

October 15, 2002

Planning Commission  
City of Garden City  
Garden City, Mi. 48135

**Attention:** Willbey Pistor, Planning Commission Chair

**Subject:** SUA 02-017; Special Use Approval  
6689 Middlebelt Road; Proposed Carry-Out Restaurant

**Location:** 6689 Middlebelt Road  
Northwest corner of Middlebelt and Windsor

**Zoning:** C-1, Local Business

**Applicant:** Elias Daoud  
1900 Beech Daly  
Dearborn Heights, MI. 48127

Dear Planning Commission Members:

The applicant proposes to utilize an existing 2,121 square foot unit of the subject address for a carry-out restaurant. There is no indoor seating proposed in this plan. The site is zoned C-1, Local Business. Carry-out Restaurants are permitted in the C-1 District after Special Land Use approval by City Council is obtained.

The following review is for Special Land Use consideration only. A separate report will be submitted for the required Site Plan Review.

## **REVIEW AND ANALYSIS**

Section 154.417 of the Zoning Ordinance provides Standards for Approval for all special land uses. Section 154.150 provides specific site standards for restaurants.

### **Standards for Approval**

1. Compatibility with Adjacent Uses. The site is located along Middlebelt Road, near the City's main commercial corridor, at the intersection of a residential street, Windsor Avenue. Similar uses in scale and intensity are located throughout the corridor. The proposed restaurant is a compatible use with adjacent commercial uses. The use is also intended to serve the local residential neighborhoods.

However, additional measures are needed to adequately protect residences to the west from noise should the hours of operation extend into the evening hours.

2. Compatibility with the Master Plan. The Master Plan identifies the subject property for Neighborhood Commercial uses. The adjacent property to the west is designated for Single Family Residential dwellings. Neighborhood Commercial areas are intended to provide services to the local/surrounding neighborhoods. The proposed use is in compliance with the spirit of the Master Plan.
3. Compliance with Applicable Regulations. The Zoning Ordinance allows restaurants as a special land use. The intent of the special use conditions and some of the site conditions require that revisions be made to the site plan in order to meet required standards. Please see the associated site plan report for specific elements that need to be addressed in order to comply with the Zoning Ordinance.
4. Use of Adjacent Property. The applicant must indicate the hours of operation for the proposed use. I assume the hours of operation will extend into the evening or late night hours. The possibility exists that the proposed special land use would interfere with the use and enjoyment of adjacent property. Increased traffic noise and operation of site parking lot lighting into the late night hours could adversely impact the adjacent residences to the south. See Site Plan Review for recommendation.
5. Public Services. The applicant's use on the site is not anticipated to generate a need for public services beyond those that can be provided.
6. Impact on Traffic. Traffic count to follow.
7. Enhancement of Surrounding Environment. Provided required standards are met the proposed use should not be a detriment to the surrounding environment.
8. Impact on Public Health, Safety and Welfare. The proposed land use will not negatively impact the public health, safety and welfare provided required standards are met.
9. Isolation of Existing Uses. The proposed special land use will not result in a small commercial area being substantially surrounded by incompatible uses nor will a small residential area be substantially surrounded by non-residential development.
10. Need for the Proposed Use. Granting special land use approval requires that the Planning Commission or City Council must find that a need for the proposed use exists within the community at this time. The Planning Commission or City Council can require the applicant to demonstrate that such a need for the proposed use exists at this location to service Garden City residents.

### **Specific Standards**

1. Access. The site has access to Middlebelt Road and Windsor Avenue. The additional access allows for a more efficient use of the site considering its multi-tenant use.
2. Screening. The Zoning Ordinance requires a permanent obscuring wall, per the requirements of Article 6.00, along the full length of each property line abutting a non-commercial district. The site currently has a partial 6 ft. high wood fence. See Site Plan Review for recommendation.
3. Vehicular Storage. The applicant must submit a revised site plan which includes a sign which states

parking and vehicular storage over 24 consecutive hours shall be prohibited and subject to ticketing and removal.

4. Rubbish and Debris. The site plan must be revised to include a note stating compliance with Section 154.150D. This states that each restaurant shall be kept free of rubbish and debris and the grass and other landscaping shall be well maintained.

#### **SUMMARY AND RECOMMENDATION**

Should the applicant provide adequate residential screening, in addition to some minor site plan revisions, I believe this would be a positive addition to the existing commercial district along Middlebelt Road. I recommend the Planning Commission call for a Public Hearing and place this item on the next regular agenda for recommendation (provided the applicant makes the requested revisions and submits the revised plans to my office on time).

You may contact my office at **734.525.8832** should you have any questions, comments, or additions.

Sincerely,

G. Palmer  
Planning and Zoning Administrator

cc: Applicant  
File