3) The applicant has not substantiated the structural safety of a structure to be commensurate with the requested setback.
 - (4) The data supplied by the applicant is determined to be disorganized, confusing or misleading by the commission.
- i. All structures, buildings and required improvements shall comply with all other applicable codes and Ordinances and shall be continuously maintained in a safe, healthful and complying condition. Every telecommunication provider with sites located in Fraser shall provide the City with an annual report disclosing the radio frequency emissions of each tower or antenna it has within the City. The City may by resolution require annual inspections of radio frequency emissions of each tower or antenna by the City to ensure that they are being operated within the requirements of the Telecommunications Act of 1996. The permit may include a requirement for periodic structural and safety inspections and reports, as deemed necessary by the City Council. The City shall charge a fee for the annual inspection to cover its costs.
- j. A condition of every approval of a wireless communication facility shall be adequate provision for the removal of the facility by users and owners when the facility has not been used for one hundred eighty (180) days or more. Removal of the tower/antenna and its accessory use facilities shall also include removing the top three (3) feet of the caisson upon which the tower is located and covering the remaining portion with topsoil. For purposes of this Section, the removal of towers, antennas, or other equipment from the facility, or the cessation of operations (transmission and/or reception of radio signals) shall be considered as the beginning of a period of nonuse.



MCKENNA

Monthly Planning & Zoning Report

For January 2026

McKenna provides day-to-day assistance to the City, applicants, and the public regarding zoning, planning and economic development matters.

PLANNING, ZONING, DESIGN & ECONOMIC DEVELOPMENT ACTIVITY

As part of our services to the City, McKenna reviews Planning Commission applications and provides recommendations on long range planning, land use, zoning, and design. The following is a summary of active developments; **yellow highlighting indicates new updates for the month.**

PROJECT # / ADDRESS	SCOPE	STATUS / NEXT STEPS
RZ23-02 32981 & 32875 Utica Road Sheetz	Conditional rezoning from CBD to CG to operate a gas station and fast food restaurant.	Preconstruction meeting occurred with City Staff on September 26, 2025. Building permits have been issued.
ZBA 24-06 33420 Utica Road Use Variance for multiplex development SP 24-07 33420 Utica Road	Request for a use variance to construct a multiplex development in the RM district. Request for site plan approval for multiplex development.	The Zoning Board of Appeals approved the use variance at the November 7, 2024 meeting. Planning Commission tabled site plan on January 13, 2025. Applicant to return with revisions. The site plan was conditionally approved at the March 5, 2025 meeting. The applicant has submitted updated plans that meet the conditions required and is now in engineering review. The applicant is returning to PC on February 4, 2026 to request a 2-year site plan extension.
SP 24-08 17689 Masonic Blvd Strip Mall	Request for site plan approval for commercial strip mall.	Applicant postponed review at the January 13, 2025 Meeting. The applicant will revise site plan and return to Planning Commission. The site plan was conditionally approved at the March 5, 2025 meeting. The applicants is obtaining DPW approvals.
RZ 25-01, Hayes Road	Rezoning from RL to RM to develop site condominiums.	Planning Commission recommended approval of the rezoning request to rezone a parcel on Hayes Road near 14 Mile Road from RL to RM, in order to develop 8-site condominiums on May 7, 2025. City Council approved the rezoning on June 12, 2025. The applicant will return to PC for site plan approval.

HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

○ 248.596.0920
F 248.596.0930
MCKA.COM

Communities for real life.



PROJECT # / ADDRESS	SCOPE	STATUS / NEXT STEPS
<i>SLU 25-02 33341 Kelly Road</i> <i>Complete Auto Care</i>	To obtain special land use approval to allow an automobile heavy repair garage in an "IR – industrial restricted" zoning district.	The PC conditionally approved the SLU at the July 21, 2025 meeting. PC approved their site plan at the September 3, 2025 meeting.
<i>SP 25-03 18380 Malyn</i> <i>Industrial Building</i>	To obtain site plan approval to construct an industrial warehousing building.	The PC conditionally approved the site plan at the January 7, 2026 meeting.
<i>SLU 26-01: 31331 Groesbeck Hwy</i> <i>Midway Eats</i>	To obtain special land use approval to allow 24-hour operation in the CG district.	The applicant will be heard at the February 4, 2026 Planning Commission Meeting.
<i>SP 26-01: 34960 Utica Road</i> <i>Birdies and Brew</i>	To obtain approval to use EFIS on the building façade in the CG district.	The applicant will be heard at the February 4, 2026 Planning Commission Meeting.

LOOKING FORWARD

- Full Zoning Ordinance Rewrite (End of 2025 – Early 2026)

CONTACT US

Should you have any questions on the above projects or would like additional information, please contact your City of Fraser team at:

- Lauren Sayre (lsayre@mcka.com)
- Alicia Warren (awarren@mcka.com)