

## City of Plymouth Planning Commission Regular Meeting Agenda Wednesday, October 12, 2022 – 7:00 p.m. City Hall & Online Zoom Webinar

City of Plymouth 201 S. Main Plymouth, Michigan 48170 Fax 734-455-1892 www.plymouthmi.gov Phone 734-453-1234

Please click the link below to join the webinar: https://us02web.zoom.us/j/83238770467 Passcode: 186509

### 1. CALL TO ORDER

- a) Roll Call
- 2. CITIZENS COMMENTS
- APPROVAL OF THE MINUTES

   a) Approval of the September 14, 2022, meeting minutes

### 4. APPROVAL OF THE AGENDA

5. COMMISSION COMMENTS

### 6. PUBLIC HEARINGS

a) SP22-06: 330 S. Main Special Land Use and Site Plan Review

### 7. OLD BUSINESS

### 8. NEW BUSINESS

- a) Fence ordinance amendments
- b) Master Plan discussion

### 9. REPORTS AND CORRESPONDENCE

### 10. ADJOURNMENT

<u>Citizen Comments</u> - This section of the agenda allows up to 3 minutes to present information or raise issues regarding items not on the agenda. Upon arising to address the Commission, speakers should first identify themselves by clearly stating their name and address. Comments must be limited to the subject of the item.

Persons with disabilities needing assistance with this should contact the City Clerk's office at 734-453-1234 x 234 Monday through Friday from 8:00 a.m. -4:30 p.m., at least 24 hours prior to the meeting. An attempt will be made to make reasonable accommodations.

## City of Plymouth Strategic Plan 2022-2026

### GOAL AREA ONE - SUSTAINABLE INFRASTRUCTURE

### OBJECTIVES

- 1. Identify and establish sustainable financial model(s) for major capital projects, Old Village business district, 35<sup>th</sup> District Court, recreation department, and public safety
- 2. Incorporate eco-friendly, sustainable practices into city assets, services, and policies; including more environmentally friendly surfaces, reduced impervious surfaces, expanded recycling and composting services, prioritizing native and pollinator-friendly plants, encouraging rain gardens, and growing a mature tree canopy
- 3. Partner with or become members of additional environmentally aware organizations
- 4. Increase technology infrastructure into city assets, services, and policies
- 5. Continue sustainable infrastructure improvement for utilities, facilities, and fleet
- 6. Address changing vehicular habits, including paid parking system /parking deck replacement plan, electric vehicle (EV) charging stations, and one-way street options

### GOAL AREA TWO - STAFF DEVELOPMENT, TRAINING, AND SUCCESSION

### OBJECTIVES

- 1. Create policies and programs that support staff recruitment/retention, including a coordinated recruitment program, flexible scheduling, and an internship program
- 2. Increase staff levels to appropriately support city services and departments
- 3. Provide staff/board/volunteer trainings and programming with a focus on improving understanding on issues of diversity, equity, and inclusion and emphasizing working with and serving diverse communities

### GOAL AREA THREE – COMMUNITY CONNECTIVITY

### OBJECTIVES

- 1. Engage in partnerships with public, private, and non-profit entities
- 2. Increase residential/business education programs for active citizen engagement
- 3. Robust diversity, equity, and inclusion programs
- 4. Actively participate with multi-governmental lobbies (Michigan Municipal League, Conference of Western Wayne, etc.)

### GOAL AREA FOUR - ATTRACTIVE, LIVABLE COMMUNITY

OBJECTIVES

- 1. Create vibrant commercial districts by seeking appropriate mixed-use development, marketing transitional properties, and implementing Redevelopment Ready Communities (RRC) practices
- 2. Improve existing and pursue additional recreational and public green space opportunities and facilities for all ages
- 3. Develop multi-modal transportation plan which prioritizes pedestrian and biker safety
- 4. Improve link between Hines Park, Old Village, Downtown Plymouth, Plymouth Township, and other regional destinations
- 5. Maintain safe, well-lit neighborhoods with diverse housing stock that maximizes resident livability and satisfaction
- 6. Modernize and update zoning ordinance to reflect community vision
- 7. Implement Kellogg Park master plan

### Planning Commission 2022 Goals

- 1. Address ordinances pertaining to R-1 fences and height of residential structures
- 2. Begin the preliminary process for the 2023 master plan revision in Q4
- 3. Explore an impervious surface ordinance
- 4. Audit the current zoning ordinance and identify an approach for implementing form-based codes

City of Plymouth Planning Commission Public Hearing Notice Wednesday, October 12, 2022 – 7:00 p.m. City Hall & Online Zoom Webinar 201 S. Main Street Plymouth, Michigan 48170 Website: www.plymouthmi.gov Phone: (734) 453-1234 ext. 232

A regular meeting of the Planning Commission will be held on Wednesday, October 12, 2022, at 7:00 P.M. located at City Hall and on an online Zoom webinar to consider the following:

SP22-06: 330 S. Main Special Land Use and Site Plan Review

All interested persons are invited to attend.

In compliance with the Americans with Disabilities Act, the City of Plymouth will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting/hearing, to individuals with disabilities. Requests for auxiliary aids or services may be made by writing or calling the following: Maureen Brodie, ADA Coordinator 201 S. Main Street Plymouth, MI 48170, (734) 453-1234, Ext. 234

Publish: Thursday, September 29, 2022



Plymouth Planning Commission Regular Meeting Minutes Wednesday, September 14, 2022 - 7:00 p.m. Plymouth City Hall 201 S. Main

City of Plymouth 201 S. Main Plymouth, Michigan 48170-1637 www.plymouthmi.gov Phone 734-453-1234 Fax 734-455-1892

### 1. CALL TO ORDER

Vice Chair Scott Silvers called the meeting to order at 7:00 p.m.

Present: Vice Chair Silvers, Commissioners Tim Joy, Kyle Medaugh, Hollie Saraswat, Eric Stalter

Excused: Commissioner Shannon Adams, Joe Hawthorne, Jennifer Mariucci, Chair Karen Sisolak

Also present: City Commissioner Kelly O'Donnell, Planning Director Greta Bolhuis, and Planning Consultant Sally Elmiger

### 2. CITIZENS COMMENTS

City Commission Liaison Kelly O'Donnell said the zoning audit would start within the next two weeks, and that there would be a meeting on September 19 at 5:30 to study parking issues. Joy suggested considering an autonomous shuttle from the Plymouth Cultural Center to Kellogg Park for employee parking.

### 3. APPROVAL OF MEETING MINUTES

Joy offered a motion, seconded by Stalter, to approve the minutes for the August 10, 2022, meeting.

There was a roll call vote. Yes: Joy, Medaugh, Saraswat, Stalter, Silvers MOTION PASSED 5-0

### 4. APPROVAL OF THE AGENDA

Medaugh offered a motion, seconded by Stalter, to approve the agenda for September 14, 2022.

There was a roll call vote. Yes: Joy, Medaugh, Saraswat, Stalter, Silvers MOTION PASSED 5-0

### 5. COMMISSION COMMENTS

There were no commission comments.

### 6. PUBLIC HEARINGS

a. SP22-04-900 N. Mill, Special Land Use and Site Plan Review

Applicants Matthew and Cami Mai described their proposed project, which involves moving their salon and retail shop to a new location that is zoned for mixed use. Mr. Mai explained that they do not intend to keep the dumpster and that their trash removal will be handled by city carts.

Silvers opened the public hearing at 7:17 p.m. Hearing no public comments, he closed the hearing at 7:18 p.m.

Elmiger stated that the proposed project met the master plan concept for the area.

Commissioners discussed lighting, parking lot striping, and landscaping. They raised a concern that the tenant, not the property owner was present at the meeting, because that the property owner would be responsible for any conditions and changes to the site.

### Motion

Silvers offered a motion, seconded by Joy, to approve the special land use for SP22-04 at 900 N. Mill.

### Finding of Fact

The proposed use aligns with the master plan.

### Conditions

The Planning Commission relieves the applicant of requiring a landscaping buffer along Mill and Holbrook.

There was a roll call vote. Yes: Joy, Medaugh, Saraswat, Silvers No: Stalter MOTION PASSED 4-1

### Motion

Silvers offered a motion, seconded by Stalter, to approve SP22-04 for site plan approval.

### Finding of Fact

The site and building are unchanged, and the applicant will resolve items to be addressed as outlined in the Carlisle Wortman report. These recommended changes are to be handled administratively with the building official.

### Conditions

If the applicant uses a dumpster, it must be in an enclosure, as per ordinance. Additional lighting may be required by the building department after review of the site due to operating hours after dark.

### Amendment

Stalter asked to add a stipulation that the applicant provide information about where delivery trucks would be stationed on side. Silvers agreed to the amendment.

There was a roll call vote. Yes: Joy, Medaugh, Saraswat, Stalter, Silvers MOTION PASSED 5-0

b. Text Amendments for Impervious Surfaces

Silvers opened the public hearing at 8:07 p.m. He read an email from Linda Gobeski, 180 Burroughs, who was concerned about the size of new homes and the lack of greenspace around them.

Silvers closed the public hearing at 8:10 p.m.

The group discussed wording and clarity, and there was consensus that the wording in 78-191 be changed to read, "...in all zoning districts in which they are located."

Medaugh offered a motion, seconded by Stalter, to recommend the changes to the impervious surface ordinance to the City Commission with the grammatical change that was discussed.

There was a roll call vote. Yes: Joy, Medaugh, Saraswat, Stalter, Silvers

### **MOTION PASSED 5-0**

c. Text Amendments for B-2 Central Business Districts

Silvers opened the public hearing at 8:22 p.m. Hearing no comments, he closed the public hearing at 8:23 p.m.

Joy offered a motion, seconded by Stalter, to forward the amendments to the City Commission for approval as presented.

There was a roll call vote. Yes: Joy, Medaugh, Saraswat, Stalter, Silvers MOTION PASSED 5-0

### 7. OLD BUSINESS

There was no old business

### 8. NEW BUSINESS

a. SP22-05: 936 N. Sheldon, Site Plan Review Project engineer Tim Stewart, representing Packaging Corporation of America (PCA) gave an overview of the project, which includes additions on the east side of the building.

Elmiger reviewed the Carlisle Wortman report and recommended clear signage on the most easterly driveway to indicate the one-way path. She also noted that the plan was slightly deficient in plants for the screen, but she recommended accepting that due to additional trees being planted elsewhere on the site.

Saraswat said she received an email from City Commissioner Jennifer Kehoe stating that she had received complaints about noise from PCA. Elmiger recommended the building official investigate any noise issues.

The group then reviewed a report from the City's engineering firm, Wade Trim, which recommended stormwater detention on the east side of the facility. Stewart asked for this recommendation to be waived, stating that the additions would not cause any additional runoff, that their plant had never had any stormwater issues, and that such a requirement would be cost prohibitive. Elmiger stated the stormwater standards are set by Wayne County and that the Planning Commission doesn't have the authority to overrule the county.

There was some discussion about postponing the site plan approval until the stormwater issue was resolved, but it was decided that waiting would stall the process excessively.

### Motion

Silvers offered a motion, seconded by Stalter, to approve the site plan review of SP22-05 at 936 N. Sheldon.

### Finding of Fact

The site plan meets ordinance requirements as referenced in the Carlisle Wortman report.

### Conditions

The concerns addressed by Wade Trim regarding stormwater on site is to be worked out with the city's engineers. The building official is to investigate possible noise complaints.

Medaugh asked for a friendly amendment stating that items in the Carlisle Wortman report relating to lighting, site access and circulation be addressed with the city engineer. Silvers agreed to the friendly amendment.

There was a roll call vote. Yes: Joy, Medaugh, Saraswat, Stalter, Silvers MOTION PASSED 5-0

### 9. REPORTS AND CORRESPONDENCE

Stalter said the group received an article about master plans from Planning Chair Karen Sisolak.

### 10. ADJOURNMENT

Joy offered a motion, seconded by Stalter, to adjourn the meeting at 9:16 p.m.

There was a roll call vote. Yes: Joy, Medaugh, Saraswat, Stalter, Silvers MOTION PASSED 5-0

### CITY OF PLYMOUTH SITE PLAN REVIEW APPLICATION

Community Development Department 201 S. Main Street Plymouth, MI 48170 Ph. 734-453-1234 ext. 232 www.plymouthmi.gov

### I. Site/Project Information

Site Address	Current Zoning Classification	Date of Application
330 S. Main	B-2 Central Business	09/28/2022

Name of Property Owner	Phone Number		
AW2 Investments, LLC. ATTN: Andrew Winnie	e (734) 451.6666		
Mailing Address	Email Address (Required)		
47965 Merle Ct.	awinnie@ebuymedia.com		
City	State	Zip Code	
Belleville	MI	48111	

### **II. Applicant and Contact Information**

Indicate Who the Applicant Is. If Property Owner, Skip to Section III.	x	Architect	Developer		Engineer		Lessee
Applicant/Company Name		Phone Number					
Yellowstone Architecture & Construction ATTN: Andrew Hauptman (734) 548.6565							
Applicant/Company Address		City		State	Zi	p Code	e
777 E. Eisenhower Pkwy.		Ann Arbor MI 4810			3108	3	
Email Address (Required)							
ahauptman@yellowstone.build							

### III. Site Plan Designer and Contact Information

Site Plan Designer Company Name Yellowstone Architecture & Construction ATTN: Andrew Hauptman		Phone Number (734) 548.6565		
Company Address 777 E. Eisenhower Pkwy.		City Ann Arbor	State MI	Zip Code 48108
Registration Number 1301049983	Expiration Date 10/31/2023	Email Address (Required ahauptman@ye		build

### IV. Type of Project (Please Select All that Apply)

Commercial	□ Multi-Family	· · · · · · · · · · · · · · · · · · ·	Remodel	Change of Use	Is this project loca Historic District?	ated in the
$\Box$ Mixed Use	$\Box$ Industrial	□ Addition	📕 Interior Finish	Special Land Use		□No

### VI. Description of Work

Renovation of existing suite to provide new distilled spirits Tasting Room. New partitions, MEP

alterations, and FFE. Exterior facade rehabilitation including finishes and signage.

## V. Historic District

### **VII.** Applicant Signature

Signature of Applicant	At	Andrew Hauptman 2022.09.29 08:48:59-04'00'	Date 9/29/2022
			······································

### VIII, Property Owner Stgnature

Signature of Property Owner Date 9-29-22 Subscribed and sworn before me this \_\_\_\_\_\_ day of \_\_\_\_\_\_, 20\_\_\_\_\_,

Notary Public:\_\_\_\_\_

My Commission expires:

### For Office Use Only

For	Office Use Only			
		YES/DATE	NO	N/A
1.	Pre-Application Meeting			
2.	Digital Copy of Application Package	Ma Al-Mith hat -di Man - thatilati an dean ann an ann an ann an ann ann an ann an a	are the Wildow Wildow of the second	
3,	Public Hearing Notice			
4.	CWA Review			
5.	Municipal Services Review			
6.	Fire Department Review			
7.	Engineering Review			1

### IX. Site Plan Review Checklist

Plea	se include the following applicable information on the site plan.	YES	N	С	N/A
1.	Correct scale	$[\times]$	]	]	[]
2.	Name of person preparing plan*	$[\times]$	[	]	[]
3.	Date, north point	[ <b>X</b> ]	]	J	[]
4.	Property line dimension	[×]	[	1	[ ]
5.	Street right-of-way widths	[×]	]	1	[ ]
6.	Existing utilities (sewer, water, gas, etc.) and easements	[]	]	]	[×]
7.	Show adjacent property and buildings, including zoning	[×]	]	]	[]
8.	Existing topography, trees and other features	[×]	] [	]	[]
9.	Off-site ground, parking lot, roadway, driveway and/or structure elevations for minimum distance of 50 feet	[]	] [	Ţ	[ <mark>×</mark> ]
10.	On-site grid of maximum 100 feet intervals each way (closer where rolling terrain warrants) and minimum 2.0 feet contours	[]	Ę	]	[ <mark>×</mark> ]
11.	Location of new structures including side and front yard setbacks and building length and width (show a general floor plan)	[]	Ē	]	[×]
12.	Number of dwelling units per building	[]	]	1	[×]
13.	Height of structure	[×]	Ĩ	]	[]
14.	Percent one room apartments (efficiencies)	[]	[	]	[×]
15.	Total number of rooms if multiple-family	[ ]	Ĵ	ĵ	[×]
16.	Parking requirements met (See Section 78-720) Table 78-270.a.10	[×]	] [	]	[]
17.	Number of units and bedrooms each building	[]	]	]	[×]
18.	Parking lot layout (showing paved area) including ingress and egress and service area	[]	]	]	[×]
19.	Parking lot space dimensions	[]	[	]	[×]
20.	Loading and unloading space	[ ]	]	]	[×]
21.	Site grading and drainage plan (on-site elevations for pavements, drives, parking lots, curbs, sidewalks and finish grade at bldg.)	[]	]	]	[×]
22.	Utility connections (sanitary sewer, water, storm sewers)	[ ]	] [	]	[×]
23.	On-site storm water retention	[ ]	]	]	[×]
24.	Fire hydrants within 300 feet (on- and off-site)	[×]	1	]	[]
25.	Sidewalks and elevations	[ ]	]	]	[X]
26.	Sedimentation and erosion control plan	[ ]	]	]	[×]
27.	Landscape plan showing plant materials to be used	[ ]	]	]	[×]
28.	Sign requirements met	[×]	]	]	[]
29.	Require walls and fences or greenbelts	[]	[	]	[×]
30.	Corner clearance	[ ]	]	]	[×]
31.	Service drive needed	[ ]	]	]	[×]
32.	Acceleration lanes and traffic pattern	[ ]	][	]	[×]
33.	Trash receptacle locations including screening type and height	[]	][	]	[×]
34.	Mail box locations	[]	]	]	[X]

i)

Plea	se include the following applicable information on the site plan.	YES	NO	N/A
35.	Air conditioner unit locations	[]	[]	[🗙]
36.	Special site features (play areas, pools, etc.)	[]	[]	[×]
37.	Handicapped facilities	[×]	[ ]	[]
38.	Building elevation drawings	[×]	[]	[]

\*Where property line surveys, topography, sewer, water or storm drains are shown, the name of the registered engineer or land surveyor preparing such elements of the plan shall be indicated on the plan.

# HIGHLINE



Highline Spirits is proposing to open a Craft Cocktail & Tasting room at 330 S. Main.

Highline is the maker of artfully crafted spirits, boldly reimagining age-old traditions to create new, captivating expressions. Through blending and special finishing our spirits, we are able to craft new and exciting spirits to excite our customers through our Plymouth Craft Cocktail & Tasting Room. We work tirelessly to create whiskeys and other spirits, that express beauty, depth and complexity. Each dram is personal, evolving as it opens up to evoke your unique sense of awe.

Christi Lower is the co-founder and CEO of Highline Spirits. After 15 years practicing medicine as a Physician Assistant at Mott Children's hospital, she followed her passion of distillation and chemical compositions to found a unique and exciting pursuit; Highline Spirits. Christi returned to the University of Louisville MBA program to complete a Distilled Spirits Management certificate, graduating in April 2022. As one of the few female owned and operated spirits companies in the world, Christi is determined to create an open and welcoming space for all patrons to experience, learn, explore and understand the complexities behind their favorite spirits. 330 S. Main felt serendipitous on our quest to find the personification of our brand. Pharmacies were the only licensed distributor of Alcohol during Prohibition and I am sure Wiltse's was no exception. Highline wishes to honor that heritage and building with an opportunity to educate our patrons on Prohibition, Distillation and Spirits.

Jeff Lower, Highline's co-founder, brings his passion for the whiskey industry on whole. Jeff is actively working on expanding our workforce, creating a diverse and inclusive culture that empowers forward thinking and creativity. Jeff brings his exceptional 20 year business experience as an attorney and partner at PricewaterhouseCoopers. Jeff is excited to be back in the town where he watched his God-Father play in the band, every weekend, as a boy.

Our customer is one whose originality and ideas impact culture and industry through thoughtprovoking work that challenges norms and creates meaningful connection. They are creative, masterful, complex and evolved which is why we believe Plymouth is an excellent fit for Highline Spirits. We hope to bring a space to provide a space to gather, connect, learn and develop an appreciation of our spirits.

In addition to a welcoming space to enjoy a cocktail while waiting for a table down the street, or a night cap after your meal, Highline is dedicated to providing craft-cocktail classes, whiskey blending classes, master classes in spirits, and expanded opportunities for groups. In-line with the Craft Distillery tasting rooms in Michigan, we are not providing food. We are going to encourage our patrons to order take-away from the local restaurants by providing QR codes to Plymouth restaurants. It should be clear that we are not a bar. We cannot serve or sell any spirits that we did not produce ourselves. We will also provide an opportunity for patrons to purchase our bottled spirits and Highline merchandise.

# **Highline Spirits Renovation**

330 S. Main, Plymouth, MI 48170

# **Released For: Site Plan Review**

Release Date: 09/27/2022 Oxford Project Number: HLP22

## Project Team

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Owner:	AW2 Investments, LLC Contact: Andrew Winnie 47965 Merle Ct Belleville, MI 48111 (734) 451.6666 awinnie@ebuymedia.com
Architect/Designer:	Yellowstone Architecture & Construction Contact: Caleb Marquard 777 E. Eisenhower Pkwy, Suite 850 Ann Arbor MI, 48108 (734) 548.6957 cmarquard@yellowstone.build
Tenant:	Highline Spirits, LLC Contact: Christina Lower, CEO 8482 Cedar Hills Drive Dexter MI 48120

Dexter, MI 48130 (517) 290.8001 christi@highlinespirits.com

# **Project Description**

Renovation of existing tenant space for new distilled spirits tasting room. Updates to mechanical, electrical, and plumbing systems as well as interior partitions, finishes, and occupant notification devices. Select renovation to existing facades for new Tenant signage

Assumed exception: historic district restroom variance; single-occupant toilet room with lavatory to satisfy both Male and Female requirements



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## Sheet Index

Sheet Number	Sheet Name	Current Revision Description	Current Revision Date
		•	
General			
G-100	Cover Sheet	Site Plan Review	09/27/2022
G-101	General Information & Accessible Clearances	Permit	09/14/2022
G-102	General Fixture Mounting Heights	Permit	09/14/2022
LS101	Code Analysis Plan & Schedules	Permit Revision-01	09/26/2022
Civil/Land	scape		
C-101	Site Plan	Site Plan Review	09/27/2022
Architectu	Iral		
D-101	Overall Demolition Floor Plan	Permit	09/14/2022
A-101	Overall New Work Floor Plan	Permit Revision-01	09/26/2022
A-301	Exterior Elevations	Permit Revision-01	09/26/2022

6	5	4	3

TTT E. Eisenhower, Suite 850         Ann Arbor, MI 48108   (734) 747-6000							
330 S. Main, Plymouth, MI 48170	Highling Snirite Renovation			Cover Sheet	Sheet Title:	Site Plan Review	Released For:
Seal Date:	09/14/2022 220 25/2022 25/2022		gitally oooooo OF ahau NDRE AUPT AUPT AUPT AUPT AUPT AUPT AUPT AUPT		by Construction	õ	Re
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Occupant Load (Table 1004.1.2)								
Use	Area	% of Total	Floor Area per Occupant	Net or Gross	Occupant Load			
Level 01								
A-2 Assembly	1617 SF	59%	Adjusted*	Net	78			
Level 02								
Existing Business	1128 SF	41%	100	Gross	12			
Grand total	2745 SF	100%						

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6	5	4	3

## Site Plan General Notes:

- A. Site plan provided for reference only. Refer to civil engineering drawings for specifics of site design, building locations, property line, setbacks, parking and utility information.
- B. All curb ramps shall have a maximum slope of 1:12 in direction of travel with a maxium cross-slope of 1:50. Maximum rise of all curb ramps shall be 6".
- C. All paving on accessible route shall have a maximum slope of 1:20 in direction of travel with a maimum cross-slope of 1:50.
- D. Maximum slope of all accessible parking spaces and access aisles shall be 1:50 in any direction.
- E. All accessible route and parking elements shall be designed and constructed in accordance with 2010 ADA Standards for Accessible Design and Chapter 11 of the Michigan Building Code (ICC/ANSI A117.1 2009).
- F. All parking space layouts to conform to minimum sizing standards per local Zoning Ordinance.
- G. All dimensions shown for parking layout are measured to face of curb or centerline of striping.
- H. Contractor to review site conditions, including slopes and elevations, prior to construction. Coordinate any discrepancies with Architect.
- I. All slopes indicated show arrow pointing in the down slope direction.
- J. Any loading or unloading will utilize back alley entrance space

<u>Parking Ratio</u>: A-2 1,617SF/500=6.46 Total Parking Space Ratio= 6 spaces





## **General Demolition Notes:**

- A. All dimensions to be verified in field prior to construction. Contractor shall notify Architect of any conflicts between existing construction and construction documents prior to starting work.
- B. Refer to structural and MEP drawings for other discipline demolition scope of work.
- C. Contractor shall maintain all required exits unobstructed, illuminated and protected from construction activities.
- D. All existing materials to remain which are damaged or otherwise disturbed by the contractor's operations shall be patched and repaired to match existing adjacent materials.
- E. Promptly dispose of demolished materials. Do not allow demolished materials to accumulate on-site. Transport demolished materials and legally dispose of them.
- F. Contractor to clean areas adjacent to demolition area of dust, dirt and debris caused by demolition operations.

### Sheet Keynotes $\langle \# \rangle$

- A8 Existing Pharmacy floor tile to remain, protect during construction.
- A9 Existing mechanical equipment above to remain.
- D4 Remove existing 'Prescription' sign. Return to tenant for framing and reinstallation.
- D5 Existing faux beams to be removed.
- D6 Demolish existing metal lathe covers from existing in-wall duct recesses.
- D7 Demolish existing canopy, above.
- D10 Demolish existing wood furring and false bulkhead above, throughout.
- D11 Demolish existing casework/millwork.
- D15 Existing electrical panels to remain.

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<u>o</u>	• (D10)	D5					



6	5	4	3









## **Demolition Floor Plan Legend**

Area Not in Scope



Area to remain as is Scope of work boundary Existing construction to remain

Existing construction to be demolished

2

Scales listed are for 22x34 sheet size



## General Sheet Notes:

- A. All dimensions to be verified in field prior construction. Notify architect of all discrepancies prior to starting work.
- B. All dimensions on plans are to face of finish face or column centerlines, U.N.O.
- C. Masonry dimensions are nominal, U.N.O.
- D. All interior partitions to be type <u>SAO ac</u> unless noted otherwise. Refer to sheet A-801 for partition details.
- E. All interior door frames shall be located a distance of six inches from the throat return to the closest adjacent perpendicular partition, U.N.O.
- F. Provide solid blocking/backing in-wall cavities at all wall mounted equipment as indicated by project equipment list and per manufacturers detailed instructions.
- G. Refer to sheet A-701 for Door Schedule.
- H. Refer to sheet A-701 for Plumbing Fixture Schedule.
- I. Refer to sheet Q-101 for Equipment Schedule.
- J. Provide air-balancing of existing HVAC system

### $\langle \# \rangle$ Sheet Keynotes

- Ensure door outswing, provide new retro-fit panic hardware and ADA push-button door operator. A1
- Provide new ceiling mounted occupant notification devices throughout as required by code, typ. A2
- Provide new 2-hr rated assembly consisting of: (2) layers of new Type C gypsum board on existing A3 ceiling system, throughout.
- Reinstall existng 'Prescription' sign in this location, provided by tenant. A6
- A7 Provide new canopy, above.
- Existing Pharmacy floor tile to remain, protect during construction. A8
- A9 Existing mechanical equipment above to remain.
- approved alternate.
- A17 Replace existing door hardware with new level-handle cylindrical passage set.
- Provide missing mineral wool blocking at in-wall duct space as required per code. A18
- A19 Provide new ceiling mounted emergency light with battery backup. A20 Provide new exit sign with battery backup and associated power.
- ALT-01 Replace existing branch duct and diffusers with new sprial duct and side-mounted diffusers, balance HVAC equipment.

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**Architectural Floor Plan Legend — · — · —** \_ \_ \_ \_  $L_{\tau-r}$ [R#]



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## 2

By others, dashed furniture shown for representation

Relocated/salvaged door. Refer to door schedule.

Area Not in Scope

Area to remain as is

New construction

Align symbol

Scope of work boundary

Existing construction to remain



6	5	4	3

# **General Sheet Notes:**

- A. Refer to sheet A-901 for exterior materials legend.B. Refer to sheet A-701 for typical control joint details.
- C. Refer to sheet A-701 for door, window and louver schedules.D. Provide flashing & counter-flashing at all exterior openings.

## *(#)* Sheet Keynotes

- A10 Repair area of exterior soffit overhang. Prepare, prime, and paint with acrylic latex PT-02, color and sheen to match existing. Provide new exterior-grade paintable latex sealant at all joint transitions as necessary.
- A11 Dashed line indicates signage by owner, maximum 25SF.
- A13 Prepare, prime, and paint existing window mullions, PT-03. A14 Repair existing damaged/missing exterior flashing joint sealants with new, color to match existing.
- A15 Repair areas of existing deteriorated exterior paint following The Secretary of the Interior's Standards for Rehabilitation.
- D9 Salvage existing signage icons and letters to Tenant. Demolish existing corrugated metal signage, protect adjacent existing signage during construction.



Project Manager

esigne

rawn By:

QA/QC:

C. Huber C. Huber

C. Huber

C. Marquard

HLP22

A-301



Date: October 5, 2022

## Special Land Use and Site Plan Review For Plymouth, Michigan

Applicant:	Highline Spirits, LLC Christine Lower, CEO
	8482 Cedar Hills Drive Dexter, MI 48130
	Represented by Andrew Hauptman Yellowstone Architecture & Construction
Project Name:	Highline Spirits
Plan Date:	September 14, 2022
Latest Revision:	September 27, 2022
Location:	330 S. Main St.
Zoning:	B-2 – Central Business District
Action Requested:	Special Land Use and Site Plan Approval
Required Information:	Any deficiencies are noted in the report.

### PROJECT AND SITE DESCRIPTION

The applicant is proposing to renovate the interior of an existing building at 330 S. Main St., and establish a craft cocktail lounge and tasting room. The applicant manufactures spirits at an off-site manufacturing facility.

This building is a two-story building. The first floor unit is approximately 1,600 square feet in size, and the second floor, used as an office by the building owner, is approximately 1,100 square feet. It appears that

a small area of the basement, accessed via a stairwell, will also be used by this business for storage and a second lavatory. No food service, other than prepackaged foods, is proposed. However, the business owner stated in the pre-application meeting that they will permit people to bring in their own food. In addition to serving tastings and craft cocktails, they also would like to host educational events, and special events such as rehearsal dinners or corporate events. Lastly, they would like to have a small area set aside for retail bottle sales of the spirits they manufacture.

Bars and lounges or restaurants serving alcohol are allowed in the Central Business District as a Special Land Use. Special Land Use provisions for alcohol sales apply to this proposal, per Sec. 78-102(2)(a) - (f). For a Special Land Use in the B-2, Central Business District, the Planning Commission will hold a Public Hearing, and then make a decision on the Special Land Use and site plan.

An aerial of the subject site is shown in **Figure 1** below.



Figure 1. Subject Site

### SPECIAL LAND USE STANDARDS

The restaurant/bar use must meet the special land use standards in Section 78-281.

These standards are as follows. Our comments regarding each are provided below:

## (1) Will be harmonious and in accordance with the general objectives or any specific objectives of the City of Plymouth Master Plan.

**<u>CWA Comment</u>**: This property is identified in the 2018 Master Plan as "Central Business - Retail." This designation states that the following are appropriate uses:

"The Central Business-Retail District (CBD) land use designation provides the central gathering place and commercial area of the City, accommodating pedestrian access to local businesses, restaurants, and entertainment, as well as office and upper-level residential uses....Most of the CBD area is served by centralized parking under the City's control. The CBD area also coincides with the City of Plymouth Downtown Development Authority."

This section of the City is also discussed in the Downtown Sub Area Plan in the Master Plan. The Sub Area Plan identifies the City of Plymouth's downtown as a vibrant, pedestrian-friendly environment characterized by an attractive collection of retail shops, restaurants, offices, residences, parks, and public amenities. From the information provided, it appears that the exterior of the building is not being changed, except for signage (see zoning requirements regarding signage below), minor restorations to the front façade, and a new awning above the door in the rear facade. Any impacts to the exterior of the building will need to be reviewed and approved by the Historic District Commission.

The tasting room will maintain its front-door access from Main Street. There is also an access door in the rear of the building to this unit, as shown in the photo below:



See our comments under "Floor Plans and Elevations" below regarding access to this unit from the rear door.

In our opinion, this proposed use is consistent with the Master Plan, as the Plan strives to create new opportunities for local business endeavors.

This use will require the City Commission approval of the appropriate liquor license for this business.

# (2) Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area.

<u>CWA Comment</u>: From the information provided, the applicant is not proposing any changes to the exterior of the building, except to remove the existing sign and sign background (corrugated metal), install a new sign and minor fixes on the front façade, and a new awning on the rear facade.

Therefore, the main issue with this proposed use is their operation. All sales will be liquor (vs. food).

The proposed hours of operation for the new tasting room are not included in the site plan submission. The applicant should provide the proposed hours of operation. The following table compares the hours of operation for other bars and restaurants in the near vicinity:

	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.	Sun.
Sean O'Callaghan's	11am— 10pm	11am– 10pm	11am– 10pm	11am– 11:30pm	11am- 12:30pm	11am – 12:30pm	11am – 10pm
Greek Islands	8am – 9pm	8am – 9pm	8am – 9pm	8am – 9pm	8am – 9pm	8am – 9pm	8am – 8pm
The Ebenezer		4pm-Mid.	4pm-Mid.	4pm-Mid.	4pm-2am	4pm – 2am	
Gastro Pub	12pm – 11pm	12pm – 11pm	12pm – 11pm	12pm – Mid.	12pm – Mid.	12pm – Mid.	12pm – 10pm
Sardine Room	4pm-9pm	4pm-9pm	4pm-9pm	4pm-9pm	4pm-10pm	4pm-10pm	10am- 9pm
Compari's	11am-9pm	11am-9pm	11am-9pm	11am- 10pm	11am- 11pm	11am- 11pm	2pm-9pm
Fiamma	5pm-9pm	5pm-9pm	5pm-10pm	5pm-10pm	5pm-11pm	5pm-11pm	4pm-9pm
Ironwood Grill	3pm-11pm	11am- 11pm	11am- 11pm	11am- 11pm	11am-Mid.	11am-Mid.	12pm- 11pm
Penn Bar & Grill	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am
The Post	3pm-2am	3pm-2am	3pm-2am	3pm-2am	11am-2am	11am-2am	11am-2am
Pizza e Vino	-	5pm-10pm	5pm-10pm	5pm-10pm	4pm-10pm	4pm-10pm	4pm-9pm

Table 2: Hours of Operation Comparison

\*Un-shaded businesses we consider more "food" oriented; Shaded businesses we consider more "drinks" oriented.

Food-oriented businesses in the vicinity generally close about 9-11pm; those with accessory bar areas close later, particularly on the week-end. Establishments that are more "drinks" oriented, are all open later in the evening on week-days and week-ends. An evaluation of the proposed use's impact will be conducted once the hours of operation (per day) have been provided.

### (3) Will not be hazardous or disturbing to existing or future nearby uses.

<u>CWA Comment:</u> See our comments above.

## (4) Will be compatible with adjacent uses of land and will promote the use of land in a socially and economically desirable manner.

<u>CWA Comment:</u> This area of the City is a mix of commercial uses, including retail shops, restaurants, and bars. Therefore, we would consider a new tasting room to fit into this mix.

Regarding promoting the use of the land in an economically desirable manner, the previous use of this site was a pharmacy that had been serving the Plymouth community for 108 years. Replacing this historic retail use with a tasting room will occupy the space in a manner that continues the "entertainment" uses currently located up and down the street. The applicant should provide their market studies supporting an additional liquor serving establishment similar to others along the street.

# (5) Will be served adequately by essential public services and facilities or that the persons responsible for the establishment of the proposed use will provide adequately any such service or facility.

<u>CWA Comment:</u> The City's existing utilities will serve the proposed use.

## (6) Will not create excessive additional public costs and will not significantly decrease property values of surrounding properties.

<u>CWA Comment:</u> Based on our assumption that this use will be operated in a responsible way, we don't expect the proposal to create excessive additional public costs. Our only question is the issue of serving alcohol without any food to temper the impacts of alcohol. Will, at a minimum, the business offer some type of snacks for people who don't know that food isn't available or aren't prepared with their own food?

## (7) Will meet all the requirements and standards of this chapter and any other applicable laws, standards, ordinances, and or/regulations.

<u>CWA Comment</u>: The submitted plans are reviewed later in this report for conformance with the Zoning Ordinance. The main issue with the Site Plan is parking, as described further in the review.

Sec. Sec. 78-35. - District regulations of the Zoning Ordinance state the following:

Each district, as created in this article, shall be subject to the regulations contained in this ordinance. Uses not expressly permitted are prohibited. Uses for enterprises or purposes that are contrary to federal, state, or local laws or ordinances are prohibited.

The last sentence of this section requires that all other laws related to a use must be met to permit the Special Land Use. The proposed tasting room will require a liquor license from the City of Plymouth, and a permit from the State of Michigan. We recommend that if the Planning Commission decides to approve the special land use, that it be conditioned upon the applicant obtaining the required licensing/permits related to alcohol sales.

In addition to the criteria for Special Land Use, Sec. 78-102 includes the following restrictions for establishments serving alcohol:

- 1. No more than ten seats shall be allowed at the bar. <u>CWA Comment:</u> Requirement met.
- Alcohol shall be served only to seated patrons or persons standing in the designated standing area as outlined in subsection 78-102(2)(c). <u>CWA Comment:</u> The floor plan (LS101) doesn't show any "standing area." The applicant should confirm, in writing, that the establishment will only serve alcohol to seated patrons.
- 3. The standing area adjacent to the bar shall not exceed 150 square feet. <u>CWA Comment:</u> No "standing area" has been identified on the floor plans. See comment above.
- 4. No dance floor or dancing area allowed. <u>CWA Comment:</u> The site plan does not illustrate a designated "dancing area." The applicant should confirm, in writing, that no dancing floor is proposed.
- 5. The bar, lounge, or restaurant serving alcohol shall be restricted to a specific size and square footage. Any increase in square footage or expansion of restaurant operations which serve alcoholic beverages shall be subject to a new or amended special use permit. <u>CWA Comment:</u> The entire first floor (1,617 square feet) is proposed for serving alcohol.
- 6. The community development director shall request a report from the city's director of public safety regarding the possible impacts of the establishment serving alcoholic beverages. The planning commission shall consider this report in their evaluation of the request for special land use approval. <u>CWA Comment:</u> The Community Development Director has requested a report.

In summary, we consider the proposed use to meet many of the criteria for Special Land Use approval. However, the applicant should provide the following information:

- 1. Applicant to provide, in writing, proposed hours of operation for the tasting room.
- 2. Applicant to provide, in writing, their market studies supporting an additional liquor serving establishment similar to others along the street.
- 3. Will the business, at a minimum, offer some type of snacks?
- 4. Applicant to confirm, in writing, that there will not be a "standing area," or a "dancing floor," and that only seated patrons will be served alcohol?

**Items to be Addressed:** 1) Community Development Director obtain report from the City's director of public safety regarding possible impacts of the establishment serving alcoholic beverages. 2) Recommend that Planning Commission condition any special land use approval on the applicant obtaining the required licensing/permits related to alcohol sales. 3) Applicant to address questions identified above.

### **REQUIRED INFORMATION**

Per Section 78-247 lists the requirements for a site plan. A site plan has been furnished, locating the building on the parcel, and locating the parcel within the context of the downtown area.

As mentioned previously, it appears that there will be no changes to the exterior of the building, and no changes to the site. We consider the information provided to offer the needed information for this proposal.

Items to be Addressed: None.

### PARKING, LOADING

As mentioned above, this building is occupied by office space on the upper floor, and will be occupied by the tasting room on the lower floor. The basement area (to be used by the tasting room) will be used for storage, and have an offer a second lavatory to its patrons.

	Required Parking Calculation	Required Parking with "Sharing" Factor Applied***	Proposed Parking	Number of Required Spades
Tasting Room*	One space for each 250 s.f. of gross floor area Or 1,617 s.f. / 250 = 7 spaces**	7 spaces / 1.2 = 6 spaces	Per City records,	
Office	One space for each 500 s.f. of gross floor area Or 1,128 s.f. / 500 = 3 spaces**	3 spaces / 1.2 = 3 spaces	this building has 2.4 parking credits	6.6 Spaces

Sec. 78-270(a)(10) lists the parking requirements for the B-2, Central Business District, as follows:

\*The Zoning Ordinance defines a "Bar/Lounge" as follows: A bar or lounge is a type of restaurant which is operated primarily for the dispensing of alcoholic beverages, although the sale of prepared food or snacks may also be

permitted. If a bar or lounge is part of a larger dining facility, it shall be defined as that part of the structure so designated or operated.

\*\*If the number of required parking spaces results in a fractional space, any fraction shall require one parking space.

\*\*\*Because this building has a mix of uses, we also calculated the "sharing factor" available in the B-2 District. The sharing factor reduces the required parking for the tasting room to 6 spaces, but doesn't change the office parking requirement for a total of 9 spaces. Subtracting the existing parking credits results in 6.6 required spaces.

Sec. 78-270(c) and 78-270(e) permit the following to address required parking in the B-2 District:

- 1. The Planning Commission may consider and approve a smaller numerical requirement for off-street parking. The applicant must provide evidence that indicates that another standard would be more reasonable because of the level of future employment and/or level of future customer traffic.
- 2. The City Commission may consider and approve a payment in lieu of parking according to policies established by the Commission.

The applicant will need to provide evidence that another parking standard would be more appropriate, or request that the project be considered by the City Commission for payment in lieu of parking.

**Items to be Addressed:** 1. Applicant provides additional evidence that another parking standard would be more reasonable because of future employment and/or the level of future customer traffic. 2. Planning Commission conditions any Special Land Use approval on City Commission approval of "payment in lieu of" request for 6.6 parking space deficiency.

### SITE ACCESS AND CIRCULATION

This site does not have any direct vehicular access on site, except for the public "Fleet Street," which will be used for loading/unloading for the tasting room.

Pedestrian access is provided via the front door along Main St., and from the parking structure adjacent to Fleet Street.

### Items to be Addressed: None.

### LIGHTING

No new exterior lighting is shown on the plans.

Items to be Addressed: None.

### DUMPSTER/REFUSE

The plans do not specify how trash is handled. We assume that they use the existing municipal dumpsters, but this should be confirmed.

Items to be Addressed: Confirm how trash is handled.

### SIGNS

Sheet A-301 shows the front elevation, and the area to be occupied by a new sign. However, details of the proposed sign have not been provided. Table 78-225-C in the Sign section of the ordinance indicates that signage up to 25-square feet in size is permitted for each business site with a separate means of ingress/egress. The plans show that the proposed sign will be limited to 25-square feet.

The Building Official will confirm that the proposed sign meets ordinance requirements at the time a sign permit is applied for. The Historic District Commission will also need to approve the proposed sign design.

*Items to be Addressed:* 1. Building Official to confirm conformance with zoning requirements during Sign Permit application process. 2. Historic District Commission review/approve proposed sign design.

### FLOOR PLAN AND ELEVATIONS

Floor plans of the proposed tasting room, basement level, and second floor office have been provided. The floor plans show that the second floor to this unit is accessed via a stairwell in the building to the south. Therefore, there is no direct access between the tasting room and the office space above.

The floor plans also show that the tasting room can be accessed via a rear door to Fleet Street. The rear door opens to the basement level, and a stairwell ascends to the tasting room unit (approximately 11 stairs). The stairwell is also used to access a second lavatory in the basement. There doesn't seem to be any type of barrier or door to the stairwell on the tasting room level. The applicant should discuss if patrons will be using the stairwell to enter/exit the tasting room and/or basement lavatory.

Elevations of the Main St. façade have been provided.

*Items to be Addressed:* The applicant should discuss if patrons will be using the stairwell to enter the tasting room and/or basement lavatory.

### RECOMMENDATIONS

### Special Land Use

Regarding the Special Land Use request, it is our opinion that the proposal meets most of the criteria in the ordinance. However, the following information should be provided:

- 1. Community Development Director obtain report from the City's director of public safety regarding possible impacts of the establishment serving alcoholic beverages.
- 2. Recommend that Planning Commission condition any special land use approval on the applicant obtaining the required licensing/permits related to alcohol sales.

- 3. Applicant to address the following questions:
  - a. Applicant to provide, in writing, proposed hours of operation for the tasting room.
  - b. Applicant to provide, in writing, their market studies supporting an additional liquor serving establishment similar to others along the street.
  - c. Will the business, at a minimum, offer some type of snacks?
  - d. Applicant to confirm, in writing, that there will not be a "standing area," or a "dancing floor," and that only seated patrons will be served alcohol?

### <u>Site Plan</u>

Regarding the Site Plan, there are several outstanding items:

- 1. Parking:
  - a. Applicant provides additional evidence that another parking standard would be more reasonable because of current/future employment and/or the level of current/future customer traffic.
  - b. Planning Commission conditions any Special Land Use approval on City Commission approval of "payment in lieu of" request for 6.6 parking space deficiency.
- 2. <u>Refuse:</u> Confirm how trash is handled.
- 3. Signs:
  - a. Building Official to confirm conformance with zoning requirements during Sign Permit application process.
  - b. Historic District Commission review/approve proposed sign design.
- 4. <u>Floorplans</u>: The applicant should explain if patrons will be using the stairwell to enter the tasting room and/or basement lavatory.

Lally M. Elnin

CARLISLE/WORTMAN ASSOC., INC. Sally M. Elmiger, AICP, LEED AP Principal

# 152-2208

 c: Greta Bolhuis John Buzuvis Marleta Barr Andrew Hauptman, Yellowstone Architecture & Construction (<u>ahauptman@yellowstone.build</u>)

### **PLYMOUTH POLICE DEPARTMENT MEMORANDUM**

TO: GRETA BOLHUIS, PLANNING & COMMUNITY DEVELOPMENT DIRECTOR

FROM: A.L. COX, DIRECTOR OF PUBLIC SAFETY Q. e. Cre/

SUBJECT: PROPOSED CHANGE OF USE AT 330 S MAIN BY HIGHLINE SPIRITS CO., LLC

DATE: 10/5/2022

Per City Ordinance 78-92(4)(b), you requested that I review the planned development of transforming the former Wiltse's Community Pharmacy property located at 330 S Main to the future Craft Cocktail & Tasting Room of Highline Spirits Company, LLC. The review was narrowly focused on the impact to public safety only. It should be stated at the outset that this development could not comply with the current Liquor Management Ordinance, as it would exceed the established cap within the DDA.

Highline Spirits Company, LLC (HSC) does not have a liquor license through the State of Michigan. They are currently at the investigation stage within the application process of the MI Liquor Control Commission (MLCC) for a Small Distiller License to be located in Manchester, MI. A Small Distiller license would permit a manufacturer of spirit products to sell its products to the MLCC to ultimately sell through Authorized Distribution Agents to retailers. Additionally, it would permit them to sell their product to customers under an Off-Premises Tasting Room license at a location away from the manufacturing premises. HSC has advised that if/when granted the Small Distiller license, they will immediately seek the Off-Premises Tasting Room license for the property located at 330 S Main. City Commission approval would be required for the MLCC to grant said Tasting Room license. For this reason, it should be noted that this review is very early in the normal process for such reviews and is strictly theoretical in nature because no current license exists for HSC aside from their federal Distilled Spirits Permit through the Treasury Department.

HSC is asking to change the use of 330 S Main from a pharmacy to a sit-down establishment that would provide for the service of alcohol by the glass. They would not have a kitchen for food service but would allow and encourage patrons to order-in food products from local restaurants. The total square footage for the customer service area is proposed to be 1,617 feet with a capacity of approximately 78 patrons and employees. Since the establishment does not have its own parking area, patrons and employees would be required to utilize street and other city-owned parking areas. This will have an impact on available parking, but that impact would likely be minor due to the location's limited customer and employee capacity.

While this establishment would increase alcohol service within the City, based on the provided drawings and description of the overall service layout, there do not appear to be any issues that would inhibit management's ability to observe and manage customers. Since no license currently exists, it is impossible to evaluate a history of responsible liquor management by HSC ownership. However, having met with the applicants, it appears that they have meticulously researched this project and what will be required in order to operate a successful and responsible liquor service establishment.

Based on the provided plans and input from HSC ownership to date, and the above stated reasons, I see no negative impact on public safety. Should alterations or amendments to those plans be made, the changes should be reviewed specifically with an eye toward any additional increase in customer capacity that could inhibit management's ability to observe patrons, as well as affect the load on available parking.

### CITY OF PLYMOUTH Community Development Dept. 201 S. Main Plymouth, MI 48170 www.plymouthmi.gov

## **DISCUSSION ONLY**

To:Planning CommissionFrom:Greta Bolhuis, AICP, Planning and Community Development DirectorDate:October 6, 2022Re:Fence Ordinance Amendments

### BACKGROUND:

The Zoning Board of Appeals has requested that the Planning Commission review the fence ordinance, particularly related to corner lots within the City of Plymouth. Community Development staff reviewed the last three years of variance applications and the conditions that the Zoning Board of Appeals granted. The proposed changes to the fence ordinance would allow 42-inch-tall (3.5-feet) picket fences within the street-facing side yard of corner lots in conditions where a rear yard abuts a side yard. The other amendments are minor in nature and aim to clarify language and remove outdated standards.

If you have any questions, please contact me directly.

### Sec. 78-207. Corner clearance.

- (a) A clear vision area shall be established within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between such right-of-way lines at a distance along each line of 25 feet from their point of intersection. Walls, fences, berms, shrubs, hedges or other plantings (excluding trees) and signs in this area shall not exceed 30 inches in height above the average gutter grade adjacent to this area. Trees planted or signs erected within this same area shall not have branches or portions of the sign area lower than eight feet above the average gutter grade.
- (b) The planning commission may require adequate sight visibility, corner clearance and building setback within the B-2 zoning district. This may be required at the intersection of driveways and a public right-of-way in a manner to aid vehicular and pedestrian traffic. A triangular area of unobstructed vision for motorists and pedestrians shall be maintained at the intersection of the street right of way and driveway. The triangular area shall comply with Section 78-207 or as modified by the Building Official or Planning Commission for sites where strict compliance is impractical.



### CORNER CLEARANCE

(Ord. of 10-6-03; Ord. No. 2007-01, § 5, 5-21-07)

### Sec. 78-208. Residential fences.

Fences or walls are permitted, subject to the paramount provisions of the City of Plymouth Fence Ordinance (Chapter 18, Building Regulations Article X, Fences 18-371—18-380) and subject to the further provisions of this section. If any of the provisions of this section should conflict with the City of Plymouth Fence Ordinance, <u>that ordinance shall prevailsuch provisions</u> shall be controlling on the question of fences. It is the intent, however, that the following provisions be construed harmoniously with the fence ordinance where possible.

(1) Fences on all lots of record in all residential districts which enclose property and/or are within a required side or rear yard shall not exceed six and one-half feet in height, measured from the surface of the ground, and shall not extend toward the front of the lot nearer than the front of the house or the required minimum front yard <u>setback</u>, whichever is greater. In the case of a rear yard abutting a side yard, the side yard abutting a street shall be <u>a</u> continuation of the required front setback on the lot to the rear, and <u>a 42-inch-tall picket fence no fence shall may project into this area but - shall not extend toward the front of the lot nearer than the front of the lot nearer than the front of the lot nearer than the front of a street shall not extend toward the front of the lot nearer than the front of the house. When side yards abut on frontages across a common street, the side yard abutting a street shall not be less than the required front yard of the district and no fence shall project into this area. (See Figures 1, 2, and 3)</u>



Figure 1. Fence Location

Figure 2. Fence Location

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- (2) Recorded lots having a lot area in excess of two acres and a frontage of at least 200 feet, and acreage or parcels not included within the boundaries of a recorded plat, in all residential districts, are excluded from these regulations.
- (23) Fences on lots of record shall not contain barbed wire, electric current, or charge of electricity. This shall exclude underground electric fences used for pet containment.

(Supp. No. 59)

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- (34) All fences or walls shall be constructed with the finished side exposed to neighboring properties, the support posts placed on the inside, and in a manner which serves to enhance the aesthetic appearance of the neighborhood or surrounding area.
- (45) Posts and finials may extend no more than six inches above the maximum permitted height of a fence.
- (56) Fences for swimming pools shall comply with the regulations of the state construction code.
- (67) No fence, wall, or plantings shall interfere with visibility from a driveway, alley or intersection. All fences, walls, or plantings shall comply with the corner clearance requirements of section 78-207.
- (78) Fences which enclose public or institutional parks, playgrounds, or public landscaped areas, situated within an area developed with recorded lots, shall not exceed eight feet in height measured from the surface of the ground, and shall not obstruct vision to an extent greater than 25 percent of their total area.
- (29) Fences or walls within a required front yard area shall be decorative style only consisting of wrought iron, metal, or picket fences and masonry or stone walls. Decorative fences or walls placed within a front yard shall not exceed 30 inches in height. A decorative fence or wall shall contribute to the identification and beauty of the principal building. Chain link fences are not allowed within a required front yard area.
- (910) Walls constructed of masonry, stone or pre-cast materials and constructed within a side or rear yard shall have a maximum height of 30 inches. This shall exclude screening walls constructed between conflicting land uses as specified in section 78-206.

(Ord. of 10-6-03; Ord. No. 2011-03, § 2, 1-17-11)

### Sec. 78-209. Industrial fences.

Fences are permitted in industrial districts as follows:

- (1) Fences shall not be allowed within the front yard of any industry on sites of less than ten acres in size. Fences may be allowed in front yards of sites of ten acres or more after review and approval of the planning commission.
- (2) Fences not to exceed eight feet in height shall be permitted in side and rear yards. Barbed wire shall be allowed on fences not less than eight feet in height in not more than three strands mounted in a "Y" at the top of the fence and shall be permitted provided such "Y" is located to project over the property being fenced.

(Ord. of 10-6-03)

(Supp. No. 59)