

# PRE-MEETING AGENDA

ADRIAN CITY COMMISSION  
AGENDA  
PRE-MEETING STUDY SESSION  
MARCH 17, 2008  
5:30 P.M.

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The City Commission will meet for a pre-meeting study session on Monday, March 17, 2008, at 5:30 p.m. in the 2<sup>nd</sup> floor Conference Room at City Hall to discuss the following:

- I. Presentation on the "211" Phone Service - Lenawee United Way
  - Kathleen Schanz, Executive Director*
  - Amy Palmer, Community Investment Manager*
  - Sue Kotts-Garcia, Resource Development Manager*
  - Rebecca DuShane, Finance Manager*
  
- II. Other Items as Time Permits

# COMMISSION AGENDA

**AGENDA  
ADRIAN CITY COMMISSION  
MARCH 17, 2008  
7:00 P.M.**

- I. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE TO THE FLAG
- I I. ROLL CALL
- I I I. APPROVAL OF THE MINUTES OF THE MARCH 3, 2008 REGULAR MEETING OF THE ADRIAN CITY COMMISSION
- I V. PRESENTATION OF ACCOUNTS
- V. PRESENTATION
  - 1. The Mayor's Youth Council will present a Recognition Award to Ashley Snyder, a senior at Adrian High School. Ashley has been very active in the community with service projects and fundraising activities. She also assists elementary students and tutors high school students after school. Ashley was nominated by Peggy Molter, Counselor at Adrian High School, who describes Ashley as an "outstanding young lady" who consistently goes above and beyond.
- V I. COMMUNICATIONS
  - 1. C-1. State Revenue Sharing Updates
- V I I. PUBLIC COMMENT
- V I I I. REGULAR AGENDA
  - A. ORDINANCES
    - 1. Ord. 08-05. Introduction of an Ordinance to amend Article II, Article XVIII, Article VII, Article IX, Article XV, Article XXV of the Zoning/Development Regulations dealing with student group housing.
    - 2. Ord. 08-06. Introduction of an Ordinance to amend Section 25.14 of Article XXV dealing with home occupations.
  - B. SPECIAL ORDER
    - 1. SO-1. Public Hearing to hear and consider comments to the establishment of an Industrial Development District (#38) for Adrian Steel, 906 James Street.

C. RESOLUTIONS

1. R08-042. Resolution to approve the establishment of an Industrial Development District (#38) for Adrian Steel, 906 James Street.
2. R08-043. Resolution to award the bid for electrical service replacement at the Merrick Street facility.
3. R08-044. Resolution to award bid for the sale of the 1984 3-D Fire Department pumper truck.
4. R08-045. Resolution authorizing the Fire Department to apply for a grant from the U.S. Dept. of Homeland Security for the purchase of equipment to improve strength, endurance and cardiopulmonary fitness of the firefighters, and approval of a 10% match in city funds (approx. \$2,200).
5. R08-046. Resolution to acknowledge receipt of and consider the adoption of the City of Adrian Comprehensive Plan – 2008 Addendum.
6. R08-047. Resolution to award bid for designing electrical upgrades at the Adrian Public Library.
7. R08-048. Resolution authorizing the Mayor and City Clerk to execute documents pertaining to utility and property ownership issues associated with the Lenawee Vo-Tech campus on North M-52.

I X. MISCELLANEOUS

1. Community Development Work Program Report
2. Zoning Board of Appeals Minutes (03-04-08)
3. Planning Commission Minutes (03-04-08)
4. Departmental Report
5. Fire Department Report
6. D.A.R.T. Passenger Ridership Report

X. PUBLIC COMMENT

X I. COMMISSIONERS' COMMENTS

# MINUTES

**MINUTES  
ADRIAN CITY COMMISSION  
MARCH 3, 2008  
7:00 P.M.**

Prior to the opening of the regular meeting, at 5:30 p.m., Commissioner Mitzel moved to go into closed session to discuss property acquisition, seconded by Commissioner Steele, motion carried by a unanimous vote.

At 6:55 p.m., Commissioner Mitzel moved to convene to regular session, seconded by Commissioner Clegg, motion carried by a unanimous vote.

Official proceedings of the March 3, 2008 regular meeting of the City Commission, Adrian, Michigan.

The regular meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

PRESENT: Mayor McDowell, Commissioners Mitzel, Osborne, Valentine,  
Steele, Clegg and DuMars

Commissioner Mitzel moved to approve the minutes of the February 18, 2008, regular meeting of the Adrian City Commission, seconded by Commissioner DuMars, motion carried by a unanimous vote.

**PRESENTATION OF ACCOUNTS**

Utility Department Receiving Fund Voucher #2770 through #2778	\$ 183,241.58
General Fund Vouchers #18553 through #18572	\$ 435,418.60
Clearing Account Vouchers amounting to	<u>\$ 210,141.21</u>
<b>TOTAL EXPENDITURES</b>	<u><b>\$ 828,801.39</b></u>

On motion by Commissioner Steele, seconded by Commissioner DuMars, this resolution was adopted by a unanimous vote.

**PRESENTATION**

1. Alarik Guajardo, member of the Mayor's Youth Council, presented a Recognition Award to Ms. Katie Syzdek, a senior at Madison High School, for her numerous contributions to her school and the community. Mr. Guajardo also read a letter from Principal Connie Ries, who nominated Ms. Syzdek, on Katie's exemplary qualities and significant contributions.

**COMMUNICATIONS**

1. C-1. Michigan Department of Environmental Quality (MDEQ) – Review of FY2007 Single Audit

2. C-2. Memo from Finance Director regarding Michigan Department of Treasury's Fiscal Indicator Scores
3. C-3. Correspondence from Comcast on changes in channel lineup

**CONSENT AGENDA**

**RESOLUTION CR08-012**

WHEREAS, the term of office of William Vogel on the Board of Review has expired, and Mr. Vogel has indicated his desire to resign from the Board; and

WHEREAS, this has created a vacancy which must be filled in accordance with the Adrian City Charter; and

WHEREAS, Richard Abraham has expressed a willingness to serve on the Board of Review for a two-year term, if appointed; and

WHEREAS, the Adrian City Commission has given careful consideration to the appointment of Richard Abraham.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby appoint Richard Abraham to serve on the Board of Review for a two-year term, with said term expiring in 2010.

**RESOLUTION CR08-013**

WHEREAS, the resignation of Kirk Valentine from the Planning Commission has created a vacancy on this commission; and

WHEREAS, this vacancy must be filled in accordance with the Adrian City Charter; and

WHEREAS, Michael Clegg has expressed a willingness to serve as Ex Officio on the Planning Commission, if appointed; and

WHEREAS, the Adrian City Commission has given careful consideration to the appointment of Michael Clegg.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby appoint Michael Clegg to serve as Ex Officio on the Planning Commission, with his term to run concurrent with his term as City Commissioner (2011).

**RESOLUTION CR08-014**

WHEREAS, the City Administrator has approved certain temporary control orders, and after review, has now made recommendation that they be made permanent, therefore, so be it

RESOLVED, that the permanent traffic control orders, adopted October 6, 1958, be amended to include or change the following:

**TCO 07-17:** On the west side of Kimole Lane in front of Bixby, in the areas not designated as "No Parking", post "Two Hour Parking 6:00 a.m. to 6:00 p.m." signs

On motion by Commissioner DuMars, seconded by Commissioner Steele, Consent Resolutions CR08-012 through CR08-014 were adopted by a unanimous vote.

## **REGULAR AGENDA**

### **ORDINANCES**

1. Ord. 08-01. Second reading and adoption of an Ordinance to amend the Zoning/Development Regulations to allow shopping centers in the B-1 and B-2 Districts. Eff. Date: 03-18-08

On motion by Commissioner Mitzel, seconded by Commissioner DuMars, this Ordinance was adopted by a unanimous vote.

2. Ord. 08-02. Second reading and adoption of an Ordinance to amend Section XXX – Signs – of the Zoning/Development Regulations, in its entirety. Eff. Date: 03-18-08

On motion by Commissioner DuMars, seconded by Commissioner Steele, this Ordinance was adopted by a unanimous vote.

3. Ord. 08-04. Second reading and adoption of an Ordinance to delete Section 15.03 (4) of the Zoning/Development Regulation, which would remove work release facilities from the B-3 District.

On motion by Commissioner Steele, seconded by Commissioner DuMars, this Ordinance was adopted by a unanimous vote.

### **RESOLUTIONS**

**RE: ADMINISTRATION - MARVIN FARM LEASE**

#### **RESOLUTION R08-037**

WHEREAS, the City of Adrian is the owner of approximately 157 acres of land adjacent to Beecher Road in the City of Adrian; and

WHEREAS, a portion of the real estate is tillable; and

WHEREAS, the City Administrator has negotiated a proposed Lease Agreement with the previous farmer of said property, which terms have been reviewed by the City Commission and found to be in the best interest of the City to ratify.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Mayor is hereby authorized to enter into a Farm Lease Agreement with James Marvin to rent approximately 157 acres of tillable ground on the above mentioned parcel of real

estate for Seventy-Five (\$75.00) Dollars per acre for a period ending December 30, 2008, and subject to other terms acceptable to the City Administrator.

On motion by Commissioner DuMars, seconded by Commissioner Clegg, this resolution was adopted by a unanimous vote.

**RE: WELLNESS & ENRICHMENT COMMITTEE – Recommended Drug-Free Workplace Policy**

**RESOLUTION R08-038**

WHEREAS, the Wellness & Enrichment Committee, on February 21, 2008, took action to recommend a Drug-Free Workplace Policy; and

WHEREAS, the purpose of the recommended policy is to maintain a safe, healthy and productive work environment for all of its employees and customers by prohibiting the possession or sale of alcohol, drugs or controlled substances on the job or worksite, which could otherwise adversely affect the work environment, job performance and safety of all employees and customers; and

WHEREAS, it is also recognized that addiction/dependency is a treatable illness and provisions are made to assist employees with addiction/dependency to seek treatment, achieve recovery and return as productive members of its workforce; and

WHEREAS, the recommended Drug-Free Workplace Policy specifically states that, "*Unauthorized possession and/or use of alcohol on the job and/or on City property may result in disciplinary action, up to and including immediate termination*"; and

WHEREAS, the recommended policy further specifies provisions for Supervisory Responsibilities and Training, Employee Education, Employee Assistance, and Drug Testing, as well as appropriate Disciplinary Actions; and

WHEREAS, the Wellness & Enrichment Committee, Human Resources Director, Risk Manager, and City Administrator recommend adoption of the Drug-Free Workplace Policy.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby adopts the attached DRUG-FREE WORKPLACE POLICY and delegates the administration of such to the Human Resources Department.

On motion by Commissioner Mitzel, seconded by Commissioner DuMars, this resolution was adopted by a unanimous vote.

**RE: CITY OF ADRIAN ASSESSING OFFICE – Policy for Granting Poverty Exemption**

**RESOLUTION R08-039**

WHEREAS, Section 211.7u of the General Property Tax Act of 1893 (as amended) provides for the granting of hardship exemptions, in whole or in part, on

the principal residence of persons who in the judgment of the Board of Review, by reason of poverty, are unable to contribute toward the public charges; and

WHEREAS, in accordance with the Act, the Adrian City Commission shall determine and make available to the public the policy and guidelines the Assessing Office uses for granting of exemptions under this Act; and

WHEREAS, the guidelines shall include, but not be limited to, the specific income and asset levels of the claimant and total household income and assets; and

WHEREAS, the Board of Review shall follow the policy and guidelines as established by the City Commission for granting or denying an exemption under this policy, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and guidelines and the substantial and compelling reasons are communicated in writing to the claimant; and

WHEREAS, the City Assessor and Finance Director have prepared a proposed Policy for Granting Poverty Exemption, in accordance with the provisions of Section 211.7u of the General Property Tax Act of 1893 (as amended); and

WHEREAS, the City Administrator recommends adoption of the proposed Policy for Granting Poverty Exemption.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby adopts the attached Policy for Granting Poverty Exemption and delegates the administration of such to the City of Adrian Board of Review.

On motion by Commissioner DuMars, seconded by Commissioner Steele, this resolution was adopted by a unanimous vote.

*Commissioner DuMars was concerned that the lengthy application would deter some people from applying. Assessor Knapp assured the Commission that it was necessary and that staff would assist in completing the application.*

**RE: CITY OF ADRIAN VIBRANT SMALL CITIES INITIATIVE GRANT  
AUTHORIZING RESOLUTION**

#### **RESOLUTION R08-040**

WHEREAS, the City of Adrian intends to utilize one million dollars (\$1,000,000) in Michigan State Housing Development Authority CATeam Community Development Block Grant funds in conjunction with one million dollars (\$1,000,000) in local match dollars to be provided from public and private sources, including but not necessarily limited to, the City's DDA funds, City General funds, City Major/Local Street funds; and

WHEREAS, the Vibrant Small Cities Initiative one million dollar grant will be utilized to support priority projects within the City's downtown development district as was defined in the city's Notice of Interest and Application to the Michigan State Housing Development Authority; and

WHEREAS, the City of Adrian has identified five program areas of which to target, including: public infrastructure, facade improvements, downtown wireless networks, blight reduction and rental rehabilitation; and

WHEREAS, the City of Adrian intends to utilize \$500,000 of Vibrant Small Cities Funds for project number one of five as requested in the City's RFG submission, the proposed two-way traffic circulation public infrastructure projects; and

WHEREAS, the City of Adrian intends to utilize \$200,000 of Vibrant Small Cities Funds for project number two of five as requested in the City's RFG submission, downtown facade improvement projects, requiring a minimum fifty percent private match and adherence with the job creation national objective; and

WHEREAS, the City of Adrian intends to utilize \$35,000 of Vibrant Small Cities Funds for project number three of five as requested in the City's RFG submission, downtown wireless network; and

WHEREAS, the City of Adrian intends to utilize \$150,000 of Vibrant Small Cities Funds for project four of five as requested in the City's RFG submission, downtown blight reduction; and

WHEREAS, the City of Adrian intends to utilize \$95,000 of Vibrant Small Cities Funds for project five of five as requested in the City's RFG submission, downtown rental rehabilitation projects requiring a minimum fifty percent private match and adherence with the rental limits as required by HUD; and

WHEREAS, the City of Adrian intends to utilize \$20,000 of Vibrant Small Cities Funds for administrative costs associated with the implementation of the five program areas previously identified; and

WHEREAS, the City of Adrian has prepared the Notice of Interest, Application and Request for Grant Funds for the Vibrant Small Cities Initiative grant in a fashion consistent with the City's Comprehensive Plan and Blueprint for Downtown Revitalization, and the Commission adopted strategic plans for the enhancement of the downtown; and

WHEREAS, the City of Adrian's Notice of Interest included projects placed in the priority of importance as identified in the city's Community Development Plans; and

WHEREAS, at least fifty-one percent (51%) of the beneficiaries of the proposed projects would be low and moderate income persons or will result in the removal of downtown blight; and

WHEREAS, no project costs (CDBG or non-CDBG) will be incurred prior to a formal grant award, completion of the environmental review process and written authorization to incur costs is received from the MSHDA Community Assistance Team; and

WHEREAS, the City of Adrian understands that all required matching funds must be placed in an escrow account by 8:00 AM on Monday, March 17, 2008; and

WHEREAS, Dane C. Nelson, City Administrator, is hereby authorized to submit the Michigan CDBG Vibrant Small Cities Initiative Request for Grant Funds (RFG) and associated documents on behalf of the City of Adrian.

NOW, THEREFORE, BE IT RESOLVED that the City of Adrian, by resolution, hereby provides its assurance that it will work in accordance with the stipulations as determined by the Michigan State Housing Development Authority (MSHDA) and its Community Assistance Team (CATeam) in relation to the one-million (\$1,000,000) Vibrant Small Cities Initiative grant award for which the City has received.

On motion by Commissioner DuMars, seconded by Commissioner Clegg, this resolution was adopted by a unanimous vote.

**RE: CITY OF ADRIAN VIBRANT SMALL CITIES INITIATIVE GRANT  
ENVIRONMENTAL REVIEW DESIGNATION OF A CERTIFYING OFFICER**

**RESOLUTION R08-041**

WHEREAS, the City of Adrian intends to utilize one million dollars (\$1,000,000) in Michigan State Housing Development Authority CATEam Community Development Block Grant funds in conjunction with one million dollars (\$1,000,000) in local match dollars to be provided from public and private sources, including but not necessarily limited to, the city's DDA Funds, General Fund and Major/Local Street Funds; and

WHEREAS, the Vibrant Small Cities Initiative one million dollar grant will be utilized to support priority projects within the city's Downtown Development District as was defined in the City's Notice of Interest and Application to the Michigan State Housing Development Authority; and

WHEREAS, the City of Adrian has identified five program areas of which to target, including: public infrastructure, facade improvement, downtown wireless networks, blight reduction and rental rehabilitation; and

WHEREAS, the VSCI program is a federally funded program utilizing Community Development Block Grant (CDBG) funds; and

WHEREAS, prior to the expenditure of any federal CDBG funds, the City of Adrian must complete an environmental review process; and

WHEREAS, the environmental review process requires that the City formally designate a certifying officer for the purposes of completing and submitting the environmental review; and

WHEREAS, Dane C. Nelson, the City Administrator has previously been authorized to submit the Michigan CDBG Vibrant Small Cities Initiative Request for Grant Funds (RFG) and associated documents on behalf of the City of Adrian.

NOW, THEREFORE, BE IT RESOLVED that Dane C. Nelson, City Administrator, is hereby designated as the City of Adrian's certifying officer for the purpose of completing and submitting the necessary environmental review documents to the appropriate agencies and ensuring that the appropriate public notices are made.

On motion by Commissioner Mitzel, seconded by Commissioner Steele, this resolution was adopted by a unanimous vote.

### **COMMISSIONERS' COMMENTS**

Commissioner Valentine commented on the new environmental bond that is being proposed. As a member of the MML Economic Development & Land Use Committee, he will keep the Commission updated and solicit their input/support when he is asked to address the Committee.

Commissioner Valentine also recognized the accomplishments of the Adrian College hockey team and the Harris Cup win in their inaugural season, and that the Harris Cup Tournament will be in Adrian next year.

At 7:40 p.m., Commissioner DuMars moved to reconvene to closed session to continue discussion of property acquisition, seconded by Commissioner Valentine, motion carried by a unanimous vote.

The next regular meeting of the Adrian City Commission will be held on Monday, March 17, 2008, at 7:00 p.m. in the Commission Chambers on the 2<sup>nd</sup> floor of Adrian City Hall, 100 E. Church Street, Adrian, MI 49221.

Gary E. McDowell  
Mayor

Pat Baker  
City Clerk

PRESENTATION OF  
ACCOUNTS

March 17, 2008

I have examined the attached vouchers and recommend approval of them for payment.

  
\_\_\_\_\_  
Dane C. Nelson  
City Administrator

DCN:bjw

RESOLVED, that disbursements be and they are hereby authorized for warrants directed to be drawn on the City Treasurer for the following:

Utility Department Vouchers	
Vouchers #2779 through #2788.....	\$161,249.03
General Fund	
Vouchers #18573 through #18593	367,461.40
Clearing Account Vouchers	
amounting to.....	<u>\$1,442,798.69</u>
TOTAL EXPENDITURES .....	<u>\$1,971,509.12</u>

On motion by Commissioner \_\_\_\_\_, seconded by  
Commissioner \_\_\_\_\_, this resolution was  
\_\_\_\_\_ by a \_\_\_\_\_ vote.

March 17, 2008

UTILITY DEPARTMENT VOUCHERS

<u>Check Number</u>	<u>To</u>	<u>Description</u>	<u>Amount</u>
<b><u>Receiving</u></b>			
2779	City of Adrian: Payroll	Payroll for Feb 29	\$ 20,833.88
2780	Verizon North	Phone Bills	\$ 263.10
2781	City of Adrian: Clearing	Mar 3 Check Register	\$ 76,748.93
2782	Consumers Energy	Water Plant Electric	\$ 8,203.79
2783	City of Adrian: Payroll	Payroll for Mar 7	\$ 44,404.51
2784	Verizon North	O&M Phone	\$ 110.16
2785	City of Adrian: General	March Rent	\$ 650.00
2786	City of Adrian: General	February Expenses	\$ 80,833.57
2787	City of Adrian: IT Dept	February Services	\$ 5,848.18
2788	James Raper	Blue Cross Refund	\$ 101.84
<b>Total</b>			<b>\$ 237,997.96</b>
LESS: CK# 2781			<b>\$ 76,748.93</b>
<b>TOTAL</b>			<b>\$ 161,249.03</b>

17-Mar-08

GENERAL FUND  
CHECK REGISTER

CHECK#	AMOUNT	PAYEE	DESCRIPTION
18573	\$ 19,557.79	City of Adrian: Payroll	Payroll for Feb 29
18574	\$ 3,381.02	Bank of Lenawee	Soc Security for Feb 29
18575	\$ 2,621.58	US Postmaster	Mail Assessment Notices
18576	\$ 9,954.03	City of Adrian: TIF	Transfer of Revenue
18577	\$ 7,800.00	City of Adrian: TIF	Transfer Funds
18578	\$ 212.57	Verizon North	Phone Bills
18759	\$ 10,375.26	Citizens Gas Fuel Co	Various Heat Bills
18580	\$ 108,359.64	City of Adrian: Clearing Acct	Mar 3 Check Register
18581		**VOID**	
18582	\$ 48,666.19	City of Adrian: Auto Parking	Contribution
18583	\$ 4,928.53	Quick Service Transportation	Payroll W/E Mar 1
18584	\$ 13,122.23	Consumers Energy	Various Electric Bills
18585	\$ 196,222.12	City of Adrian: Payroll	Payroll for Mar 7
18586	\$ 13,359.02	Bank of Lenawee	Soc Security for Feb 7
18587	\$ 459.56	City of Adrian: Utilities	Various Water Bills
18588	\$ 720.73	Verizon North	Phone Bills
18589	\$ 75.00	City of Adrian: TIF	Correct Receipts
18590	\$ 45.00	Terri Butler	Recreation Refund
18591	\$ 22.00	Lynn Savage	Recreation Refund
18592	\$ 35,888.89	Avery Oil & Propane	DPW Gas & Diesel Fuel
18593	\$ 49.88	City of Adrian	Michigan Tax Tribunal

\$ 475,821.04  
\$ (108,359.64) Less: CK# 18580  
\$ 367,461.40

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
1. 3-S CONSTRUCTION, INC.	5,790.72		
2. ACORN FARMS	29.90		
3. ACP	681.56		
4. ADRIAN AREA CHAMBER OF COMME	60.00		
5. ADRIAN AREA LITTLE LEAGUE	19,630.00		
6. ADRIAN COMMUNICATIONS	19,820.70		
7. ADRIAN LOCKSMITH & CYCLERY	7.84		
8. ADRIAN MECHANICAL SERVICES C	633.59		
9. ADRIAN PAINTERS SUPPLY & EQU	21.00		
10. ADRIAN PLUMBING & HEATING	75.00		
11. ADRIAN PUBLIC SCHOOLS	536.40		
12. ADRIAN WATER CONDITIONING IN	65.10		
13. AIRGAS GREAT LAKES	417.42		
14. ALEXANDER CHEMICAL CORP.	2,200.00		
15. ALLIED TIME USA	50.00		
16. ALLIED WASTE SERVICES	47,949.31		
17. ALLIED WASTE SERVICES #259	4,313.13		
18. AMAZON CREDIT PLAN	2,385.69		
19. AMERICAN OFFICE SOLUTIONS	101.55		
20. AMERICAN WATER WORKS ASSN	593.93		
21. BAKER & TAYLOR BOOKS	1,383.80		
22. BANK OF NEW YORK	536,953.25		
23. TIM BARTENSLAGER	400.00		
24. BASELINE CONSTRUCTORS, INC	29,549.05		
25. BATTERY WHOLESALE	120.00		
26. GREG BELL CHEVROLET, INC	201.16		
27. BILL'S SERVICE, INC.	85.09		
28. ROBERT BISHOP	225.87		
29. BIXBY MEDICAL CENTER	1,600.00		
30. BLACK SWAMP EQUIPMENT	204.22		
31. BOOK OF THE MONTH CLUB	38.85		
32. BRAKES-N-MORE	515.71		
33. C & C FIRE TRAINING SERVICES	120.00		
34. CALIFORNIA CONTRACTORS SUPPL	89.90		
35. CARIS HEATING & COOLING INC	15.00		
36. CHAMBERS CONTROL COMPANY	229.04		
37. CHAMPION PRINTING AND MAILIN	322.01		
38. CHOICEPOINT SERVICES	143.55		
39. CLIFT BUICK-PONTIAC-GMC	25.11		
40. COAST TO COAST DELI	61.49		
41. CODE OFFICIALS CONFERENCE	200.00		
42. CONTINENTAL SERVICE	21.95		
43. CRUISERS INC	202.00		
44. CUTLER DICKERSON CO	770.23		
45. D&P COMMUNICATIONS	694.92		
46. THE DAILY TELEGRAM	2,613.23		
47. DEMCO INC	860.93		
48. DICK'S AMOCO INC	515.48		
49. DUNDEE FIRE & SAFETY, INC.	1,067.50		
50. E & B SALVAGE LLC	47.25		
51. STEVE EBERLE	20.00		
52. EDM PUBLISHER	98.78		
53. EDWARD SUROVELL REALTORS	9.78		
54. ELIFEGUARD.COM	263.88		
55. ENGLEWOOD ELECTRICAL SUPPLY	80.35		
56. FASTENAL COMPANY	144.43		
57. FISHER SCIENTIFIC COMPANY LL	335.27		
58. GALE	22.72		
59. GALL'S INC	151.47		
60. J.O. GALLOUP COMPANY	161.88		
61. MARK GIGAX	20.00		
62. GOODWILL INDUSTRIES	341.40		
63. DENISE GRITZMAKER	420.00		
64. HACH COMPANY	277.00		
65. HAFELI STARAN HALLAHAN	617.92		
66. HARRIS INFOSOURCE	269.10		
67. HAZEN & SAWYER	32,478.00		
68. SHANE HORN	20.00		
69. ANNIE HOWARD	260.75		
70. HUBBARDS AUTO CENTER	202.03		
71. HURON LIME INC.	2,899.44		
72. I C M A VANTAGE POINT	5,992.79		
73. I.T. RIGHT	675.00		
74. ICMA RETIREMENT CORPORATION	198.78		
75. IDEARC MEDIA CORP.	21.50		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
76. INDUSTRIAL MILL SUPPLY CORP	543.95		
77. INGRAM LIBRARY SERVICES	265.68		
78. INTERNATIONAL ASSOC. FOR	325.00		
79. JAMES DELIVERY SERVICE	190.00		
80. JONES & HENRY, ENGINEERS	1,730.48		
81. JONES CHEMICAL INC.	3,040.13		
82. KAPNICK INSURANCE GROUP	271.00		
83. KETTREN & ASSOCIATES INC	2,439.95		
84. KIPLINGER'S RETIREMENT	39.95		
85. KONICA MINOLTA- ALBIN	56.85		
86. LANSING SANITARY SUPPLY INC	1,329.72		
87. LEGACY PRINTING	189.60		
88. LENAWEE COUNTRY CLUB	11.67		
89. LENAWEE INTEMEDIATE SCHOOLS	690.90		
90. LENAWEE TIRE & SUPPLY CO	1,235.70		
91. LEXIS NEXIS RM INC	438.50		
92. LOWE'S CREDIT SERVICES	1,073.85		
93. E.T. MACKENZIE CO	510,484.23		
94. MANPOWER OF LANSING MI INC.	979.20		
95. GARY MCDOWELL	102.78		
96. MCGOWAN ELECTRIC SUPPLY INC	307.20		
97. MCMASTER- CARR SUPPLY CO.	698.00		
98. MELJER, INC	43.51		
99. METROPOLITAN UNIFORM CO	962.41		
100. MGFOA	285.00		
101. MICH STATE HOUSING DEVEL.	35.00		
102. MICHIGAN CHAMBER SERVICES I	137.50		
103. MICHIGAN CORPORATE OFFICE PL	275.00		
104. MICHIGAN LIBRARY ASSOC	85.00		
105. MICHIGAN MUNICIPAL LEAGUE	120.00		
106. MICHIGAN PIPE & VALVE INC	696.60		
107. MICHIGAN REC & PARK ASSOC	570.00		
108. MICHIGAN SECTION-AWWA	540.00		
109. STATE OF MICHIGAN	75.00		
110. MICHIGAN STATE POLICE	1,094.98		
111. MICHIGAN TBA DISTRIBUTORS IN	31.20		
112. MICROMARKETING LLC	526.65		
113. MIDWEST TAPE	675.70		
114. MITCHELL WELDING CO. INC.	1,260.87		
115. MONROE PLUMBING & HEATING	22,520.25		
116. MORTON INTERNATIONAL	20,715.01		
117. MUGS N' MORE IMAGING	210.60		
118. MUNICIPAL EMPLOYEES' RETIRE	72,054.71		
119. NAPA AUTO & TRUCK PARTS	1,368.09		
120. NATIONAL GEOGRAPHIC SOCIETY	15.90		
121. NOLLENBERGER TRUCK CENTER IN	40.40		
122. PEERLESS SUPPLY INC	276.08		
123. PERKIN-ELMER LIFE & ANALYTIC	2,526.00		
124. PETE'S RADIATOR SERVICE INC	120.00		
125. THE PHARM	61.51		
126. GLENN PRESTON	20.00		
127. PRO-MED UNIFORM	165.54		
128. PROTECTIVE PRODUCTS INTERNAT	3,067.40		
129. PUTT INC	8,900.00		
130. QUALITY BOOKS INC	2,027.61		
131. QUICK SERVICE TRANSPORTATION	6,290.30		
132. QUILL CORPORATION	1,324.98		
133. TOM RAY	23.38		
134. RECORDED BOOKS LLC.	297.00		
135. RECREONICS INC.	769.78		
136. TIM RITCHIE	20.00		
137. S.L.C. METER SERVICE INC	8,240.00		
138. SAFETY SERVICES INC.	278.58		
139. SANCHIN SYSTEMS INC	892.50		
140. SERVICE ELECTRIC CO OF ADRIA	255.50		
141. ANN-MARIE SNYDER	75.00		
142. SNYDER WIRELESS & SATELLITE	70.00		
143. SOIL & MATERIALS ENGINEERS I	9,643.20		
144. ED SOTO	20.00		
145. SPENCER MANUFACTURING INC.	93.00		
146. SPORTIME	45.49		
147. STAPLES	270.56		
148. STATEWIDE EMERGENCY PRODUCTS	574.00		
149. STEVENSON LUMBER, INC.	200.05		
150. JEFFREY A. STICKNEY, DO,PC	67.00		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
151. SUNSHINE MEDICAL SUPPLY	519.00		
152. SUPER LAUNDROMAT &	177.00		
153. SWARTZLANDER TRUST	1,000.00		
154. TDS SECURITY	388.50		
155. TIME EMERGENCY EQUIPMENT INC	237.05		
156. TIMOTHY KIRKLAND	24.95		
157. TREEMAN SUPPLY INC	79.64		
158. TRUCK & TRAILER SPECIALITIES	95.70		
159. TTB CLEANING LLC	125.00		
160. U S POSTMASTER	1,800.00		
161. UNIQUE MANAGEMENT SERVICES I	223.75		
162. UNITED PARCEL SERVICE	125.51		
163. UNUM LIFE INSURANCE COMPANY	7,355.66		
164. USA BLUEBOOK	383.85		
165. VAN ERT'S LAWN SERVICE	1,160.00		
166. W L E N RADIO	319.00		
167. GREG WALSH	52.62		
168. WATER EDUCATION TRAINING	225.00		
169. WELLER TRUCK PARTS	233.33		
170. HOYT E. WHELAN CO.	223.75		
171. YAHOO! CUSTODIAN OF RECORDS	29.50		
<b>**TOTAL ALL CLAIMS**</b>	<b>1,442,798.69</b>		

# COMMUNICATIONS

C-1

# MEMO

To: Hon. Gary McDowell, Mayor  
City Commission  
Dane Nelson, City Administrator

From: Jeffrey C. Pardee, Finance Director



Re: **State Revenue Sharing - Update**

Date: March 3, 2008

Actual Revenue Sharing payments for August, October, November, December and February have been received and recorded. A comparison between estimated and actual is provided as follows:

	State		Variance	
	<u>Estimated</u>	<u>Actual</u>	<u>Amount</u>	<u>Percent</u>
August	\$431,514	\$424,100	\$(7,414)	(0.1) %
October	457,704	389,730	(67,974)	(14.9) %
November	-0-	69,167	69,167	100.0 %
December	419,603	416,599	(3,004)	(0.7)%
February	402,220	414,933	12,713	3.2 %

A comparison of FY2007-08 Budget and actual receipts through December and estimated receipts for the balance of the year follows:

	Original	Actual/ Estimated	Variance	
	<u>Budget</u>	<u>Receipts</u>	<u>Amount</u>	<u>Percent</u>
August	\$423,155	\$424,100	\$ 945	0.2 %
October	448,837	389,730	(59,107)	(13.2)%
November	-0-	69,167	69,167	100.0 %
December	411,474	416,599	5,125	1.2%
February	394,428	414,933	20,505	5.2%
April	311,770	312,394	624	0.2%
June	<u>310,336</u>	<u>310,957</u>	<u>621</u>	0.2%
Total	<u>\$2,300,000</u>	<u>\$2,337,880</u>	<u>\$ 37,880</u>	1.6 %

Revenue sharing was held "flat" from FY 2007 levels in the 2008 budget passed by Michigan Legislature, October 30th. However, there is one difference with some special intent language that states the Legislature would like locals to actually get what they received in FY 2007. So, if sales tax collections reduce constitutional payments the Legislature intends to increase statutory payments to make up the difference. That extra payment would still have to be appropriated in that event, however.

**October Payment Notice:** Due to limited funds in the 30-day continuation budget, which ended October 31, October revenue sharing payments were significantly lower than expected. Now that the actual budget has passed, those remaining funds have been remitted to communities with a supplemental payment on November 19, 2007

If you have any questions or need for further information, please contact my office.

# REGULAR AGENDA

0-1



# City Commission Memorandum

**To:** Honorable Mayor and City Commission  
**From:** Denise Cook, Secretary  
**Date:** March 11, 2008  
**Subject:** Resolution and Ordinance 08-05 – Student Group Housing

---

At the March 4, 2008, regular meeting the Adrian City Planning Commission voted to adopt the following resolution and to recommend to the City Commission the approval of the following text amendments to the Zoning/Development Regulations in regards to student group housing.

In Favor of Motion: Jacobitz, Al-Omari, Johnson, McDowell

Against Motion: Barr, Schebil

Abstaining: Clegg

Attachment A: Resolution  
Attachment B: Ordinance 08-05

**RESOLUTION  
CASE NO. 08-005  
TEXT AMENDMENTS TO  
ARTICLE II, DEFINITIONS;  
ARTICLE XVIII, ERO EDUCATION-RESEARCH-OFFICE DISTRICT;  
ARTICLE VIII, RM-1 LOW RISE MULTIPLE-FAMILY RESIDENTIAL DISTRICT;  
ARTICLE IX, RM-2 HIGH RISE MULTIPLE-FAMILY RESIDENTIAL DISTRICT;  
ARTICLE XV, B-3 CENTRAL BUSINESS DISTRICT; AND,  
ARTICLE XXV, CONDITIONS FOR SPECIFIED USES SUBJECT TO A  
ZONING EXCEPTION PERMIT.**

WHEREAS, Community Development reviewed the Zoning/Development Regulations and found no reference to nor permission for establishment and operation of Student Group Homes; and

WHEREAS, this use already exists within the City of Adrian; and

WHEREAS, the Adrian City Planning Commission established an Ad-Hoc Committee to work with the Community Development Department to establish definition and use regulations for Student Group Homes, and said Committee has made its recommendations

NOW THEREFORE BE IT RESOLVED that the Adrian City Planning Commission accepts the findings as reviewed and analyzed by the Ad-Hoc Committee Community Development Department; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission finds the following text amendments to Article II, Definitions; Article XVIII, ERO Education-Research-Office District; Article VIII, RM-1 Low Rise Multiple-Family Residential District; Article IX, RM-2 High Rise Multiple-Family Residential District; Article XV, B-3 Central Business District; and, Article XXV, Conditions for Specified Uses Subject to a Zoning Exception Permit to be in compliance with the City Code of Ordinances and requests that Case 07-068 be forwarded to the City Commission for final approval:

In Favor of Motion: Jacobitz, Al-Omari, Johnson, McDowell

Against Motion: Barr, Schebil

Abstaining: Clegg



# Memorandum

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Community Development Department

TO: Adrian City Planning Commission

FROM: James Tischler, AICP, PCP  
Director of Community Development

DATE: February 26, 2008

SUBJECT: Case 08-005  
Proposed Student Housing Amendments  
Revisions since 2/5/08 ACPC Meeting

Dear Commissioners:

As you are aware, after discussion at your last meeting the ACPC requested Staff to review and recommend changes to the draft Student Housing amendments. In particular, concern was focused on the potential student capacity per house given the recommended use of Michigan Rehabilitation Code occupancy standards.

Since the meeting, Staff thoroughly reviewed the concern, and also queried the Ad-Hoc Committee to arrive at a consensus for recommendation. In summary, that consensus is to establish an ERO District threshold of ten (10) students, up to which the use would be permitted by-right, and over which would require a Zoning Exception permit. All other text is recommended to remain the same and is presented on the following pages.

I will be pleased to review and discuss these changes with you at your upcoming meeting.

(Added text is in **Bold**. Deleted text is crossed out. Text added since 2/5/08 is in **BOLD CAPS**.)

1. Below are proposed use definitions to amend Article II, Definitions. Staff is proposing to add the following as a new section.

**Section 2.41.01 Congregate Living Facility**

**A type of residential facility for a person or persons that is maintained by an organization recognized by the State of Michigan as a non-profit, whereby the facility complies with all requirements of the Michigan Property Maintenance Code. Persons living in such a facility are likely or contemplated to stay for a limited or temporary duration.**

**A. Fraternity or Sorority House**

***Fraternity or sorority house* means a building, rented, occupied or owned by a national or local chapter of a regularly organized college fraternity or sorority which is officially recognized by a college or university, or by or on its behalf by a building corporation or association composed of members of such fraternity or sorority, as a place of residence.**

**B. Dormitory or Residence Hall**

***Dormitory or Residence Hall* means those facilities used for housing students, which are owned and controlled by an educational institution and which are to be distinguished from hotels, motels, and boardinghouses. The terms "dormitory" and "residence hall" are to be used synonymously.**

**C. Student Group Home**

***Student Group Home* means those facilities where occupants are students whose relationship is of a non-permanent character, where the common living arrangement(s) is organized by a college or university and is directly related to academic study, and where such arrangement(s) is likely or contemplated to exist for a limited or temporary duration.**

- 
2. Below are proposed use standards to amend Article XVIII, ERO Education-Research-Office District, Section 18.1, Principal Uses Permitted.

Section 18.1 Principal Uses Permitted: In an ERO Education-Research-Office District, no building or land shall be used and no building shall be erected except for one or more of the following specified uses:

1. All uses permitted and uses permitted subject to special approval in O-S District, and meeting the requirements as set forth in said district with the exception of mortuary establishments and veterinary clinics which shall be expressly prohibited from this district.
2. Any uses which are charged with the principal function of education, research, design and technical training and experimental product development when conducted wholly within a completely enclosed building.
3. Facilities for human care such as convalescent and nursing homes.
4. Colleges, universities and trade schools.
5. Dormitories for students enrolled in, and quarters for instructors employed by, educational institutions when incidental to any permitted principal use.
6. Data processing and computer centers, including service and maintenance of electronic data processing equipment.
7. Studios for professional work or teaching of interior decorating, photography, music, drama or dancing.
8. Fraternity and Sorority House.
9. **Student Group Homes FOR TEN (10) OR LESS OCCUPANTS , OWNED AND OPERATED BY A COLLEGE OR UNIVERSITY, AND SUBJECT TO SECTION 2.41.01 (C) AND SECTION 25.15.**

**SECTION 18.2 USES SUBJECT TO ZONING EXCEPTION PERMIT:**

1. **STUDENT GROUP HOMES FOR ELEVEN (11) OR MORE OCCUPANTS, OWNED AND OPERATED BY A COLLEGE OR UNIVERSITY, AND SUBJECT TO SECTION 2.41.01 (C) AND SECTION 25.15.**
-

3. Below is a proposed amendment to Article VIII, RM-1 Low Rise Multiple-Family Residential District:

Section 8.2 Uses Subject to Zoning Exception Permit:

1. Congregate living facilities, subject to Section 25.13
  2. Single-room occupancy facilities, subject to Section 25.12
  3. Housing for the elderly, subject to Section 24.02
  4. Group family homes, subject to Section 2.52 (C) and Section 25.15
  5. **Student Group Homes subject to Section 2.41.01 (C) and Section 25.15**
- 

4. Below is a proposed amendment to Article IX, RM-2 High Rise Multiple-Family Residential District:

Section 9.2 Uses Subject to ~~Special~~ Zoning Exception Permit:

1. Housing for the elderly, subject to Section 24.02.
  2. Congregate living facilities, subject to Section 25.13.
  3. Convalescent and nursing homes, subject to Section 25.09.
  4. Private clubs and lodges, subject to Section 25.05.
  5. **Student Group Homes subject to Section 2.41.01 (C) and Section 25.15.**
- 

5. Below is a proposed amendment to Article XV, B-3 Central Business District:

Section 15.03 Uses Subject to a Zoning Exception Permit:

1. Sidewalk Cafes: *(text follows.....)*
2. Group family homes, subject to 2.52 (C) and Section 25.15.

3. Government and administrative buildings including courthouses, jails, fire stations and city hall, subject to the following standards and conditions: *(text follows.....)*
  4. Work-release facility (subject to the following conditions): *(text follows.....)*. See Item 10, Case 08-004 on the February 5 agenda recommending removal of this sub-section from the Zoning/Development Regulations.
  5. **Student Group Homes subject to Section 2.41.01 (C) and Section 25.15.**
- 

6. Below is a proposed amendment to Article XXV, Conditions for Specified Uses Subject to a Zoning Exception Permit. Staff is proposing to add the following as a new section:

**Section 25.15 Student Group Homes:**

1. **The home shall at all times be in compliance with applicable requirements of the Michigan Property Maintenance Code applicable to life and safety issues, as adopted by the City**
2. **The home shall be subject to annual inspection by the City. The owner may substitute a State of Michigan property inspection to satisfy this requirement, but such State inspection must be conducted and the report transmitted to the City annually.**
3. **The owner shall provide 1.5 on- or off-site vehicle parking spaces for each person residing in the student group home. Off-site parking spaces must be assigned and be located within 400' of the home. On-site parking areas shall not be located within any front yard.**
4. **The home shall be subject to other provisions that the Planning Commission may deem necessary to protect the integrity of the neighboring area, and the health, safety and welfare of the residents of the City of Adrian are as follows:**
  - a. **The need for a fence or screen around a portion of the premises to be determined.**

- b. The manner of the storage of refuse and fencing or screening of such storage to be determined.**
- c. The hours that visitors might visit the residents at the facility to be determined.**

**ORDINANCE 08-05**

AN ORDINANCE TO AMEND ARTICLE II – DEFINITIONS, ARTICLE XVIII – ERO EDUCATION RESEARCH OFFICE DISTRICT, ARTICLE VIII – RM-1 LOW RISE MULTIPLE FAMILY RESEDENTIAL DISTRICT, ARTICLE IX, RM-2 HIGH RISE MULTIPLE FAMILY RESIDENTIAL DISTRICT, ARTICLE XV – B-3 CENTRAL BUSINESS DISTRICT AND ARTICLE XXV – CONDITIONS FOR SPECIFIED USES SUBJECT TO A ZONING EXCEPTION PERMIT OF THE ZONING/DEVELOPMENT REGULATIONS OF THE CITY OF ADRIAN.

The City of Adrian Ordains:

*(Added text is in **Bold**. Deleted text is crossed out.)*

1. Add new Section 2.41.01 to Article II, Definitions to read as follows:

**Section 2.41.01 Congregate Living Facility**

**A type of residential facility for a person or persons that is maintained by an organization recognized by the State of Michigan as a non-profit, whereby the facility complies with all requirements of the Michigan Property Maintenance Code. Persons living in such a facility are likely or contemplated to stay for a limited or temporary duration.**

**A. Fraternity or Sorority House**

**Fraternity or sorority house means a building, rented, occupied or owned by a national or local chapter of a regularly organized college fraternity or sorority which is officially recognized by a college or university, or by or on its behalf by a building corporation or association composed of members of such fraternity or sorority, as a place of residence.**

**B. Dormitory or Residence Hall**

**Dormitory or Residence Hall means those facilities used for housing students, which are owned and controlled by an educational institution and which are to be distinguished from hotels, motels, and boardinghouses. The terms "dormitory" and "residence hall" are to be used synonymously.**

**C. Student Group Home**

**Student Group Home means those facilities where occupants are students whose relationship is of a non-permanent character, where the common living arrangement(s) is organized by a college or university and is directly related to academic study, and where such arrangement(s) is likely or contemplated to exist for a limited or temporary duration.**

2. Amend Subsection 9 of Section 18.1 of Article XVIII – ERO District to read as follows:

Section 18.1 Principal Uses Permitted: In an ERO Education-Research-Office District, no building or land shall be used and no building shall be erected except for one or more of the following specified uses:

1. All uses permitted and uses permitted subject to special approval in O-S District, and meeting the requirements as set forth in said district with the exception of mortuary establishments and veterinary clinics which shall be expressly prohibited from this district.
2. Any uses which are charged with the principal function of education, research, design and technical training and experimental product development when conducted wholly within a completely enclosed building.
3. Facilities for human care such as convalescent and nursing homes.
4. Colleges, universities and trade schools.
5. Dormitories for students enrolled in, and quarters for instructors employed by, educational institutions when incidental to any permitted principal use.
6. Data processing and computer centers, including service and maintenance of electronic data processing equipment.
7. Studios for professional work or teaching of interior decorating, photography, music, drama or dancing.
8. Fraternity and Sorority House.
9. **Student Group Homes for ten (10) or fewer occupants, owned and operated by a college or university, and subject to Section 2.41.01 (c) and Section 25.15.**

3. Amend Section 18.2 of Article XVIII as follows:

**SECTION 18.2 USES SUBJECT TO ZONING EXCEPTION PERMIT:**

1. **Student group homes for eleven (11) or more occupants, owned and operated by a college or university, and subject to Section 2.41.01 (c) and Section 25.15.**
4. Add a new Subsection 5 to Section 8.2 of Article VIII RM-1 District as read as follows:

**Section 8.2 Uses Subject to Zoning Exception Permit:**

1. Congregate living facilities, subject to Section 25.13
  2. Single-room occupancy facilities, subject to Section 25.12
  3. Housing for the elderly, subject to Section 24.02
  4. Group family homes, subject to Section 2.52 (C) and Section 25.15
  5. **Student Group Homes subject to Section 2.41.01 (C) and Section 25.15**
5. Amend Section 9.2 of Article IX – RM-2 District as follows:

**Section 9.2 Uses Subject to ~~Special~~ Zoning Exception Permit:**

1. Housing for the elderly, subject to Section 24.02.
  2. Congregate living facilities, subject to Section 25.13.
  3. Convalescent and nursing homes, subject to Section 25.09.
  4. Private clubs and lodges, subject to Section 25.05.
  5. **Student Group Homes subject to Section 2.41.01 (C) and Section 25.15.**
6. Amend Section 15.03 of Article XV – B-3 District as follows:

**SECTION 15.03 USES SUBJECT TO A ZONING EXCEPTION PERMIT:**

1. Sidewalk Cafes: *(text follows.....)*
2. Group family homes, subject to 2.52 (C) and Section 25.15.
3. Government and administrative buildings including courthouses, jails, fire stations and city hall, subject to the following standards and conditions: *(text follows.....)*

4. Work-release facility (subject to the following conditions): *(text follows.....). See Item 10, Case 08-004 on the February 5 agenda recommending removal of this sub-section from the Zoning/Development Regulations.*
5. **Student Group Homes subject to Section 2.41.01 (C) and Section 25.15.**
7. Amend Section 25.15 of Article XV - Conditions for Specified Uses Subject to a Zoning Exception Permit to read as follows:

**Section 25.15 Student Group Homes:**

1. **The home shall at all times be in compliance with applicable requirements of the Michigan Property Maintenance Code applicable to life and safety issues, as adopted by the City**
2. **The home shall be subject to annual inspection by the City. The owner may substitute a State of Michigan property inspection to satisfy this requirement, but such State inspection must be conducted and the report transmitted to the City annually.**
3. **The owner shall provide one (1) on- or off-site vehicle parking space for each person residing in the student group home. Off-site parking spaces must be assigned and be located within 400' of the home. On-site parking areas shall not be located within any front yard.**
4. **The home shall be subject to other provisions that the Planning Commission may deem necessary to protect the integrity of the neighboring area, and the health, safety and welfare of the residents of the City of Adrian.**

INTRODUCTION .....March 17, 2008

SUMMARY PUBLISHED.....

ADOPTION.....

COMPLETE PUBLICATION.....

EFFECTIVE DATE.....

On motion by Commissioner \_\_\_\_\_,

supported by Commissioner \_\_\_\_\_

this Ordinance was adopted by a \_\_\_\_\_ vote.

0-2



## City Commission Memorandum

**To:** Honorable Mayor and City Commission  
**From:** Denise Cook, Secretary  
**Date:** March 11, 2008  
**Subject:** Resolution and Ordinance 08-06 (former Ord. 08-02) – Home Occupations

---

At the March 4, 2008, regular meeting the Adrian City Planning Commission voted unanimously to adopt the following resolution and to recommend to the City Commission the approval of the following text amendments to the Zoning/Development Regulations in regards to home occupations.

Attachment A: Resolution  
Attachment B: Ordinance 08-06



# Memorandum

TO: Adrian City Planning Commission

FROM: James Tischler, AICP, PCP  
Director of Community Development

DATE: February 26, 2008

SUBJECT: Case 07-076  
Text Amendments for Home Occupations  
Revised Recommendation

Dear Commissioners:

In between your February 5, 2008 meeting and the proposed first reading of an amendatory ordinance by the Adrian City Commission, Community Development staff identified additional information which has led to a re-presentation of this case and a modified recommendation.

Specifically, review of the recommended changes with the Michigan Zoning Enabling Act (Act 110 of 2006) has found that Section 204 of the latter (attached to this memorandum for review) requires the allowance of home occupations generally and within any "single-family home". The staff's interpretation of this section is that home occupations must be allowed in single family homes within any of the City residential districts.

RECOMMENDATION: Based on previous discussion and Act 110 requirements, Community Development recommends the Planning Commission adopt the following resolution:

**RESOLUTION TO ADOPT  
ARTICLE II DEFINITIONS, SECTION 2.71, HOME OCCUPATION  
ARTICLE XXV CONDITIONS FOR SPECIFIED USES SUBJECT TO A ZONING  
EXCEPTION PERMIT, SECTION 25.14, HOME OCCUPATIONS**

WHEREAS, the Adrian City Planning Commission received a request to permit beauty salons as a home occupation; and

WHEREAS, the Adrian City Planning Commission determined that Act 110 of 2006, the Michigan Zoning Enabling Act, requires provision for home occupations in all single family structures;

NOW THEREFORE BE IT RESOLVED that the Adrian City Planning Commission accepts the text amendments as submitted by the Community Development Department; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission finds the following text amendments to Article II, Definitions, Section 2.71, Home Occupation and Article XXV, Conditions for Specified Uses Subject to a Zoning Exception Permit, Section 25.14, Home Occupations to be in compliance with the City Code of Ordinances and requests that Case No. 07-076 be forwarded to the City Commission for final approval.

*(New text is shown in bold, strikethrough denotes omitted language)*

Proposed amendment of Article II – Definitions

SECTION 2.71 Home Occupation

A home occupation is any occupation, **craft** or profession carried on by one or more members of a family residing on the premises; provided that no commodity other than those customarily associated with the business is sold upon the premises; provided, further, that no mechanical equipment is installed except such as is normally used for purely domestic or household purposes; provided, further, that not over twenty-five (25) percent of the total actual floor area of ~~any story a~~ **single-family attached or detached structure** is used for home occupation, **crafting** or professional purposes. ~~Beauty parlors, barber shops, Doctor's offices, animal hospitals, and nursery schools are examples of uses not considered a home occupation. (Home occupations are not permitted in the R-1 Single Family Residential District.)~~

Proposed amendments of Article XXV - Conditions for Specified Uses Subject to a Zoning Exception Permit

SECTION 25.14 HOME OCCUPATIONS:

1. Intent. A home occupation is an incidental and secondary use of a dwelling unit for business purposes. The intent of this section is to ensure compatibility of home occupations with other permitted uses of residential districts and with the residential character of the neighborhoods involved. It is further the intent of this provision to ensure that home occupations are clearly secondary and incidental uses of residential buildings.
2. Conditions. Home occupations are permitted in all residential districts provided all of the following conditions are observed.

- a. A home occupation must be conducted in its entirety within a **single-family attached or detached** dwelling unit that is the bona fide residence of the practitioner of the occupation.
- b. Home occupations shall be conducted solely by persons residing at the residence.
- c. All business activity and storage must take place within the interior of the dwelling. No exterior view of the product of the home occupation is allowable.
- d. No alteration to the exterior of the residential dwelling, accessory building or yard that alters the residential character of the premises is permissible.
- e. The home occupation shall not generate a volume or character of pedestrian or vehicular traffic beyond that normally generated by homes in the residential neighborhood.
- f. Only off-street parking facilities which are normal for residential use and are located on the premises may be used.
- g. No vehicles exceeding 5 tons GVW used in the conduct of the occupation may be parked or otherwise kept at the premises, other than as are normal for use for domestic or household purposes, unless housed in a fully enclosed structure.
- h. One (1) non-illuminated nameplate no larger than two (2) square feet is permitted to identify the home occupation. The nameplate shall be attached to the building. No other identification is permitted.
- i. No article shall be sold or offered for sale on the premises except such as is produced within the dwelling or accessory building or is provided incidental to the service or profession conducted within the dwelling or accessory building.
- j. No highly explosive or combustible material shall be used or stored on the premises. No activity shall be allowed that interferes with radio or television transmission. Nor shall there be any offensive noise, vibration, smoke, dust, odor, heat or glare noticeable at or beyond the property line.
- k. Not more than **twenty-five (205)** percent of the gross floor area, (or three hundred (300) square feet), whichever is greater, can be used for a home occupation.
- l. The conduct of the home occupation shall not violate any of the City's ordinances concerning nuisance, fire or health, or any other city, county, state or other applicable laws or regulations.

3. Examples of Home Occupations. This list is not intended to limit the kinds of home occupations that can comply with the conditions of this section.
- a. Dressmaking
  - b. Handicrafts
  - c. Typing, secretarial services
  - d. Tutoring, limited to six (6) students
  - e. Office facility of a sales representative provided that no transactions are made in person on the premises
  - f. Technical service and/or consulting
  - g. Upholstering and refinishing services subject to Section 25.14 (2,j) above
  - h. Home office
  - i. **Beauty Shops and Barber Shops, limited to one (1) chair, subject to all the precedent conditions in this section in ~~Section 25.14~~ with no other signage or logo permitted, such as barber poles.**

On motion by Commissioner \_\_\_\_\_,

supported by Commissioner \_\_\_\_\_

this Ordinance was adopted by a \_\_\_\_\_ vote.

**RESOLUTION TO ADOPT  
ARTICLE II DEFINITIONS, SECTION 2.71, HOME OCCUPATION  
ARTICLE XXV CONDITIONS FOR SPECIFIED USES SUBJECT TO A ZONING  
EXCEPTION PERMIT, SECTION 25.14, HOME OCCUPATIONS**

WHEREAS, the Adrian City Planning Commission received a request to permit beauty salons as a home occupation; and

WHEREAS, the Adrian City Planning Commission determined that Act 110 of 2006, the Michigan Zoning Enabling Act, requires provision for home occupations in all single family structures;

NOW THEREFORE BE IT RESOLVED that the Adrian City Planning Commission accepts the text amendments as submitted by the Community Development Department; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission finds the following text amendments to Article II, Definitions, Section 2.71, Home Occupation and Article XXV, Conditions for Specified Uses Subject to a Zoning Exception Permit, Section 25.14, Home Occupations to be in compliance with the City Code of Ordinances and requests that Case No. 07-076 be forwarded to the City Commission for final approval.

**ORDINANCE 08-06**  
(Former Ord. 08-02)

AN ORDINANCE TO AMEND SECTION 2.71 OF ARTICLE II – DEFINITIONS  
AND SECTION 25.14 OF ARTICLE XXV – CONDITIONS FOR SPECIFIED  
USES SUBJECT TO A ZONING EXCEPTION PERMIT OF THE  
ZONING/DEVELOPMENT REGULATIONS

The City of Adrian Ordains:

*(New text is shown in bold, strikethrough denotes omitted language)*

1. Amend Section 2.71 – Home Occupation of Article II – Definitions as follows:

SECTION 2.71 Home Occupation

A home occupation is any occupation, **craft** or profession carried on by one or more members of a family residing on the premises; provided that no commodity other than those customarily associated with the business is sold upon the premises; provided, further, that no mechanical equipment is installed except such as is normally used for purely domestic or household purposes; provided, further, that not over twenty-five (25) percent of the total actual floor area of ~~any story~~ **a single-family structure** is used for home occupation, **crafting** or professional purposes. ~~Beauty parlors, barber shops, Doctor's offices, animal hospitals, and nursery schools are examples of uses not considered a home occupation. (Home occupations are not permitted in the R-1 Single Family Residential District.)~~

2. Amend Section 25.14 of Article XXV – Conditions for Specified Uses Subject to a Zoning Exception Permit as follows:

SECTION 25.14 HOME OCCUPATIONS:

1. Intent. A home occupation is an incidental and secondary use of a dwelling unit for business purposes. The intent of this section is to ensure compatibility of home occupations with other permitted uses of residential districts and with the residential character of the neighborhoods involved. It is further the intent of this provision to ensure that home occupations are clearly secondary and incidental uses of residential buildings.
2. Conditions. Home occupations are permitted in all residential districts provided all of the following conditions are observed.

- a. A home occupation must be conducted in its entirety within a **single-family structure of a permitted accessory structure** that is the bona fide residence of the practitioner of the occupation.
- b. Home occupations shall be conducted solely by persons residing at the residence.
- c. All business activity and storage must take place within the interior of the dwelling. No exterior view of the product of the home occupation is allowable.
- d. No alteration to the exterior of the residential dwelling, accessory building or yard that alters the residential character of the premises is permissible.
- e. The home occupation shall not generate a volume or character of pedestrian or vehicular traffic beyond that normally generated by homes in the residential neighborhood.
- f. Only off-street parking facilities which are normal for residential use and are located on the premises may be used.
- g. No vehicles exceeding 5 tons GVW used in the conduct of the occupation may be parked or otherwise kept at the premises, other than as are normal for use for domestic or household purposes, unless housed in a fully enclosed structure.
- h. One (1) non-illuminated nameplate no larger than two (2) square feet is permitted to identify the home occupation. The nameplate shall be attached to the building. No other identification is permitted.
- i. No article shall be sold or offered for sale on the premises except such as is produced within the dwelling or accessory building or is provided incidental to the service or profession conducted within the dwelling or accessory building.
- j. No highly explosive or combustible material shall be used or stored on the premises. No activity shall be allowed that interferes with radio or television transmission. Nor shall there be any offensive noise, vibration, smoke, dust, odor, heat or glare noticeable at or beyond the property line.
- k. Not more than **twenty-five (205)** percent of the gross floor area, (or three hundred (300) square feet), whichever is greater, can be used for a home occupation.

- I. The conduct of the home occupation shall not violate any of the City's ordinances concerning nuisance, fire or health, or any other city, county, state or other applicable laws or regulations.
3. Examples of Home Occupations. This list is not intended to limit the kinds of home occupations that can comply with the conditions of this section.
- a. Dressmaking
  - b. Handicrafts
  - c. Typing, secretarial services
  - d. Tutoring, limited to six (6) students
  - e. Office facility of a sales representative provided that no transactions are made in person on the premises
  - f. Technical service and/or consulting
  - g. Upholstering and refinishing services subject to Section 25.14 (2,j) above
  - h. Home office
  - i. **Beauty Shops and Barber Shops, limited to one (1) chair, subject to all the precedent conditions in this section in ~~Section 25.14~~ with no other signage or logo permitted, such as barber poles.**

INTRODUCTION .....March 17, 2008

SUMMARY PUBLISHED.....

ADOPTION.....

COMPLETED PUBLICATION.....

EFFECTIVE DATE.....

On motion by Commissioner \_\_\_\_\_

Supported by Commissioner \_\_\_\_\_

This ordinance was adopted by a \_\_\_\_\_ vote.

50-4 R-1

March 17, 2008

SPECIAL ORDER

The Mayor called for the hearing and consideration of comments to the establishment of an Industrial Development District (#38) for Adrian Steel, 906 James Street.

Discussion

When the Mayor called for final objections \_\_\_\_\_

\_\_\_\_\_

and he declared the hearing closed.



# City Commission Memorandum

**To:** Dane C. Nelson  
City Administrator

**From:** James Tischler, AICP, PCP  
Director of Community Development

**Date:** March 11, 2008

**Subject:** Adrian Steel Company – Act 198 Industrial Development District Request

---

As the City Commissioners are aware, the City Clerk received an Act 198 Industrial Development District application from Adrian Steel Company on February 8, 2008.

Pursuant to Public Act 198 of 1974, as amended, the governing body of a local unit must conduct a public hearing prior to considering action on this request. Notice of such hearing was made, and it is to be conducted at the City Commission meeting scheduled for March 17, 2008. To this date, no comments have been received regarding the request.

Community Development respectfully requests the City Commission to adopt the attached resolution approving establishment of Industrial Development District #38. I will be pleased to answer any questions either prior to or during your meeting.

**RE: COMMUNITY DEVELOPMENT – Establish Industrial Development District #38 – Adrian Steel - 906 James Street**

**RESOLUTION**

WHEREAS, a Public Hearing has been held to hear and consider objections to the establishment of an Industrial Development District within the City of Adrian pursuant to the provisions of Act 198 of the Public Acts of Michigan, 1974; and

WHEREAS, the establishment of such a district is consistent with the objective of encouraging industrial development and economic expansion leading to increased employment opportunities for the citizens of Adrian; and

WHEREAS, objections to the establishment of said District have been heard and duly considered.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission hereby declares established Industrial Development District #38, pursuant to said Act 198 of the Public Acts of Michigan, 1974, which District shall consist of that portion of land hereinafter described which lies within the corporate limits of the City of Adrian:

- Lot 24, Assessors Plat No. 12
- Lots 25 & 26, and the West 163 Feet of Lots 27 & 28, Assessors Plat No. 12
- Lot 31, Assessors Plat No. 12
- Lot 34, Assessors Plat No. 12
- West 37 Feet of Lot 35, Assessors Plat No. 12
- Lot 36 and the Easterly 1 ½ Feet of Lot 35, Assessors Plat No. 12
- Lots 37 & 38, and the East 31 Feet of Lots 27 & 28, Assessors Plat No. 12
- Lot 39, Assessors Plat No. 12
- Lot 40, Assessors Plat No. 12

Common Address: 906 James Street

Subject to easements and restrictions of record, if any.

On motion by Commissioner \_\_\_\_\_,  
seconded by Commissioner \_\_\_\_\_, this resolution was  
adopted by a \_\_\_\_\_ vote.

R-2

DATE: March 11, 2008  
TO: Honorable Mayor and City Commission  
FROM: Dane C. Nelson, City Administrator  
SUBJECT: Wiring Replacement – Merrick Street Facility

As a result of vandalism, the wiring at the Merrick Street facility needs to be replaced. Bids were received on February 26, 2008, with the low bid submitted by Clegg Electric. The owner, Michael Clegg, is an officer of the city. In accordance with the City Charter, unanimous approval of the City Commission is required for services obtained through an officer of the city.

I urge your favorable consideration authorizing Clegg Electric to perform the wiring at the Merrick Street facility at a cost of \$6,000. Funds are available from the approved insurance proceeds received as a result of the claim submitted for vandalism.



---

Dane C. Nelson  
City Administrator

DCN:bjw

R07-043

March 17, 2008

**RE: UTILITIES DEPARTMENT – WATER DISTRIBUTION SYSTEM -Merrick Street Facility Electrical Replacement**

**RESOLUTION**

WHEREAS, bids were solicited from fifteen (15) firms and three (3) bids were received on February 26, 2008 by the City of Adrian Purchasing Office for electrical service replacement at the Merrick Street Facility, with the following results:

<u>Vendor</u>	<u>Amount</u>
Clegg Electric, Adrian, MI	\$ 6,000.00
MB Electric, Adrian, MI	\$ 9,570.00
Service Electric, Adrian, MI	\$11,100.00; and

WHEREAS, insurance proceeds are available in Contract Services (account #591-537.00-801.124) to cover the replacement cost due to an approved claim adjustment resulting from vandalism; and

WHEREAS, the Utilities Director and City Administrator recommend that the low bidder be awarded the bid and that Clegg Electric, Adrian, MI, be engaged in the City's Standard Professional Services Contract to replace the electrical service at the Merrick Street Facility; and

WHEREAS, Clegg Electric is owned by Michael Clegg, an Adrian City Commissioner; and

WHEREAS, the City Charter requires unanimous approval by the Adrian City Commission for goods and services obtained through an officer of the city; and

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the engagement of Clegg Electric, Adrian, MI in the City's Standard Professional Services Contract at a cost of \$6,000 to replace the electrical service at the Merrick Street Facility.

BE IT, FURTHER, RESOLVED that insurance proceeds be used to cover the cost of the aforementioned contract services.

On motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, this resolution was adopted by a \_\_\_\_\_ vote.

R-3

Adrian Fire Department



**Memorandum**

**To:** Mayor Gary McDowell, Adrian City Commission, City Administrator Dane Nelson

**From:** Paul G. Trinka

**CC:**

**Date:** 3/7/08

**Re:** Sale of 1984 3D Pumper

I concur with the recommendation of the Fire Chief to approve the sale of the Fire Department's 1983 3D pumper truck to Juan Martin Del Campo of San Diego, CA for \$1,500. Two bids were received as follows:

Juan Martin Del Campo	San Diego, CA	\$1,500.00
Cox Fire Apparatus	Taylor, MI	\$1,111.11

I urge your favorable consideration authorizing the sale of the fire pumper to Juan Martin. Del Campo for \$1,500.

  
 \_\_\_\_\_  
 Dane C. Nelson  
 City Administrator

DCN:bjw

Two bids were received for the purchase of the 1984 3D Pumper. I would recommend accepting the bid of \$1500 from Juan Martin Del Campo, P.O. Box 432980, San Diego, CA 92143.  
Vehicle to be accepted as is.

**R08-044**

March 17, 2008

**RE: FIRE DEPARTMENT – Sale of 1983 Fire Pumper**

RESOLUTION

WHEREAS, bids were received February 12, 2008, for the sale of the Fire Department's 1983 3D fire pumper truck; and

WHEREAS, said bids have been tabulated and recommendations made by Paul Trinko, Fire Chief, and the City Administrator; and

WHEREAS, said bids have been considered by the Adrian City Commission.

NOW, THEREFORE, BE IT RESOLVED that the bid for the sale of the 1983 fire pumper be awarded to Juan Martin Del Campo of San Diego, CA, for the sale price of \$1,500.00 under the terms and conditions as specified and as proposed in his sealed bid dated February 12, 2008.

On motion by Commissioner \_\_\_\_\_, seconded  
by Commissioner \_\_\_\_\_, this resolution was \_\_\_\_\_  
by a \_\_\_\_\_ vote.

R-4

DATE: March 12, 2008

TO: Honorable Mayor and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Firefighters Grant Program

The Adrian Fire Department is eligible to apply for a grant in the amount of \$22,000 from the U.S. Department of Homeland Security for the purchase of exercise equipment for use by the firefighters. The grant would require a 10% match (\$2,200) from the city.

For the safety of our firefighters, it is essential that they have the strength and endurance to carry out their duties. This equipment will assist them in that effort. I, therefore, recommend that the City Commission authorize the Fire Department to make application to the U.S. Department of Homeland Security for the aforementioned grant in the amount of \$22,000, as well as to the city's commitment to a 10% local match of funds.

  
\_\_\_\_\_  
Dane C. Nelson  
City Administrator

DCN:bjw



## Adrian Fire Department

# Memorandum

**To:** Mayor Gary McDowell, Adrian City Commission

**From:** Paul G. Trinka, Fire Chief

**CC:** City Administrator Dane Nelson

**Date:** March 7, 2008

**Re:** 2008 Assistance to Firefighters Grant Program

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The Fire Department requests permission from the City Commission to apply for a grant from the U.S. Department of Homeland Security. The 2008 Assistance to Firefighters Grant Program from DHS allows fire departments to purchase exercise equipment to be located at the station for firefighters. AFD would like to apply for funds to purchase a equipment that will enhance strength, endurance and cardio-pulmonary fitness. During the capital planning process a total of \$22,000 was allocated to purchase the equipment with 90% of the funds coming from the grant and the remaining 10% coming from the city.

The award would take place late in 2008 or 2009, after the current budget year. The Assistance to Firefighters program was established a number of years ago and has had great success in replacing equipment and training materials in fire departments throughout the country.

**R08-045**

March 17, 2008

**RE: FIRE DEPARTMENT – 2008 Assistance to Firefighters Act Grant Application**

**RESOLUTION**

WHEREAS, the Adrian City Fire Chief is requesting authorization to submit a grant application, under the auspices of the 2008 Assistance to Firefighters Act, for the purpose of acquiring exercise equipment to be located at the fire station for firefighters use at an estimated cost of \$22,000 (90% federal - \$19,800; 10% local match - \$2,200); and

WHEREAS, upon grant award, the Finance Director will recommend a funding source for the local match; and

WHEREAS, the Fire Chief and City Administrator recommend authorization to submit the aforementioned grant application and commitment of the 10% local match.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, authorizes the submission of a grant application to the U.S. Department of Homeland Security 2008 Assistance to Firefighters Grant Program for the purpose of acquiring exercise equipment to be located at the fire station, for use by the firefighters, at an estimated cost of \$22,000 (90% federal - \$19,800; 10% local match - \$2,200) and commits to funding the required 10% local match.

On motion by Commissioner \_\_\_\_\_,  
seconded by Commissioner \_\_\_\_\_, this  
resolution was adopted by a \_\_\_\_\_ vote.

R-5



# City Commission Memorandum

**To:** Dane C. Nelson  
City Administrator

**From:** James Tischler, AICP, PCP  
Director of Community Development

**Date:** March 12, 2008

**Subject:** City of Adrian Comprehensive Plan – Proposed 2008 Addendum

---

On December 17, 2007, the City Commission adopted a resolution authorizing the Planning Commission to proceed with preparation of amendments to the City of Adrian 2006 Comprehensive Plan, including dissemination of the draft for review and comment pursuant to the Municipal Planning Act. The Planning Commission proceeded to prepare amendments to the Plan, which were compiled into a "2008 Addendum" document. A copy of the proposed 2008 Addendum is included with this cover for your review.

On March 4, 2008, the 40-day comment period concluded, and that same day the Planning Commission conducted a hearing on the proposed 2008 Addendum. A record of all comments received prior to and at the Planning Commission's meeting are also included for your review. After the hearing, the Planning Commission voted unanimously to adopt the 2008 Addendum as presented.

Community Development respectfully recommends the City Commission favorably consider the attached resolution adopting the City of Adrian Comprehensive Plan – 2008 Addendum. I will be pleased to answer any questions either prior to or during your meeting.

CASE NO. 07-074  
PUBLIC HEARING TO HEAR AND CONSIDER COMMENTS TO  
COMPREHENSIVE PLAN AMENDMENTS

The purpose of the proposed amendment is to revise the Comprehensive Plan to address future growth of the City's institutions of higher education and to address several zoning decisions which required amendments to the Future Land Use Plan map and the Existing Functional Classification System Map. Chair Jacobitz asked for comments from the audience. Tom Neill, 149 South Madison Street, submitted a letter to the Commission, and talked about having the east side of South Madison Street (100 block) also designated as "quasi public/college or university", the same as the south side of Michigan Avenue (1200 and 1300 block). Mr. Ayre stated that the College has been approached by several property owners on that side of the block about purchasing property, however, no discussions have taken place. During discussions on these amendments, the Planning Commission used the streets as separation lines from one district to another. Staff recommends the Planning Commission act on adoption of the 2008 addendum as proposed. Commissioner Schebil moved that the Planning Commission recommend adoption of the 2008 addendum to the City of Adrian Comprehensive Plan as proposed. Commissioner Al-Omari supported.

In Favor of Motion: Schebil, Clegg, Jacobitz, Al-Omari, Johnson, McDowell, Barr

Against Motion: none

Motion carried unanimously.

March 3 2008

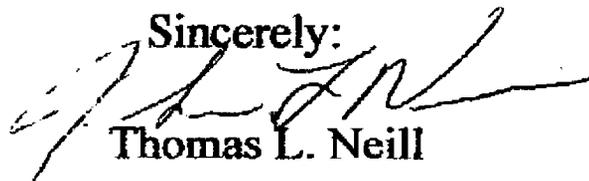
To: Adrian City Planning Commission

From: Tom & Sally Neill

Subject: E.R.O. zoning South Madison East side of St.

We feel that we should have the same rights as the people that live on the south side of Michigan Ave. In the new plan that the City has or is working on the growth of Adrian College. The City has put on the plan for all of South side of Michigan Ave west of Madison St to be ERO. I feel that as we live in the 100 block of South Madison and with in 300 feet of the property line of the Admission house. We should be treated the same as the Michigan Ave property,s on the south side In this spring across from our house the new graduation area and fountain will be put to use for the college by the bell tower. I feel that it is only fair as the plan is in motion to include our property in the plan. Thank you in your consideration of our request and I wish to put this letter on file.

Sincerely:



Thomas L. Neill

*submitted  
@ 3/4/08 pc mty.  
h.*



# ADRIAN & BLISSFIELD RAIL ROAD COMPANY

P.O. Box 95 • Blissfield, Michigan 49228-0095  
517-265-3626

January 31, 2008

Planning Commission  
City of Adrian  
100 East Church Street  
Adrian, Michigan 49221-2773

Re: 2008 Addendum to City of Adrian 2006  
Comprehensive Plan

Dear Sir or Madam:

Adrian & Blissfield Rail Road Company ("ADBF") has reviewed the 2008 Addendum to the City of Adrian 2006 Comprehensive Plan as detailed in your letter dated January 24, 2008.

ADBF interposes no objections or changes to the Addendum and supports the City of Adrian in its planning efforts.

Please feel free to call upon the undersigned if we can be of further assistance in any way.

Very truly yours,

ADRIAN & BLISSFIELD RAIL ROAD COMPANY

A handwritten signature in black ink that reads 'Mark W. Dobronski'.

Mark W. Dobronski  
President

MWD/paq

RECEIVED  
FEB 01 2008

CITY OF ADRIAN  
COMMUNITY DEVELOPMENT

**City of Adrian  
Comprehensive Plan**

**2008 ADDENDUM**

**Adopted: \_\_\_\_\_**

*Prepared by*  
**City of Adrian Planning Commission**  
**2008**

Michael Jacobitz, Chairman  
Khamis-Al-Omari, Vice Chairman  
Melvin Dye  
Peter Barr  
Gary McDowell, Mayor  
Chad Johnson  
Kirk Valentine, City Commissioner  
Marilyn Schebil  
Kristin Bauer, City Engineer

*Assisted by*  
**City of Adrian Community Development Department**

James Tischler, AICP, PCP, Director  
Leslie E. Kettren, AICP, PCP, City Planner  
Denise Cook, Secretary

## **2008 Addendum**

### **Amendments to City of Adrian Comprehensive Plan**

#### **Authorization**

The authorization to amend the City of Adrian's Comprehensive Plan is granted in the Municipal Planning Act 285 of 1931, which addresses adoption, contents, amendments, recommendations and land use issues of the Comprehensive Plan.

#### **Introduction**

During 2007, there was a general recognition that the development trends within the City were changing due to increased enrollment at the secondary educational institutions and universities. Specifically, the increase in enrollment had created a housing shortage affecting Adrian College. In addition, the Planning Commission had considered several zoning cases which required amendments to the Future Land Use Plan map and the Existing Functional Classification System map.

#### **Planning Process**

On December 6, 2007, the Planning Commission held its first work session to discuss potential amendments to the City of Adrian Comprehensive Plan. The Commission invited representatives from Adrian College to explain the College's future expansion plans. The Commission members discussed what changes should be made to the Plan, including increased enrollment and resulting housing issues, future academic programs and where future campus growth should occur. During this work session, the Commission identified several directions where future growth should take that would be in compliance with the college/university needs and in harmony with surrounding land uses.

*Notes from the December 6, 2007 meeting are included with this document identified as ATTACHMENT A.*

On December 17, 2007, a resolution was adopted by the City Commission to authorize the Planning Commission to proceed immediately with any amendments to the Comprehensive Plan and to proceed with its distribution on or before January 31, 2008.

*A copy of the resolution is included with this document identified as ATTACHMENT B.*

On January 3, 2008, the Planning Commission held its second work session. At this meeting, the Commission reviewed the notes from the December 6 work session and again discussed where the best locations would be for future expansion of the colleges/university. The Commission then began to discuss specific parcels surrounding the Adrian College properties, parcels surrounding Siena Heights University, the Marvin Property located along West Beecher Street, and parcels located along the Kiwanis Trail. In addition, the Commission discussed specific changes to the Future Land Use Map, where future park land should be located on the west side of the City, and the proper location for work release facilities.

*Notes from the January 3, 2008 meeting are included with this document identified as ATTACHMENT C.*

### **Amendments to the Plan**

The Planning Commission authorized staff to prepare language to amend only those sections that need to be revised. Over the next five years, the Planning Commission intends to annually revisit the Comprehensive Plan and determine whether it should be amended or not. Each year it is reviewed, any amendments will be attached to the Comprehensive Plan in an addendum format.

A complete list of the 2008 amendments is as follows:

1. Chapter 2. Regional Setting & Historical Background.

Amendments to Chapter 2 include adding an additional paragraph that addresses the increase of enrollment at the City's institutions of higher education. In the Comprehensive Plan, the changes will be made to the Development Trends section, page 2-6, where additional language is added at the end of the section. The added paragraph reads as follows:

*"Adrian is home to three institutions of higher education: Adrian College, Siena Heights University and Jackson Community College at Lenawee VO-TECH. All three institutions are either experiencing growth in the number of students each serves or are in the process of planning for future growth."*

2. Chapter 4. Vision Statement, Goals & Objectives

Amendments to Chapter 4 include adding an additional goal with supporting objectives and strategies to address the increase of enrollment at the City's institutions of higher education. The new goal should be added under the section called Goals, Objectives & Strategies, after page 4-6. The language to be added is as follows:

***“GOAL: Support the growth in student populations at higher education institutions, while maintaining the character of the adjacent neighborhoods.***

*Objective: Permit planned growth of the campuses so that the institutions can maintain sufficient size and area for economic sustainability.*

*Strategies:*

- √ *Encourage the educational institutions to engage in both short (3-5 years) and long-range (more than 5 years) planning as to facilities’ needs and land use.*
- √ *Direct future expansions and the use and development of land to areas designated on the Future Land Use Map as Quasi-Public/College or University use. Rezoning of parcels that create small pockets of residentially zoned properties, or that insert College or University uses among residential uses, should be avoided.”*

### 3. Chapter 5. Land Use Plan

The amended Future Land Use Plan map (ATTACHMENT D) replaces Map 5-1 (found on the page following 5-4 in the Comprehensive Plan). The rationale for the map changes is as follows:

*Further explanations can be found in the notes from the Planning Commission work sessions, ATTACHMENTS A & C.*

#### A. Parcels Adjacent to Adrian College Properties

1. Along Michigan Avenue, houses on the north side have already been zoned ERO, therefore these parcels are changed from Single/Two Family Residential to Quasi-Public/College or University.
2. Parcels along Madison, Williams, Charles and Michigan are also changed from Single/Two Family Residential to Quasi-Public/College or University to eliminate “spots” and to make it consistent with existing uses.
3. Parcels where the former Days Inn and the Adrian Village Apartments are located (off of West Maumee Street) are adjacent to a large section of the Adrian campus, gives the college access to US-223 and to West Maumee Street, and the buildings are functionally obsolete in their current use. Therefore, these parcels are changed from Multiple

Family Residential and General Commercial to Quasi-Public/College or University.

4. Properties located along University Avenue, Charles and Madison Streets are designated as Quasi-Public/College or University, a change from Single/Two Family Residential. These parcels permit the campus to fill out the block, provide access to West Maumee Street, provide a front door to campus and are contiguous to all the other parcels that the Planning Commission has designated as Quasi-Public/College or University.
5. The College already owns one of the parcels at the southwest corner of Madison and Michigan Avenue, so these parcels are also planned for Quasi-Public/College or University, a change from Single/Two Family Residential.
6. The parcels along the south side of Michigan Avenue (between Charles and Madison) are also planned for Quasi-Public/College or University, a change from Single/Two Family Residential. A new entrance to the college off of US-223, near the ice arena, would reduce traffic on neighborhood streets near the College campus. These parcels can provide an entrance for the college and would be a good egress/ingress for sporting events.
7. The parcel where the College's Admission House is located will remain designated as Single/Two Family Residential. The Planning Commission reviewed this parcel in-depth and found that although this parcel is contiguous to campus, Madison Street should be the demarcation line and that Adrian College should not expand east of Madison Street. If this parcel was planned for Quasi-Public/College or University use, the campus would be expanding into an established and stable neighborhood. The Planning Commission also determined that the Admission House on this parcel can be easily converted back into a single family use (*the Zoning Board of Appeals has granted a temporary use permit which expires in September 2011*).

**B. Parcels Adjacent to Siena Heights University**

1. The parcels located on the east side of Addison Street at Siena Heights Street are now planned for Quasi-Public/College or University, a change from Single/Two Family Residential. These parcels are shown on the University's Campus Master Plan as an area for future expansion.

2. The parcel located on Elm Street is owned by the University and is therefore planned for Quasi-Public/College or University use, a change from Multiple Family Residential. The University is discussing the possibility of developing a new entrance off of Oakwood Drive, and this parcel fits into the Campus Master Plan.

C. Marvin Property (along West Beecher Street and Sand Creek Highway)

1. The Planning Commission reasoned that these parcels have inadequate water pressure for commercial or industrial uses and would be more conducive to residential use. Industrial use would require a water tower which would be cost prohibitive. Therefore, the Commission now plans for these parcels to be changed from Single/Two Family Residential and Commerce Center use, to a Flexible Development Area.

D. Property Adjacent to Disabled American Veterans (DAV) Property (at Albert and Broad Streets)

1. The property was shown as being planned for Single/Two Family Residential. This is now changed to Quasi-Public/College or University use as a result of Planning Commission Case 07-020, Site Plan approval to construct additional parking on the parcel adjacent to the DAV site.

E. Split-Designated Parcels

Several parcels on the Future Land Use Plan map had been given two separate designations. These parcels are now planned for only one designation, as opposed to a split-designation:

1. Parcels located along South Main Street (M-52) were designated as both light and heavy industrial. They are now planned for light industrial only.
2. Parcels located at the intersection of Church and Center Streets were designated as both Neighborhood Commercial and Single-Two Family Residential. They are now planned for Neighborhood Commercial.

F. Parcels to be designated as Park Land on the west side of the City

1. At this time, no additional parcels are being planned for use as park land on the west side of the City. The Parks and Recreation Department is developing a Parks & Recreation Master Plan over the next few months and has requested that the Planning Commission not make any changes to the Future Land Use Plan map until the document is adopted. The Planning Commission will address park land issues during the 2009 Comprehensive Plan review process.

4. APPENDIX A5. Existing Transportation Conditions Inventory

The amended Existing Functional Classification System map (ATTACHMENT E) replaces Map A5-2 which is found on the page following A5-6. The proposed change to this map was a result of the Adrian City Planning Commission Case No. 07-020, a Site Plan Review for the Disabled American Veterans (DAV). The Existing Functional Classification System map incorrectly classified the section of Broad Street in front of the DAV parcel as a local street, rather than as a collector street.

**Adrian City Planning Commission  
Work Session – December 6, 2007  
Starting Time 6:30 p.m.  
Second Floor Conference Room of City Hall**

**Attachment A**

Present: Jacobitz, Al-Omari, McDowell, Valentine, Bauer, Barr, Dye, Schebil

Rick Creehan and Dale Nesbary from Adrian College  
L. Kettren – City Planner  
D. Cook – Secretary

Mr. Creehan mentioned the following items the college is focused on:

1. Currently doing expansion of the dining room and housing.
2. Trying to acquire properties contiguous to the college.
3. Would like access onto US-223
4. Would like to lease Utilities Building on Merrick Street for use as their Physical Plant. – understand that will not happen
5. Planning on 1,400 students
6. Want to have Admission House (135 S Madison) to stay an admission house.
7. Want to have Admission House (135 S Madison) rezoned to ERO
8. Would like to buy the house to the south (143 S Madison – Chris Miller)
9. Would like to buy the house on Williams Street (1248 Williams) – this will give them that entire block.
10. Would like to buy the house at 116 South Charles (Sam Lieto)
11. Goal is to have a class of 450 freshmen.
12. Doesn't have money to build new dorm
13. May have money to buy existing apartment building to use as a dorm.
14. Would like to acquire houses on north side of Michigan (between Charles & Madison), and possibly across Madison Street, and Charles St at the every end of the block by Michigan Avenue
15. Doesn't know if college is interested in homes on the west side of Madison St between Williams and Maumee
16. If college acquires 1248 Williams, this would make for a nice piece of property for an academic building space.
17. Never heard the college had an interest is property west of US-223 – would need to bridge or tunnel for student safety.

Dale Nesbary mentioned the following:

1. The college can't handle more than 1,400 students given their current classroom capacity right now.

Mr. Creehan and Mr. Nesbary left the work session at 7 p.m.

The Commission members then focused on future land growth for the "Quasi-Public/College or University" area.

The Commission agreed on the following:

1. Michigan Avenue: Houses on the north side have already been zoned ERO.
2. Should square off the block (Madison, Williams, Charles, Michigan), which will make it consistent with existing use. This would eliminate “spots”.
3. Days Inn and Adrian Village Apartment:
  - a. Are adjacent to a large amount of campus.
  - b. Gives the college access to US-223 and West Maumee Street
  - c. Both buildings are functionally obsolete in their current use
2. University Avenue/Charles Street/Madison Street Chunk:
  - a. It permits the campus to fill out that one block.
  - b. Provides access to West Maumee
  - c. Provides front door to campus
  - d. Is contiguous to everything the Planning Commission is doing
3. SW Corner of Madison and Michigan Avenue:
  - a. College owns one of those parcels already
4. Admissions Office:
  - a. Expands campus into an established and stable neighborhood.
  - b. It is a contiguous parcel to campus
  - c. Use Madison Street as a demarcation line
  - d. Admissions House can easily be converted back into a house
5. Michigan Avenue as Entrance to College:
  - a. Houses along south side of Michigan Avenue should be included in “Quasi-public/College or university”
  - b. Would be good egress/ingress for sporting events
  - c. Would have hard time getting from Main Street onto Michigan Ave
  - d. Would reduce college traffic from Charles Street
  - e. Entrance from US-223 was shown on the ice arena site plan
6. South Side of Michigan Avenue (between Charles and Madison):
  - a. This should be changed to “Quasi-public/College or university”

The Commission then discussed potential growth for Siena Heights University:

1. Apartment house on east side of Addison Street at Siena Heights should be “Quasi-public/College or university”
2. University is talking about a new entrance off of Oakwood Road

The Commission then discussed the following items:

1. On East Albert Street (DAV site) – colors needs to be corrected
2. Marvin Farm property (along Sand Creek Highway):

- a. There is problem getting enough water
- b. These are some of the highest points in the City
- c. Topography would be a problem for a large footprint building.
- d. Frontage should be commercial and back portion should be residential
- e. The yellow and striped areas should be flexible development area

3. Neighborhood Parks on the west side:

- a. There is no park within walking distance
- b. Should give up a park on the east side if park on the west side if developed. Maintaining so many parks is cost prohibitive
- c. Potential locations:
  - 1) Vacant land west of 1341 West Maple
  - 2) A lot in Scott Ridge Subdivision at dead end of Auborne
  - 3) Khamis and Peter want designated area on map

The next work session shall be Thursday, January 3 at 7 p.m. in conference room. Mike to send reminder to Commissioners. Mike and Leslie to work on text amendments to the plan and try to have it for this 1/3/08 meeting.

Adjourned at 8:21 p.m.

**RE: ADRIAN CITY PLANNING COMMISSION – 2006 Comprehensive Plan  
Amendments and Approval of Disseminating Amendments for Review**

**RESOLUTION R07-221**

WHEREAS, the State of Michigan has adopted the Municipal Planning Act (Act 285 of 1931, as amended), which provides, in part, for preparation, dissemination, review and adoption of municipal Land Use Master Plans and subsequent amendments; and

WHEREAS, the City of Adrian 2006 Comprehensive Plan was prepared, reviewed and adopted following requirements of Act 285; and

WHEREAS, the Adrian City Planning Commission took action on September 11, 2007 to initiate review of the 2006 Comprehensive Plan and prepare amendments for review and dissemination, and that such amendments shall be forthcoming by January 31, 2008; and

WHEREAS, Act 285 requires approval of a municipality's governing body in order to disseminate proposed amendments to adjacent jurisdictions for review.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission hereby approves distribution of any forthcoming 2006 Comprehensive Plan amendments proposed by the Adrian City Planning Commission for review in accordance with Act 285.

STATE OF MICHIGAN )

ss

COUNTY OF LENAWEE)

I hereby certify that the above is a true and complete copy of a resolution adopted by the City Commission of the City of Adrian, County of Lenawee, State of Michigan, at a Regular Meeting held on December 17, 2007, and that public notice of said meeting was given pursuant of Act No. 267, Public Acts of Michigan, 1976, including in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen hours prior to the time set for the meeting.



Pat Baker  
City Clerk

Adrian, Michigan

Dated this 22<sup>nd</sup> day January 2008

**Adrian City Planning Commission  
Work Session  
January 3, 2008**

**Attachment C**

The work session started at 7:10 p.m.

Members Present: Mike Jacobitz, Khamis Al-Omari, Mayor McDowell,  
Kirk Valentine, Peter Barr, Mel Dye

Also Present: Leslie Kettren, City Planner  
Denise Cook, Secretary

Ms. Kettren was asked to make corrections to the Transportation Map.

The members reviewed the notes from the December 6 work session.

135 South Madison Street: There was discussion on 135 South Madison Street (Admissions House). There was a consensus of the members that the Admissions House use was in obtrusive to the surrounding neighborhood. There was discussion on rezoning this property to R-O or possibly amending R-4 to give special exception that would permit the Admissions House (i.e. College/university administration office use, limited traffic, specified distance from adjacent residential).

Addendum to Page 2-6: The members were in receipt of draft language that would mention the existing colleges and university. Some changes were made to the language (see attached). Ms. Kettren was directed to make the changes and submit this addendum to the Planning Commission for public discussion.

Amend Potential Growth for Siena Heights University: The following should be added:

1. 1040 Elm Street – the university now owns this property.
2. Include housing (960, 948 and 922 Addison) on east side of Addison Street, from Siena Heights Drive south to Mulberry Street. The Siena Heights University shows this area on their master plan.

Marvin Property: This discussion includes the property zoned B-2 and RT zoned areas along West Beecher and Sand Creek Highway. It was found that the water pressure would not be adequate for heavy commercial or industrial, but would be adequate for residential. Industrial use would require a water tower which would be cost prohibitive. Discussion followed on how property should be used. The consensus of the members was to change both these areas (B-2 and RT) to Flexible Development, with frontage along West Beecher to remain B-2.

GIS Land Use Map: The final version of the map to be presented to Planning Commission was completed.

Park Land: Staff had discussion with Mark Gasche, Community Services Director and Robert Gentry, City Forester regarding future growth. The Parks & Recreation Department will be developing a master plan. When this has been done, it will be

brought to the Commission for discussion. There was discussion that if there is potential for park land along the river, it could include privately owned property.

By-Laws: There will be some changes to the By-Laws. The consensus of the members was that any voting member of the Planning Commission should reside within the City. It was also felt that the City Engineer brings great value to the Commission. The by-laws will be changed to reflect the City Engineer be considered an outside source. Chair Jacobitz to bring draft language to meeting for consideration.

Work Release: The City Commission had requested the Planning Commission remove work release facilities as a use from the B-3 district. Discussion followed. The Downtown Blue Print talks about development along the river front as a long term goal, feel work release facility would be a deterrent to potential development. The consensus was to remove work release facilities from the B-3 District. This will be discussed at a meeting of the Planning Commission.

Adjourned 8:53 p.m.



# FUTURE LAND USE PLAN

City of Adrian  
Lenawee County, MI  
Map 5-1 (as amended)

### Municipal Buildings

- a City Hall/Police Department
- b Fire Department
- c DPW/Parks & Forestry
- d Water Treatment Plant
- e Waste Water Treatment Plant
- f Operations and Maintenance
- g Oakwood Cemetery
- h City Library

### County Buildings

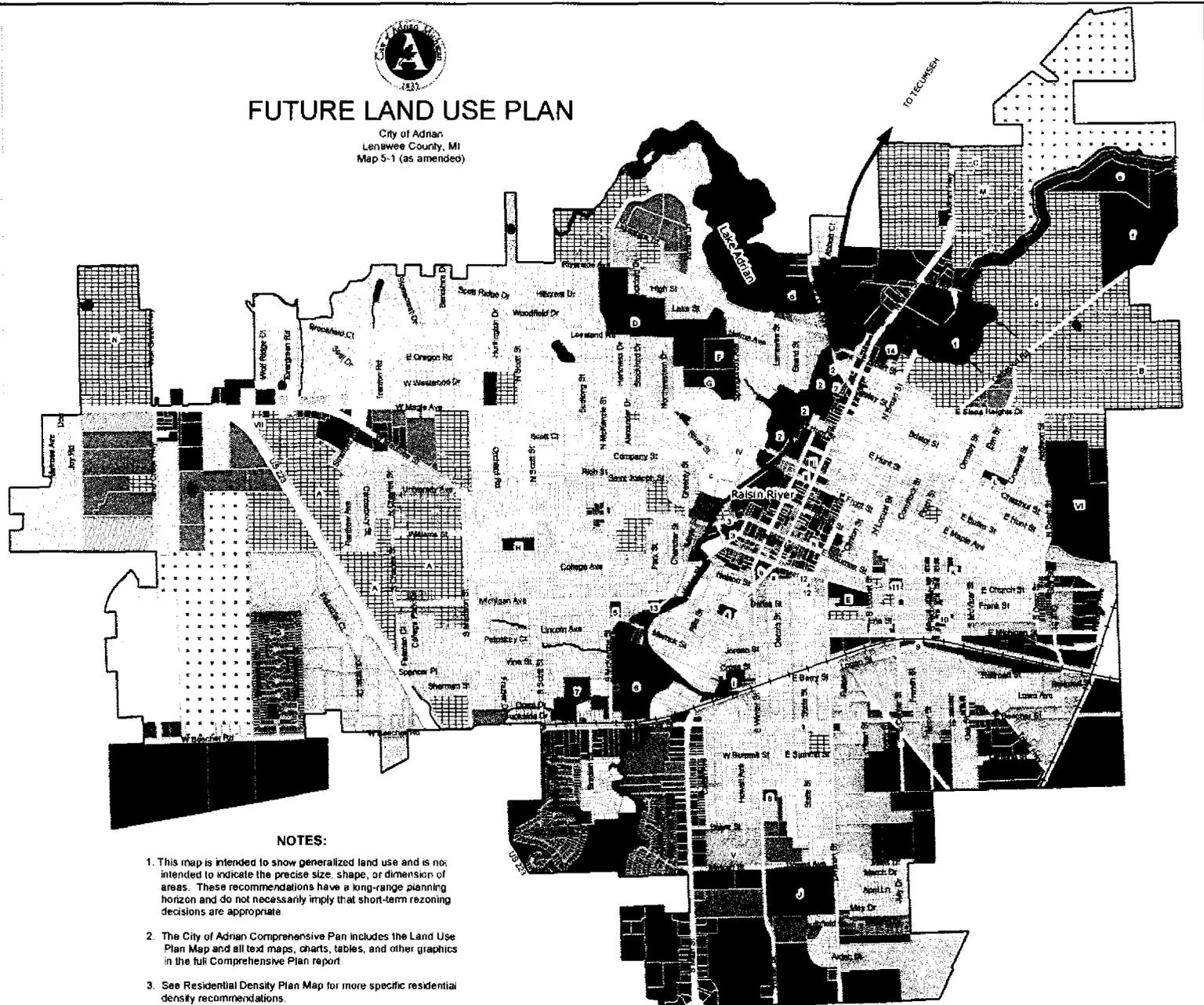
- II Court House
- III Rex B. Martin Judicial Building
- IV Physical Resources Building
- V Health Department
- VI Fair Grounds
- VII County Library

### Educational Facilities

- A Adrian College
- B Siena Heights University
- C Jackson Community College
- D Adrian High School
- E Adrian 5-8
- F Adrian 7-8
- G Alexander Elementary School
- H Lincoln Elementary School
- I Garfield Elementary School
- J Michener Elementary School
- K Comstock Elementary School
- L McKinley Elementary School
- M Lenawee County Vo-Tech
- N Lenawee Christian School

### Public Parks

- 1 Island Park
- 2 Trestle Park
- 3 Comstock Park
- 4 Fee Park
- 5 West Park
- 6 Riverside Park
- 7 Burr Ponds
- 8 Dana Park
- 9 Dunlap Park
- 10 Erie Street Park
- 11 Monument Park
- 12 Berry Park
- 13 Elder Mill Park
- 14 Adrian Skate Park



### Legend

- SINGLE/TWO FAMILY RESIDENTIAL
- MULTIPLE FAMILY RESIDENTIAL
- MOBILE HOME PARK
- LIVE WORK (OFFICE/RESIDENTIAL)
- OFFICE
- DOWNTOWN MIXED USE
- NEIGHBORHOOD COMMERCIAL
- GENERAL COMMERCIAL
- FLEXIBLE DEVELOPMENT AREA
- LIGHT INDUSTRIAL
- HEAVY INDUSTRIAL
- QUASI PUBLIC / COLLEGE OR UNIVERSITY
- PUBLIC / PUBLIC SCHOOL
- PARK / RECREATION
- KENNIS TRAIL
- CITY LIMITS

### NOTES:

1. This map is intended to show generalized land use and is not intended to indicate the precise size, shape, or dimension of areas. These recommendations have a long-range planning horizon and do not necessarily imply that short-term rezoning decisions are appropriate.
2. The City of Adrian Comprehensive Plan includes the Land Use Plan Map and all text maps, charts, tables, and other graphics in the full Comprehensive Plan report.
3. See Residential Density Plan Map for more specific residential density recommendations.

January 24, 2008

Map provided by: City of Adrian GIS  
Chris Atkin, GIS Coordinator



# Existing Functional Classification System

City of Adrian  
Lenawee County, MI  
Map A5-2 (as amended)



### Legend

- City Limits
- Major Arterial
- Minor Arterial
- - - - Collector
- Local Street

January 24, 2008

Map provided by: City of Adrian GIS  
Chris Atkin, GIS Coordinator

**R08-046**

March 17, 2008

**RE: CITY OF ADRIAN 2006 COMPREHENSIVE PLAN - 2008 ADDENDUM**

**RESOLUTION**

WHEREAS, the State of Michigan has adopted the Municipal Planning Act (Act 285 of 1931, as amended), which provides, in part, for preparation, dissemination, review and adoption of municipal land use master plans and subsequent amendments; and

WHEREAS, the City of Adrian 2006 Comprehensive Plan was prepared, reviewed, and adopted following requirements of Act 285; and

WHEREAS, the Adrian City Planning Commission took action on September 11, 2007 to initiate review of the 2006 Comprehensive Plan, prepared amendments for review and dissemination, compiled said amendments into a 2008 Addendum, and approved the 2008 Addendum on January 8, 2008 for distribution; and

WHEREAS, on January 24, 2008, the proposed 2008 Addendum was transmitted to reviewing entities for a 40-day period as required by Act 285; and

WHEREAS, upon conclusion of the 40-day review period, on March 4, 2008 the Adrian City Planning Commission conducted a public hearing on the proposed 2008 Addendum, and then unanimously approved the proposed 2008 Addendum for transmittal to the Adrian City Commission; and

WHEREAS, Act 285 requires approval of a municipal land use master plan by a municipality's governing body;

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission hereby acknowledges receipt of the proposed City of Adrian 2006 Comprehensive Plan - 2008 Addendum and finds that it meets all criteria for approval under Act 285; and

BE IT, FURTHER, RESOLVED that the Adrian City Commission hereby adopts the proposed City of Adrian 2006 Comprehensive Plan - 2008 Addendum in accordance with Act 285.

On motion by Commissioner \_\_\_\_\_, seconded  
by Commissioner \_\_\_\_\_, this resolution was  
\_\_\_\_\_ by a \_\_\_\_\_ vote.

R-6

DATE: March 12, 2008

TO: Honorable Mayor and City Commissioners

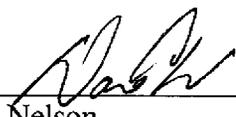
FROM: Dane C. Nelson, City Administrator

SUBJECT: Design of Electrical Upgrades at the Adrian Public Library

The architectural firm for the library project, Bona & Kolb, completed a preliminary evaluation of the library's electrical system in the fall of 2007. The conclusion was that the current electrical system, most original to the building, needed further evaluation as to its functionality.

Bids were received on March 6, 2008, for design services for electrical upgrades, with Service Electric of Adrian, MI, being the low bidder at \$5,960. Once the design services are completed, bids will be solicited for the actual installation of the recommended upgrades.

I urge favorable consideration to retain Service Electric of Adrian, MI, for design services on the electrical system at the Adrian Public Library at a cost of \$5,960. Funds are available in the Library Capital Improvement Account for this project.

  
\_\_\_\_\_  
Dane C. Nelson  
City Administrator

DCN:bjw

R-6



143 E. Maumee St. • Adrian, Michigan 49221-2773

Adrian Public Library

(517) 265-2265 • Fax (517) 265-8847  
www.adrian.lib.mi.us

**March 11, 2008**

**To: Honorable Mayor Gary McDowell and City Commission**

**From: Carol Souchock, Adrian Public Library Director**

**cc: Dane Nelson, City Administrator and Jeff Pardee, Finance Director**

**Re: Adrian Public Library Electrical Upgrade - Phase One**

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In the fall of 2007, the architectural firm of Bona & Kolb conducted a preliminary evaluation of the condition of Adrian Public Library's electrical system in preparation for the facade replacement and the adaptability of the recovered space on the south side of the library. During this preliminary evaluation, it was discovered that most of the library's electrical system was original to the building and was over fifty years old. A few electrical panels in the building had been added or replaced in the last twenty years.

The electrical systems are well past their expected service life and will be difficult to maintain in the event of a failure. It will be necessary during the planned renovations to turn the power off. The power has never been turned off in the building. There is a serious concern, once turned off, power may not be recovered when it is turned back on.

Before construction can take place, the current electrical system must be evaluated and a determination made regarding the functionality of the service entrance, wire, service equipment and panels. Once the status of the current system is determined, the library's updated electrical system must be designed and implemented.

Bona & Kolb submitted a bid to conduct the necessary evaluation of the electrical system and create an upgraded service design. City Administrator, Dane Nelson, and I decided to bring this project back to the City of Adrian and allow local electrical contractors an opportunity to bid on the project.

The City of Adrian recently completed the bid process for Phase One of Adrian Public Library's electrical upgrade. Phase One of the electrical upgrade involves determining the current electrical situation and designing the upgraded service. The lowest bid received was from Service Electric Company.

I request permission from the City Commission to award this bid to Service Electric. The attached resolution has been prepared for consideration by the City Commission at their meeting of March 17, 2008.

At the completion of Phase One of the electrical upgrade, another bid will be released for the implementation of the service upgrade and local firms will, once again, have the opportunity to compete for the project.

If you have any questions or need for further information, please contact my office.

CITY OF ADRIAN, MICHIGAN  
ELECTRICAL DESIGN – ADRIAN PUBLIC LIBRARY  
DUE DATE: MARCH 6, 2008

BIDDER	AMOUNT	
Service Electric Adrian, MI	\$ 5,960.00	
Clegg Electric Inc Adrian, MI	\$ 6,440.00	
MB Electrical Adrian, MI	\$ 6,500.00	

**R08-047**

March 17, 2008

**RE: ADRIAN PUBLIC LIBRARY –Authorization to Engage Electrical Contractor to Design System Upgrades at Library**

**RESOLUTION**

WHEREAS, sealed bid proposals were solicited and three (3) received on Thursday, March 6, 2008 by the City's Purchasing Agent for the design of electrical upgrades at the Adrian Public Library, located at 143 E. Maumee Street, with the following results:

<u>Company</u>	<u>Location</u>	<u>Amount</u>
Service Electric Company	Adrian, MI	\$5,960.00
Clegg Electric, Inc.	Adrian, MI	\$6,440.00
M.B. Electrical	Adrian, MI	\$6,500.00; and

WHEREAS, once the design phase has been completed, the intention is to solicit additional bid proposals to install the electrical upgrades consistent with the design specifications; and

WHEREAS, the City Finance Director indicates that sufficient funds are available for this purpose in the Library Capital Improvement Account (101-738.00-975.000); and

WHEREAS, the Library Director and City Administrator recommend authorization to engage the low bidder, Service Electric Company, Adrian, MI, for the purpose of designing electrical upgrades at the Adrian Public Library.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the engagement of Service Electric Company, Adrian, MI, in the City's Standard Professional Services Contract for the purpose of designing electrical upgrades at the Adrian Public Library at a cost not to exceed \$5,960.

On motion by Commissioner \_\_\_\_\_,  
seconded by Commissioner \_\_\_\_\_, this  
resolution was \_\_\_\_\_ by a \_\_\_\_\_ vote.

R-7

# MEMO \_\_\_\_\_



DATE: March 12, 2008  
TO: Honorable Mayor and City Commission  
FROM: Dane C. Nelson, City of Adrian  
SUBJECT: LISD/City of Adrian Land Division – North M-52

In 2001, the Lenawee Intermediate School District (LISD) and the city acquired real property from John Manders, which property is located adjacent to the property owned by the LISD where Vo-Tech is located on North M-52. At that time, the city and LISD agreed to divide the property with the LISD to acquire the property adjacent to the highway, with the city to acquire the lower land at the rear of the property. The land was to be surveyed with the city to end up with approximately 20 acres and an easement from M-52 to the back of the property for maintenance purposes only.

There was a long delay in getting survey work completed and it is well past time to conclude all of the documents needed. In fact, some documents had been signed before and were apparently misplaced before they were recorded at the Register of Deeds. In addition, Jackson Community College has constructed a facility at this location, as well, causing water and sewer easements to be necessary. To wrap up all of these documents, it is necessary to authorize the Mayor and Clerk to sign all documents that are needed to take care of the utility issues and land separation. The documents are lengthy and have not been included with this package. Needed is authority to execute the deed to divide the property, three water main easements, a storm drainage easement and a sanitary sewer maintenance and operation agreement. A proposed resolution is attached for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Dane C. Nelson'.

Dane C. Nelson  
City Administrator

DCN:bjw

**RESOLUTION**

WHEREAS, the Lenawee Intermediate School District and the City of Adrian have jointly acquired property from John Manders, et al, which property is located adjacent to North M-52, with the understanding between the parties that the property would be separated with an easement retained by the city; and

WHEREAS, the development on said parcel of property and adjacent to the property, including a facility built by Jackson Community College, has caused a need to create three water main easements, a storm drainage easement and a sanitary sewer and maintenance and operation agreement, with the documents to be executed by the Intermediate School District, Jackson Community College and the City of Adrian.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS: that the Mayor and City Clerk be, and are hereby authorized to execute three water main easements, a storm drainage easement, a sanitary sewer maintenance and operation agreement, a deed to the Lenawee Intermediate School District, and any other documents necessary to resolve pending utility and property ownership issues associated with the Lenawee Vo-Tech campus on North M-52, as prepared by and approved by the City Attorney.

On motion by Commissioner \_\_\_\_\_, seconded  
by Commissioner \_\_\_\_\_, this resolution was \_\_\_\_\_  
by a \_\_\_\_\_ vote.

# MISCELLANEOUS

92-1

**CITY OF ADRIAN**  
**COMMUNITY DEVELOPMENT WORK PROGRAM REPORT**  
**March 12, 2008**

**I. Land Use**

A. Planning Commission (A-CPC)

i. Casework

- a. April Mtg – Public Hearing – Text Amendments for sponsorship banners on City property
- b. April Mtg – Public Hearing – Consider zoning exception permit for 730 Riverside Avenue – Request is for pharmacy to sell medical supplies/equipment per prescription
- c. March Mtg – discussion on conditional zoning or special exception for Adrian College Admission Office at 135 South Madison Street
- d. City Planner and PC Chair attended Madison Township Planning Commission meeting regarding approval of their land use plan. City has requested joint meeting with Planning Commissions
- e. December Mtg – Public hearing to consider adaptive reuse – 440 E. Church Street – Barnabas Mission – on hold pending development “homeless shelter” language.
- f. December Mtg - Public hearing to consider rezoning 440 E Church from B-1 and R-4 to B-1 Local Business -- on hold pending development “homeless shelter” language.
- g. December Mtg – Review Site Plan for Barnabas Mission, 440 E Church – on hold pending development of “homeless shelter” language.
- h. Revised site plan review for North Towne Commons – waiting on revised drawings
- i. Raisin Charter Township Land Use Plan – L Kettren volunteered as a representative of City to help township with this plan. Waiting for response from township.
- j. Discussion to resolve on-site drainage with Adrian College & City Engineer -- ongoing
- k. Land Division – 413 South Dean Street – waiting on survey
- l. Land Division – 402 S Tecumseh – waiting on application and survey
- m. Land Division – 715 Lakeshire – waiting on go-ahead from applicant
- n. Pre-meetings with Planning Commission chair & vice chair re agenda
- o. Bench Signs – working on inventory/locations and enforcement
- p. Attend Planning Commission meetings

ii. Special Projects/Tasks

- a. Steering Committee – Schedule meeting to review proposals
- b. Rewrite Zoning Ordinance & setting up and attending Steering Committee meetings, ongoing
- c. Form-Based Code Research, ongoing
- d. Attend weekly staff meetings
- e. Prepared and distributed Planning Commission Packets

- f. Researching Smart Growth Readiness Assessment Tool
- g. Respond to phone calls from Mike Ayre, Adrian College, regarding student housing issues
- h. Sent reminder to Adrian College of unresolved issues with Baseball Stadium site plan. Need to be resolved before Certificate of Occupancy
- i. Discussion and research on homeless shelters. Third meeting of Ad-Hoc Committee will be 2/18/08
- j. Correspondence by e-mail to rep from Advanced Auto Parts for contact information on Madison Township
- k. Discussion with interested party on temp building/use on Michgian Ave by Kiwanis bike trail – purpose would be to lease bicycles
- l. General rezoning information on rezoning Dura, 1365 E Beecher to possible commercial
- m. Discussion on requirements for massage therapy at 710 E Maumee
- n. Research on City concerns pertain to Madison and Adrian Township's land use plans
- o. Responding to architect on site plan requirements for new restaurant at 922 East Beecher Street
- p. Communication to be sent to PPG Industries concerning outside storage.
- q. Working on LUCA Program – due date April 1

B. Board of Zoning Appeals (A-BZA)

- i. Casework
  - a. April Mtg -- Variance for Adrian Steel, 906 James Street
  - b. April Mtg – Temp Bldgs for Adrian College
  - c. Attend ZBA Meeting
  - d. Pre-Meeting with ZBA Chair & Vice Chair regarding agenda
- ii. Special Projects
  - a. Rewrite Zoning Ordinance
  - b. Form-Based Codes research
  - c. Reviewing new Codified Zoning Ordinance for unclear language
  - d. Setting up and attending Steering Committee meetings
  - e. Research language on LEED Certification for lighted signs
  - f. Research other communities who have eliminated pole signs

## II. Downtown/Economic Development

### A. Downtown Development Authority (A-DDA)

- i. Design
  - a. DDA Façade Rehabilitation Program Administration – DDA Board Disposition – Project Administration
    - i. 132 North Main Street – Awaiting Project Completion
      - OPRA Exemption – Approved - Completed
      - Brownfield MBT Credits – Assisted Applicant with Part II application upon approval of Brownfield Redevelopment Plan
      - Federal Historic Tax Credit – Assisted Applicant/Architect with Phase I application – Received Preliminary Approval from SHPO requiring minimal amendments – provided assistance to architect and applicant in the provision of the additional requests from SHPO
      - Relocation of Public Dumpster – Working with City Engineering to develop bid specifications (project expected to commence in spring of 2008)
    - ii. 113 W. Maumee Street – Received Applicant Prints/Awaiting Additional Construction Estimates (waiting on additional information from the applicant to proceed with project) Expected to be a \$500,000 full rehabilitation City Facilitation of Redevelopment Incentives
      - OPRA
      - DDA Façade
      - Public Infrastructure Covered Parking
      - Brownfield MBT Credit
      - Historic Tax Credits???
    - iii. Toledo Street South Municipal Parking Lot Dumpster Reconstruction Project – Receipt of Project Bids From Slusarski and Rock Hard Concrete
    - iv. Church Street Parking Lot Reconstruction Design Working with the City Engineer’s Department on Development of Prints and Supporting Bid Package
  - b. Redevelopment Incentive Programs – Property Owner Assistance and Review
    - i. 132 N. Main Street – see above (ongoing)
    - ii. 113 W. Maumee Street – see above (ongoing)
    - iii. 101-111 E. Maumee Street – OPRA Exemption Request, Brownfield Redevelopment Plan Authorization/Development, Negotiation with Developer over Eligible TIF Activities, Local Historic District Establishment (ongoing) – awaiting developer submittals to allow for staff completion of a Brownfield Plan
  - c. Discussions with Various Parties on Potential Development Opportunities
  - d. Farmer’s Market Discussion/Analysis – Capital Improvements
  - e. Downtown Wireless Network Discussion/Meetings – Request for

#### Proposal Development

- f. Two-Way Traffic Discussion with MDOT/URS, Inc. (ongoing) – Met with Nancy Jenkins of Senator Cameron Brown’s Office, Community Development Director and City Administration to discuss lack of response from MDOT – Senator’s Office has been helpful in providing assistance
- ii. Economic Restructuring
  - a. Site Assistance for Business Prospects/Local Realtors
  - b. See Projects Above
  - d. Environmental Assessment Work – completed Phase II ESA on 250 West Church Street (former Adrian Taxi Cab Location)
  - e. Downtown Liquor Licensing Proposal Submittal to City Commission and Subsequent Transmittal to State
- iii. Promotions
  - a. Downtown Adrian Website Development/Management ([www.downtownadrian.org](http://www.downtownadrian.org))
  - b. Downtown Advertising (cooperative) – working with Downtown Business Committee (ongoing) – participated in WLEN Valentine’s Day Promotion
  - c. Completion of Downtown Newsletter – Winter 2008
  - d. Community Movie Program Work – (not specific to downtown)
  - e. Art-A-Licious Festival Planning – Committee Planning for 2008 Event including fund solicitation
  - f. Downtown Business Guide – 2008 Development – Working with Momentum Advertising on Completion of an updated print downtown business directory/guide
- iv. Organization
  - a. VSCI Grant Application – Met in Lansing with MSHDA Staff receive Request For Grant Funds Materials (due in Lansing March 15<sup>th</sup>) – Completion expected by the end of February
  - c. Historic District Study Committee Work – Met with Work Study Student from Eastern Michigan University Graduate level Historic Preservation Program – Student will be completing Study Committee Report for the 101 – 111 E. Maumee Street proposed Local Historic District
  - d. Downtown Capital Improvements Plan – Worked with City Engineering Department on Plans for Church Street Municipal Parking Lot Reconstruction (included in City CIP)
  - e. Administration of Parking Validation Program (ongoing)

### B. Economic Development/Redevelopment

- 1. Brownfield Redevelopment Authority (A-BRA)
  - i. 136 North Main Street (Proposed Site #3) –On-site structures have been demolished. Awaiting Site Plan approval and MDOT access permit.
  - ii. 1130 North Main Street (Proposed Site #4) – City Commission approved Brownfield Plan on 11/19/07. On-site structures have been demolished.
  - iii. Senate Downtown Revitalization Package / Senate Bill 973 -- CD staff is involved in development and support of this legislative effort. Senate Bill 973 (Lead Sponsor is Senator Brown) will separate federal and state historic preservation credits to add additional incentive for downtown

- rehabilitation projects.
    - iv. Adrian Silos – MDEQ has approved City request to use an additional \$91,000 for such work. Staff is currently awaiting proposals from project contractor.
    - v. Buckeye Products –Concrete sampling complete. Awaiting scheduling of sub-grade sampling under concrete.
- 2. GAIDC/Local Development Finance Authority (A-LDFA)  
Proposal was submitted to GAIDC Board on 10/24 to dissolve GAIDC and transfer its land and cash assets to the Adrian LDFA. Discussion and action on the formal resolution will occur at next GAIDC meeting on 3/19/08.
- 3. Commercial/Industrial Development Assistance
  - i. GAIDC – Adrian Industrial Park  
Negotiations continuing with three (3) prospects
  - ii. Other Projects
    - 1. Adrian Steel – Expansion for new line – IFT processing underway.
    - 2. Negotiations underway with two(2) prospects.

### **III. Housing/Historic Preservation**

- A. Neighborhood Enterprise Zones (NEZ)
  - i. Two (2) applications sent to Michigan Tax Commission for Approval
- B. HUD Good Neighbor Program
  - i. Placed bid on first HUD house (353 Merrick St) closing pending
- C. MSHDA Programs
  - i. Property Improvement Program (PIP)
    - a. No applications at this time
  - ii. Downtown Rental Rehab (DRRH)
    - a. Four (4) projects were completed (5 MSHDA units created)
    - b. Four (4) of the (5) MSHDA units are occupied
    - c. \$40,000 of the grant was not expended – MSHDA will recapture
  - iii. Submitted 2008-2009 Rental Rehabilitation Grant application – no word on status
- D. County CDBG
  - i. Lenawee County 2008-2009 CDBG environmental review completed
  - ii. Requested release of funds for Lenawee County 2008-2009 CDBG

M-2

**ZONING BOARD OF APPEALS**  
MARCH 4, 2008  
REGULAR MEETING  
MINUTES

The regular meeting of the Zoning Board of Appeals was called to order by Chair Berthold at 6:03 p.m. in the Commission Chambers of City Hall.

Present: Mike Berthold Chair  
Cindy Bily Vice Chair  
Greg DuMars City Commissioner  
Mike Jacobitz  
Maralee Koleski

Also Present: Mitch Blonde Alternate  
James E. Tischler Community Development Director

Absent: Michael McGrath Alternate

APPROVAL OF MINUTES OF THE  
JANUARY 8, 2008, REGULAR MEETING

There were no corrections or addition to the minutes. Board Member Bily moved that the Minutes of the January 8, 2008, regular meeting be accepted as distributed. Board Member DuMars supported. Motion carried unanimously.

CASE NO. 08-010  
REQUEST FOR SIGN VARIANCE FOR  
THE GOLDEN WOK, 1002 SOUTH MAIN STREET

Mrs. Wendy Wan Wen Tan, owner of the restaurant was present. A directional sign for the restaurant was installed through the permit process; however, the height of the sign is 5'-2" which is over the 4 foot maximum. Mrs. Tan stated that customers don't realize there is parking behind the building, most people park in front which doesn't have much room. The directional sign has a decorative roof which matches the one on the restaurant. The applicant was asked if the sign could be lowered. Mrs. Tan replied the customers would not see it if the sign was lowered, further the sign needs to be this height because it is located in the asphalt driveway and cars passing by will splash it with dirty water. The Board discussed removing the decorative roof to see if the sign then be closer to the 4 foot height requirement, the directional sign is not the main advertising sign for the business, it just directs people to the driveway. Mrs. Tan stated they only have one entrance, if the sign is put on the south side of the driveway or on the wall of the restaurant, you could not see it. Michael Ayre stated the sign does not

obstruct the view for drivers, it is not a safety issue, was in support of variance. The Board discussed the sign being attractive, it was not a safety hazard, but there was no hardship, and if there was a hardship it was self-created. The consensus of the Board was that the criteria for approving this request could not be met in the affirmative; the purpose is served by having a directional sign tall enough that it's visible and not obtrusive by being close to ground. The Board felt the sign getting dirty was a maintenance issue. Board Member Bily moved that the Zoning Board of Appeals deny this request for variance. Motion was withdrawn. The Board asked the applicant if the sign could be lowered in height. Mrs. Tan stated they could try but may have to remake the sign, feels the 4 foot height would be too low, they have customers that park in the Taco Bell parking lot. The Board was in receipt of staff comments recommending denial of this request. The Board then discussed the findings of fact.

Section 30.20 (2) – Findings of Fact:

- a. That the alleged hardships or practical difficulties, or both, are exceptional and peculiar to the property of the person requesting the variance, and result from conditions which do not exist generally throughout the city.

The presented hardship is self-created and is not peculiar to the parcel. The height limitation for such signs is applicable to all parcels within this district and citywide. Examination of recent BZA case files has found no instance where a similar request has been made, which is further indication that no hardship is present.

- b. That the alleged hardships and practical difficulties, or both, which will result from the failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both.

The denial of a variance will be an inconvenience to the applicant but does not take away the ability to attain a financial return. The applicant's sign, in its current location, may require cleaning, but this is a maintenance issue, not a variance issue.

- c. That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by a failure of the Board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.

Should this variance be granted, a substantial injustice will be done. In addition to the technical failures of this application, there is no general public benefit in granting a variance. On the contrary, there is an exclusive benefit to the applicant. Because there is no public benefit, this eliminates the opportunity for any favorable decision on the part of the Zoning Board of Appeals to grant a variance. The applicant may suffer an

inconvenience, but it is curable within the existing control of the applicant via cleaning maintenance. The rights of others, and the integrity of Section 30.18, will be protected by denying the variance request.

Board Member Bily moved that the Zoning Board of Appeals finds that all of the criteria necessary to deny this request for a sign variance have been met and that the Board deny the petitioner's variance request according to the City of Adrian Zoning/Development Regulations, Sections 30.18 and 30.20. Board Member Koleski supported. A roll call vote was taken.

In Favor of Motion: Berthold, DuMars, Koleski, Jacobitz, Bily.

Against Motion: none

Motion carried unanimously.

#### DISCUSSION ON VARIANCE COMMITTEE

Chair Berthold asked the Board if there is a need in continuing to have a variance committee meeting. The staff provides more information now than the Board used to receive. Discussion followed. The consensus of the Board was to have a variance committee meeting only on those certain cases where it was felt to be warranted.

Chair Berthold and Board Member Koleski will be unable to attend the April 1 meeting. After some discussion, the Board felt that enough members would be available and the meeting date would not be changed.

There being no further business the meeting adjourned at 7:00 p.m.

Respectfully submitted,

Denise Cook, Secretary

M-3

**ADRIAN CITY PLANNING COMMISSION**  
MARCH 4, 2008  
REGULAR MEETING  
MINUTES

The regular meeting of the Adrian City Planning Commission was called to order by Chair Jacobitz at 7:07 p.m. in the Commission Chambers of City Hall.

Present: Mike Jacobitz Chair  
Khamis Al-Omari Vice Chair  
Gary McDowell Mayor  
Mike Clegg City Commissioner  
Peter Barr  
Chad Johnson  
Marilyn Schebil

Also Present: James E. Tischler Community Development Director

Absent: Mel Dye

New member Commissioner Clegg was introduced and welcomed to the Planning Commission.

**APPROVAL OF MINUTES OF THE  
JANUARY 8, 2008, REGULAR MEETING**

On Page 7 Mr. Miller's name should be changed to "Muller". There were two misprints in the second paragraph and one on Page 8. Commissioner McDowell moved that the Minutes of the January 8, 2008, regular meeting be approved as corrected. Commissioner Johnson supported.

In Favor of Motion: Jacobitz, Johnson, McDowell, Barr, Schebil, Clegg.

Against Motion: none

Motion carried unanimously.

**CASE NO. 07-025  
DECISION ON ZONING EXCEPTION PERMIT APPLICATION  
FOR WORK RELEASE FACILITY AT 227 NORTH WINTER STREET**

Mr. James Daly representing Lenawee Development Corporation was present for this meeting. The Lenawee Development Corporation (LDC) submitted a request for a Zoning Exception Permit in June 2007. The Planning Commission considered the request at the July meeting and moved to table the request. The

Planning Commission denied the request at the August meeting. Consequently, the LDC took the matter to Circuit Court seeking relief. In January 2008, the Circuit Court reversed the decision of the Planning Commission. During the Planning Commission meetings of July and August, residents and business owners expressed many concerns about how the management and operation of the facility would be conducted. In addition, concerns were expressed regarding negative perceptions to the downtown as a result of possible loitering by residents. The judgment by the Circuit Court requires the Planning Commission to approve the Zoning Exception Permit, but does not preclude the Planning Commission from placing conditions on the permit application. The Commission was in receipt of staff comments which recommend the following conditions:

1. That the Owner or Operator shall not allow loitering by occupants of said work-release facility on the property grounds nor on the adjacent municipal street rights-of-way;
2. That in the event that the State of Michigan suspends the Owner or Operator's license for said work-release facility, the Zoning Exception permit shall be immediately and simultaneously be suspended; and
3. That in the event that the State of Michigan terminates the Owner or Operator's license for said work-release facility, the Zoning Exception permit shall be immediately and simultaneously be terminated.

There were no comments from the Commission. Mr. Daly stated that he has reviewed these conditions and has no objections, will cooperate with the City in regards to this matter. Chip Moore, member of the DDA, stated that the DDA was never apprised of the language amendment in 2006 that allowed these facilities in the B-3 District, requests the Planning Commission inform the DDA of any further changes in the B-3 District. Commissioner Barr moved that the Planning Commission adopt the following resolution with conditions:

**CASE 07-025  
RESOLUTION FOR A ZONING EXCEPTION PERMIT  
THE LENAWEE DEVELOPMENT CORPORATION  
WORK-RELEASE FACILITY**

WHEREAS, The Lenawee Development Corporation has submitted a Zoning Exception Permit request to locate a work release facility at 227 N. Winter Street (parcel XAO-0076-01), a building having three floors; the bottom floor to house the work-release facility and the middle and top floors to be used for commercial and office use; and

WHEREAS, parcel XAO-0073-01, located at 211 N. Winter Street will be used for overflow parking; and

WHEREAS, the existing use of the parcel is by the Adrian Public School Board of Education; and

WHEREAS, the Zoning District is in the B-3, Central Business District; which permits a work-release facility with a Special Exception Permit; and

WHEREAS, the City of Adrian Comprehensive Plan states that buildings within the B-3 District should be at least two stories and include retail uses on the first floor, with residential and limited office uses on the upper floors; and

WHEREAS, the Community Development Department has conducted a review of the applicant's request in accordance with the review standards found in the City Code of Ordinances, Section 106-47 (*Zoning Exception Permits*) and Section 106-181 (*Schedule of Regulations*) that pertain to process and approval requirements; and

WHEREAS, the proposed work-release facility is not located within 300 feet of any residential district, park or school; and

WHEREAS, the proposed facility is not located within 1,500 feet of another work release facility; and

WHEREAS, the proposed facility is located in an existing building designed, constructed and maintained so that it does not change the general character of the area; and

WHEREAS, the proposed facility is served by essential public facilities and services; and

WHEREAS, the applicant has submitted plans which provide a description of programs and procedures to assure security and safety for the residents of the facility and the surrounding area, and to assure the success of the program in terms of rehabilitation counseling, training, job placement, and resident access to essential services and facilities, including recreation and transportation; and

WHEREAS, the applicant has submitted a license to operate the work-release facility; and

WHEREAS, the applicant has submitted a site plan that shows that every room occupied for sleeping purposes meets the Code of Ordinance dimensional requirements for occupants; and

WHEREAS, the applicant has submitted a site plan that shows the space for indoor and outdoor recreational areas meet the Code or Ordinance requirements; and

WHEREAS, the applicant has no plans to alter the exterior of the structure, but does propose planting additional landscaping to the front and rear of the building, and to enhance the entrance to the parking lots; and

WHEREAS, the applicant is providing exterior security lighting that meets the Code of Ordinance requirements and is suitably directed and shaded to prevent any glare on nearby properties; and

WHEREAS, the applicant is providing forty (40) parking spaces to accommodate residents, guests and employees, which exceed the Code of Ordinance requirements; and

WHEREAS, the applicant is not proposing any signage to designate the building is a work-release facility; and

WHEREAS, the work-release facility is not located at street level along N. Winter Street, but is built into a hill; the entrance to the rear of the building is at ground level and the front entrance is at street level; and

NOW THEREFORE BE IT RESOLVED that the Adrian City Planning Commission accepts the review and analysis conducted by the Community Development Department (*memo dated June 21, 2007*); and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission finds that the application is in compliance with the standards for a Zoning Exception Permit as found in the City Code of Ordinances; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission approves the request for a Zoning Exception Permit for Parcels XAO-0076-01 and XAO-00073-1 with the following conditions:

- That the Owner or Operator shall not allow loitering by occupants of said work-release facility on the property grounds nor on the adjacent municipal street rights-of-way;
- That in the event that the State of Michigan suspends the Owner or Operator's license for said work-release facility, the Zoning Exception permit shall be immediately and simultaneously be suspended; and
- That in the event that the State of Michigan terminates the Owner or Operator's license for said work-release facility, the Zoning Exception permit shall be immediately and simultaneously be terminated.

Commissioner Johnson supported.

In Favor of Motion: Johnson, McDowell, Barr, Clegg, Jacobitz.

Against Motion: Schebil

Motion carried.

CASE 07-026  
SITE PLAN REVIEW OF WORK RELEASE FACILITY  
AT 227 NORTH WINTER STREET

This item was originally before the Planning Commission last July but was tabled until a decision was made on the Zoning Exception Permit. Mr. Tischler talked about the site plan, there was not a lot of changes to the parcel, no changes to the building structure, the parking lot meets requirements, and there will be construction of an outside recreation area on the westerly side of the facility. This proposal meets all the conditions of the ordinance and staff recommends approval of this site plan. The applicant is not proposing any signage for this facility. There were no comments from the audience.

Commissioner Al-Omari arrived at 7:19 p.m.

Commissioner Barr moved that the Planning Commission adopt the following resolution to approve the request for Site Plan Review and Approval:

**RESOLUTION**

WHEREAS, The Lenawee Development Corporation has submitted a request for Site Plan Review and Approval to locate a work release facility at 227 N. Winter Street (parcel XAO-0076-01), a building having three floors; the bottom floor to house the work-release facility and the middle and top floors to be used for commercial and office use; and

WHEREAS, parcel XAO-0073-01, located at 211 N. Winter Street will be used for overflow parking; and

WHEREAS, the existing use of the parcels are by the Adrian Public School Board of Education; and

WHEREAS, the Zoning District is in the B-3, Central Business District; which permits a work-release facility with a Special Exception Permit; and

WHEREAS, the City of Adrian Comprehensive Plan states that buildings within the B-3, Central Business District should be at least two stories and include retail uses on the first floor, with residential and limited office uses on the upper floors; and

WHEREAS, the Community Development Department has conducted a review of the applicant's request in accordance with the review standards found in the City Code of Ordinances, Section 106-46 pertaining to site plan review and approval; and

WHEREAS, the Land Division has been approved by the Planning Commission; and

WHEREAS, the Zoning Exception Permits has been approved by the Planning Commission; and

NOW THEREFORE BE IT RESOLVED that the Adrian City Planning Commission accepts the review and analysis conducted by the Community Development Department; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission finds that the application is in compliance with the standards for Site Plan Review and Approval; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission approves the Site Plan for Parcels XAO-000-0076-01 and XAO-000-0073-1.

Commissioner Al-Omari supported.

In Favor of Motion: Johnson, McDowell, Barr, Schebil, Clegg, Jacobitz, Al-Omari.

Against Motion: none

Motion carried unanimously.

CASE NO. 08-003  
PUBLIC HEARING TO HEAR AND CONSIDER COMMENTS  
TO A ZONING EXCEPTION PERMIT APPLICATION  
FOR 730 RIVERSIDE AVENUE

Mr. William Deary, representing Great Lakes Home Health Services, Inc., was present for this meeting. They are proposing to increase the size of the building. The proposed use would be for a prescription-directed medical equipment/supply operation. The proposed addition would be dedicated to office space and to a retail showroom. Mr. Deary stated that City staff informed him they can't have retail sales, however, a pharmacy was allowed. He mentioned various items they would have for sale by prescription; the goal is to have that equipment on site so that patients can get them. Mr. Deary mentioned they would not sell items normally found in pharmacies. The Commission asked if all of the items sold would be through prescription. Mr. Deary replied there might be some items such as hosiery for circulation that a patient's doctor may instructed them to get, however, drugs will not be sold. The property is zoned OS-1. The Commission was in receipt of staff comments which recommends approval of the request with the condition that medical equipment and supply sold at the proposed establishment be prescription-directed only and not advertised for sale to the general public. A site plan of the building expansion has not been submitted at this time. There were no comments from the audience. One written communication concerned about this use causing an increase in traffic in the area. Commissioner McDowell moved that the Planning Commission adopt the following resolution to approve the request for a Zoning Exception Permit:

## RESOLUTION

WHEREAS, Great Lakes Home Health Services, Inc. has submitted a Zoning Exception Permit request to locate a medical equipment/supply operation at 730 Riverside Avenue (Parcel XAO-435-0007-02), which shall comprise construction of an expansion of the existing structure; and

WHEREAS, the proposed use shall be related to and complimentary to the existing use of the parcel; and

WHEREAS, the subject parcel's Zoning District is OS-1, Office-Service District; which permits such a facility via a Special Exception Permit; and

WHEREAS, the City of Adrian Comprehensive Plan recommends future land use to include the use proposed by the applicant; and

WHEREAS, the Community Development Department has conducted a review of the applicant's request in accordance with the review standards found in the City of Adrian Zoning/Development Regulations that pertain to process and approval requirements; and

WHEREAS, review of the proposed use finds that it meets all requirements, is compatible with and will be complimentary to adjacent uses on adjacent parcels and within the OS-1 District.

NOW THEREFORE BE IT RESOLVED that the Adrian City Planning Commission accepts the review and analysis conducted by the Community Development Department; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission finds that the application is in compliance with the standards for a Zoning Exception Permit as found in the City Code of Ordinances; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission hereby approves the request for a Zoning Exception Permit for 730 Riverside Avenue, Parcel XAO-435-0007-02 with the following condition:

- That medical equipment and supplies sold at the proposed establishment be prescription-directed only and not advertised for sale to the general public.

Commissioner Johnson supported.

In Favor of Motion: McDowell, Barr, Schebil, Clegg, Jacobitz, Al-Omari, Johnson

Against Motion: none

Motion carried unanimously.

CASE NO. 08-005  
PUBLIC HEARING TO HEAR AND CONSIDER COMMENTS FOR  
TEXT AMENDING TO PERMIT STUDENT HOUSING

At the February meeting there was discussion on the potential student capacity per house given the recommended use of the Michigan Rehabilitation Code. After review, staff queried the Ad-Hoc Committee and the consensus is to establish an ERO District threshold of 10 students being permitted by-right, and over that number would require a Zoning Exception Permit. The Commission discussed the reason for requiring 1.5 spaces per students, there was concern this would create too many spaces possibly in back and side yards. Chair Jacobitz asked for comments from the audience. Stan Sala, representing Mr. Flint who owns property on Williams Street, talked about the proposed language eliminating his client's right to develop his property for apartments for students, the new language states that student housing is to be owned and operated by a college or university. Mr. Tischler addressed Mr. Salas's concerns. Mike Ayre, representing Adrian College, was not comfortable with the language in Item 4 of Section 25.15, feels there are standards in place for storage of refuse and fencing, not in agreement with restrictions on visitations, other than that the college is fine with the language. The Commission discussed limiting the number of students from 10 to 6; the Planning Commission would review any number over 6 with parking and trash concerns being addressed at that time. Commissioner McDowell moved that the Planning Commission adopt the following resolution and text amendments as corrected:

**RESOLUTION  
CASE NO. 08-005  
TEXT AMENDMENTS TO  
ARTICLE II, DEFINITIONS;  
ARTICLE XVIII, ERO EDUCATION-RESEARCH-OFFICE DISTRICT;  
ARTICLE VIII, RM-1 LOW RISE MULTIPLE-FAMILY RESIDENTIAL DISTRICT;  
ARTICLE IX, RM-2 HIGH RISE MULTIPLE-FAMILY RESIDENTIAL DISTRICT;  
ARTICLE XV, B-3 CENTRAL BUSINESS DISTRICT; AND,  
ARTICLE XXV, CONDITIONS FOR SPECIFIED USES SUBJECT TO A  
ZONING EXCEPTION PERMIT.**

WHEREAS, Community Development reviewed the Zoning/Development Regulations and found no reference to nor permission for establishment and operation of Student Group Homes; and

WHEREAS, this use already exists within the City of Adrian; and

WHEREAS, the Adrian City Planning Commission established an Ad-Hoc Committee to work with the Community Development Department to establish definition and use regulations for Student Group Homes, and said Committee has made its recommendations

NOW THEREFORE BE IT RESOLVED that the Adrian City Planning Commission accepts the findings as reviewed and analyzed by the Ad-Hoc Committee Community Development Department; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission finds the following text amendments to Article II, Definitions; Article XVIII, ERO Education-Research-Office District; Article VIII, RM-1 Low Rise Multiple-Family Residential District; Article IX, RM-2 High Rise Multiple-Family Residential District; Article XV, B-3 Central Business District; and, Article XXV, Conditions for Specified Uses Subject to a Zoning Exception Permit to be in compliance with the City Code of Ordinances and requests that Case 07-068 be forwarded to the City Commission for final approval:

*(Added text is in **Bold**. Deleted text is crossed out. Text added since 2/5/08 is in **BOLD CAPS**.)*

1. Below are proposed use definitions to amend Article II, Definitions. Staff is proposing to add the following as a new section.

#### **Section 2.41.01 Congregate Living Facility**

**A type of residential facility for a person or persons that is maintained by an organization recognized by the State of Michigan as a non-profit, whereby the facility complies with all requirements of the Michigan Property Maintenance Code. Persons living in such a facility are likely or contemplated to stay for a limited or temporary duration.**

##### **A. Fraternity or Sorority House**

***Fraternity or sorority house* means a building, rented, occupied or owned by a national or local chapter of a regularly organized college fraternity or sorority which is officially recognized by a college or university, or by or on its behalf by a building corporation or association composed of members of such fraternity or sorority, as a place of residence.**

##### **B. Dormitory or Residence Hall**

***Dormitory or Residence Hall* means those facilities used for housing students, which are owned and controlled by an educational institution and which are to be distinguished from hotels, motels, and boardinghouses. The terms "dormitory" and "residence hall" are to be used synonymously.**

**C. Student Group Home**

***Student Group Home* means those facilities where occupants are students whose relationship is of a non-permanent character, where the common living arrangement(s) is organized by a college or university and is directly related to academic study, and where such arrangement(s) is likely or contemplated to exist for a limited or temporary duration.**

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2. Below are proposed use standards to amend Article XVIII, ERO Education-Research-Office District, Section 18.1, Principal Uses Permitted.

Section 18.1 Principal Uses Permitted: In an ERO Education-Research-Office District, no building or land shall be used and no building shall be erected except for one or more of the following specified uses:

1. All uses permitted and uses permitted subject to special approval in O-S District, and meeting the requirements as set forth in said district with the exception of mortuary establishments and veterinary clinics which shall be expressly prohibited from this district.
2. Any uses which are charged with the principal function of education, research, design and technical training and experimental product development when conducted wholly within a completely enclosed building.
3. Facilities for human care such as convalescent and nursing homes.
4. Colleges, universities and trade schools.
5. Dormitories for students enrolled in, and quarters for instructors employed by, educational institutions when incidental to any permitted principal use.
6. Data processing and computer centers, including service and maintenance of electronic data processing equipment.
7. Studios for professional work or teaching of interior decorating, photography, music, drama or dancing.
8. Fraternity and Sorority House.

9. **Student Group Homes FOR TEN (10) OR FEWER OCCUPANTS, OWNED AND OPERATED BY A COLLEGE OR UNIVERSITY, AND SUBJECT TO SECTION 2.41.01 (C) AND SECTION 25.15.**

**SECTION 18.2 USES SUBJECT TO ZONING EXCEPTION PERMIT:**

1. **STUDENT GROUP HOMES FOR ELEVEN (11) OR MORE OCCUPANTS, OWNED AND OPERATED BY A COLLEGE OR UNIVERSITY, AND SUBJECT TO SECTION 2.41.01 (C) AND SECTION 25.15.**
- 

3. Below is a proposed amendment to Article VIII, RM-1 Low Rise Multiple-Family Residential District:

**Section 8.2 Uses Subject to Zoning Exception Permit:**

1. Congregate living facilities, subject to Section 25.13
  2. Single-room occupancy facilities, subject to Section 25.12
  3. Housing for the elderly, subject to Section 24.02
  4. Group family homes, subject to Section 2.52 (C) and Section 25.15
  5. **Student Group Homes subject to Section 2.41.01 (C) and Section 25.15**
- 

4. Below is a proposed amendment to Article IX, RM-2 High Rise Multiple-Family Residential District:

**Section 9.2 Uses Subject to Special Zoning Exception Permit:**

1. Housing for the elderly, subject to Section 24.02.
2. Congregate living facilities, subject to Section 25.13.
3. Convalescent and nursing homes, subject to Section 25.09.
4. Private clubs and lodges, subject to Section 25.05.

**5. Student Group Homes subject to Section 2.41.01 (C) and Section 25.15.**

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5. Below is a proposed amendment to Article XV, B-3 Central Business District:

**Section 15.03 Uses Subject to a Zoning Exception Permit:**

1. Sidewalk Cafes: *(text follows.....)*
  2. Group family homes, subject to 2.52 (C) and Section 25.15.
  3. Government and administrative buildings including courthouses, jails, fire stations and city hall, subject to the following standards and conditions: *(text follows.....)*
  4. Work-release facility (subject to the following conditions): *(text follows.....)*. See Item 10, Case 08-004 on the February 5 agenda recommending removal of this subsection from the Zoning/Development Regulations.
  5. **Student Group Homes subject to Section 2.41.01 (C) and Section 25.15.**
- 

6. Below is a proposed amendment to Article XXV, Conditions for Specified Uses Subject to a Zoning Exception Permit. Staff is proposing to add the following as a new section:

**Section 25.15 Student Group Homes:**

1. The home shall at all times be in compliance with applicable requirements of the Michigan Property Maintenance Code applicable to life and safety issues, as adopted by the City
2. The home shall be subject to annual inspection by the City. The owner may substitute a State of Michigan property inspection to satisfy this requirement, but such State inspection must be conducted and the report transmitted to the City annually.

3. **The owner shall provide one (1) on- or off-site vehicle parking spaces for each person residing in the student group home. Off-site parking spaces must be assigned and be located within 400' of the home. On-site parking areas shall not be located within any front yard.**
4. **The home shall be subject to other provisions that the Planning Commission may deem necessary to protect the integrity of the neighboring area, and the health, safety and welfare of the residents of the City of Adrian.**

Commissioner Al-Omari supported. Mr. Sala feels new language gives the college certain rights over property owners, language should apply to all properties in the ERO District whether owned by the college or not. There were no further comments from the audience or Commission. Commissioner Clegg will abstain since he was not part of earlier discussions.

In Favor of Motion: Jacobitz, Al-Omari, Johnson, McDowell

Against Motion: Barr, Schebil

Abstaining: Clegg

Motion carried.

CASE NO. 07-074  
PUBLIC HEARING TO HEAR AND CONSIDER COMMENTS TO  
COMPREHENSIVE PLAN AMENDMENTS

The purpose of the proposed amendment is to revise the Comprehensive Plan to address future growth of the City's institutions of higher education and to address several zoning decisions which required amendments to the Future Land Use Plan map and the Existing Functional Classification System Map. Chair Jacobitz asked for comments from the audience. Tom Neill, 149 South Madison Street, submitted a letter to the Commission, and talked about having the east side of South Madison Street (100 block) also designated as "quasi public/college or university", the same as the south side of Michigan Avenue (1200 and 1300 block). Mr. Ayre stated that the College has been approached by several property owners on that side of the block about purchasing property, however, no discussions have taken place. During discussions on these amendments, the Planning Commission used the streets as separation lines from one district to another. Staff recommends the Planning Commission act on adoption of the 2008 addendum as proposed. Commissioner Schebil moved that the Planning Commission recommend adoption of the 2008 addendum to the City of Adrian Comprehensive Plan as proposed. Commissioner Al-Omari supported.

In Favor of Motion: Schebil, Clegg, Jacobitz, Al-Omari, Johnson, McDowell, Barr

Against Motion: none

Motion carried unanimously.

CASE NO. 07-076  
REPRESENT AND DISCUSSION FOR COMPLIANCE WITH ACT 110

In between the Planning Commission's February 5 meeting and the proposed first reading of an amendatory ordinance by the Adrian City Commission, Community Development staff identified additional information which has led to a re-presentation of this case and a modified recommendation. Specifically, review of the recommended changes with the Michigan Zoning Enabling Act (Act 110 of 2006) has found the allowance of home occupations generally and within any "single-family home". The staff's interpretation of this section is that home occupations must be allowed in single family homes within any of the City residential districts. The previous language omitted the R-1 District. Commissioner McDowell moved that the Planning Commission, based on previous discussion and Act 110 requirements, adopts the following resolution and text amendments as corrected:

**RESOLUTION TO ADOPT  
ARTICLE II DEFINITIONS, SECTION 2.71, HOME OCCUPATION  
ARTICLE XXV CONDITIONS FOR SPECIFIED USES SUBJECT TO A ZONING  
EXCEPTION PERMIT, SECTION 25.14, HOME OCCUPATIONS**

WHEREAS, the Adrian City Planning Commission received a request to permit beauty salons as a home occupation; and

WHEREAS, the Adrian City Planning Commission determined that Act 110 of 2006, the Michigan Zoning Enabling Act, requires provision for home occupations in all single family structures;

NOW THEREFORE BE IT RESOLVED that the Adrian City Planning Commission accepts the text amendments as submitted by the Community Development Department; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission finds the following text amendments to Article II, Definitions, Section 2.71, Home Occupation and Article XXV, Conditions for Specified Uses Subject to a Zoning Exception Permit, Section 25.14, Home Occupations to be in compliance with the City Code of Ordinances and requests that Case No. 07-076 be forwarded to the City Commission for final approval.

*(New text is shown in bold, strikeout denotes omitted language)*

Proposed amendment of Article II – Definitions

SECTION 2.71 Home Occupation

A home occupation is any occupation, **craft** or profession carried on by one or more members of a family residing on the premises; provided that no commodity other than those customarily associated with the business is sold upon the premises; provided, further, that no mechanical equipment is installed except such as is normally used for purely domestic or household purposes; provided, further, that not over twenty-five (25) percent of the total actual floor area of ~~any story~~ **a single-family structure** is used for home occupation, **crafting** or professional purposes. ~~Beauty parlors, barber shops, Doctor's offices, animal hospitals, and nursery schools are examples of uses not considered a home occupation. (Home occupations are not permitted in the R-1 Single Family Residential District.)~~

Proposed amendments of Article XXV - Conditions for Specified Uses Subject to a Zoning Exception Permit

SECTION 25.14 HOME OCCUPATIONS:

1. Intent. A home occupation is an incidental and secondary use of a dwelling unit for business purposes. The intent of this section is to ensure compatibility of home occupations with other permitted uses of residential districts and with the residential character of the neighborhoods involved. It is further the intent of this provision to ensure that home occupations are clearly secondary and incidental uses of residential buildings.
2. Conditions. Home occupations are permitted in all residential districts provided all of the following conditions are observed.
  - a. A home occupation must be conducted in its entirety within a **single-family structure or a permitted accessory structure** that is the bona fide residence of the practitioner of the occupation.
  - b. Home occupations shall be conducted solely by persons residing at the residence.
  - c. All business activity and storage must take place within the interior of the dwelling. No exterior view of the product of the home occupation is allowable.
  - d. No alteration to the exterior of the residential dwelling, accessory building or yard that alters the residential character of the premises is permissible.
  - e. The home occupation shall not generate a volume or character of pedestrian or vehicular traffic beyond that normally generated by homes in the residential neighborhood.

- f. Only off-street parking facilities which are normal for residential use and are located on the premises may be used.
  - g. No vehicles exceeding 5 tons GVW used in the conduct of the occupation may be parked or otherwise kept at the premises, other than as are normal for use for domestic or household purposes, unless housed in a fully enclosed structure.
  - h. One (1) non-illuminated nameplate no larger than two (2) square feet is permitted to identify the home occupation. The nameplate shall be attached to the building. No other identification is permitted.
  - i. No article shall be sold or offered for sale on the premises except such as is produced within the dwelling or accessory building or is provided incidental to the service or profession conducted within the dwelling or accessory building.
  - j. No highly explosive or combustible material shall be used or stored on the premises. No activity shall be allowed that interferes with radio or television transmission. Nor shall there be any offensive noise, vibration, smoke, dust, odor, heat or glare noticeable at or beyond the property line.
  - k. Not more than twenty-five (205) percent of the gross floor area, (or three hundred (300) square feet), whichever is greater, can be used for a home occupation.
  - l. The conduct of the home occupation shall not violate any of the City's ordinances concerning nuisance, fire or health, or any other city, county, state or other applicable laws or regulations.
3. Examples of Home Occupations. This list is not intended to limit the kinds of home occupations that can comply with the conditions of this section.
- a. Dressmaking
  - b. Handicrafts
  - c. Typing, secretarial services
  - d. Tutoring, limited to six (6) students
  - e. Office facility of a sales representative provided that no transactions are made in person on the premises
  - f. Technical service and/or consulting
  - g. Upholstering and refinishing services subject to Section 25.14 (2,j) above
  - h. Home office

- i. **Beauty Shops and Barber Shops, limited to one (1) chair, subject to all the precedent conditions in this section in ~~Section 25.14~~ with no other signage or logo permitted, such as barber poles.**

Commissioner Al-Omari supported.

In Favor of Motion: Clegg, Jacobitz, Al-Omari, Johnson, McDowell, Barr, Schebil

Against Motion: none

Motion carried unanimously.

CASE NO. 08-013  
CONSIDERATION OF OWNER-OCCUPIED CONVERSION  
AT 627 EAST MAUMEE STREET

The Commission was in receipt of an enforcement letter and communication concerning this address. The owner has purchased and intends to reside at a home on Finch Street. Assuming the owner does reside at this other location; staff requests the Planning Commission deny the owner-occupied conversion approval for 627 East Maumee Street. The consensus of the Commission was in agreement with staff's request. No action taken by Commission.

CASE NO. 08-012  
SET PUBLIC HEARING TO HEAR AND CONSIDER  
TEXT AMENDMENT TO SECTION XXX – SIGNS

This amendment would allow sponsorship banners on City property. After discussion, the Commission made one change to the language: change "authorized" to "approved". Commissioner Johnson moved that the Planning Commission set a public hearing to hear and consider comments to amending Section XXX – Signs of the Zoning/Development Regulations as proposed. Commissioner Al-Omari supported.

In Favor of Motion: Jacobitz, Al-Omari, Johnson, McDowell, Barr, Schebil, Clegg

Against Motion: none

Motion carried unanimously.

Communication Items

- A. Development Regulations – Update of Zoning Ordinance Rewrite: Staff is waiting for an authorization letter for funding from MSHDA.

- B. Status of Joint Meeting with Madison Charter Township Planning Commission, Township's Land Use Map: There is no new information at this time.
- C. Homeless Shelter Ad-Hoc Committee – Update: Another meeting is scheduled for March 10. Staff recommends that these shelters provide 24/7 staffing, operation and programming to improve the condition of being homeless. This has been a sticking point with the Committee, and it is felt that several more meetings will be needed to resolve the issue.
- D. Discussion of Approach to Address the Site of Adrian College's Admission Office – Conditional Zoning Versus Special Exception Process: There was no discussion on this item.
- E. Communication – PPG Industries, 961 Division – Follow-Up on Outdoor Storage Issue: The Commission was in receipt of a letter sent to PPG Industries stating the outdoor storage would be permitted to continue as long as it was screened.
- F. Communication – 922 East Beecher Street – Letter of Understanding: The site plan has been revised and is being reviewed.
- G. Communication – Administrative Preliminary Site Plan Approval for Wind/Solar Project Proposed for Vo-Tech: The Commission was in receipt of a letter sent to the State giving the project preliminary approval.
- H. Legislative Summary of Proposed Planning Act – Senate Bill 206: Staff is requesting the Commission establish a work session to go over this material. Mr. Tischler will contact Ms. Jasneet Sharma from the MSU Extension Office to see if they have a program concerning these changes.
- I. Communication – 2820 West Beecher Street – Request to Withdraw Zoning Exception Permit Application: The Commission was in receipt of a letter sent to the property owner concerning his request. The City will remove the requirements as approved at the May 3, 2005, Planning Commission meeting. In regards to using the first floor of the existing structure, if the building has been vacant for 180 days, any new use will require the structure and parcel to be brought up to compliance with site plan review.

There being no further business the meeting adjourned at 9:12 p.m.

Respectfully submitted,

Denise Cook, Secretary

M-4

**DEPARTMENTAL REPORT**

**MARCH 17, 2008**

	<b>FEBRUARY 2008</b>	<b>JANUARY 2008</b>	<b>FEBRUARY 2007</b>	<b>YEAR-TO-DATE 2008</b>	<b>YEAR-TO-DATE 2007</b>
<b>POLICE DEPARTMENT</b>					
Complaints Answered	774	904	723	1,678	1,621
<b>VIOLATIONS</b>					
Moving Citations	103	112	135	215	275
3-6 am Parking Tickets	130	61	116	191	234
Non-Moving Citations	4	11	5	15	19
Downtown Parking Tickets	337	536	568	873	568
<b>TOTAL VIOLATIONS</b>	<b>574</b>	<b>720</b>	<b>824</b>	<b>1,294</b>	<b>1,096</b>
<b>ARRESTS</b>	<b>99</b>	<b>155</b>	<b>96</b>	<b>254</b>	<b>234</b>
<b>FIRE DEPARTMENT (See M-4)</b>					
<b>INSPECTION DEPARTMENT</b>					
Building Permits	23	18	13	41	32
Electrical Permits	15	19	16	34	43
Mechanical Permits	26	15	29	41	46
Plumbing Permits	4	4	10	8	17
Sidewalk Permits	0	0	1	0	1
Sign Permits	7	8	9	15	31
<b>TOTAL PERMITS</b>	<b>75</b>	<b>64</b>	<b>78</b>	<b>139</b>	<b>170</b>
Estimated Bldg. Costs	\$523,124	\$614,244	\$187,983	\$1,137,368	\$890,349
<b>PARKING SYSTEM</b>					
Meters in Operation	232	232	232	232	232
Parking Assessment	\$15,233	\$4,564	\$14,102	\$19,797	\$18,967
Lot Revenue	\$964	\$0	\$0	\$964	\$2,815
Street Revenue	\$0	\$0	\$0	\$0	\$0
Misc. Revenue	\$3	\$3	\$5	\$6	\$10
Permits	\$250	\$713	\$300	\$963	\$888
Fines	\$2,040	\$2,505	\$3,303	\$4,545	\$7,543
Token Sales	\$0	\$0	\$0	\$0	\$0
Contribut-GenFund	\$0	\$0	\$0	\$0	\$0
<b>TOTAL REVENUE</b>	<b>\$18,490</b>	<b>\$7,785</b>	<b>\$17,710</b>	<b>\$26,275</b>	<b>\$30,223</b>
<b>WASTE WATER DEPARTMENT</b>					
M. G. Pumped	205.641	213.88	129.336	419.521	350.470
Cost of Plant Operation	*	\$310,085	\$299,420	\$310,085	\$562,795
<b>WATER DEPARTMENT</b>					
M. G. Pumped	91	97	85	188	167
Number of Customers	6,307	6,279	6,374		
	<b>Industrial</b>	<b>Commercial</b>	<b>Residential</b>	<b>Other</b>	<b>TOTAL</b>
M. G. Sold Revenue	\$26,533	\$69,912	\$92,993	\$38,889	\$228,347

\*Figure not available

ML-5

**FIRE REPORT**  
Month of February, 2008

	This Month	Last Month	Last Year	To Date This Year	To Date Last Year
Structure Fires	0	3	0	3	2
Loss	\$0	\$53,000	\$0	\$53,000	\$1,000
Vehicle Fires	0	3	1	3	1
Loss	\$0	\$500	0	\$500	0
Other Fires	0	0	0	0	3
Loss	\$0	\$0	\$0	\$0	\$0
Smoke & Odor	8	7	5	15	16
False Alarms	5	10	10	15	15
Hazardous Conditions	8	6	2	14	16
Other	3	6	3	9	9
Medical Emergencies	176	141	117	317	267
Vehicle Accidents	6	2	5	8	12
Total Runs	206	178	143	384	341
Total Fire Loss	\$0	\$53,500	\$0	\$53,500	\$1,000

M-6

TO: DANE C NELSON, CITY ADMINISTRATOR  
 FROM: MARCIA M. BOHANNON, TRANSPORTATION COORDINATOR

ADRIAN D.A.R.T. PASSENGER RIDERSHIP REPORT FOR FEBRUARY 2008

WEEK END:	FEB 1	FEB 8	FEB 15	FEB 22	FEB 29	TOTAL
MONDAY	0	373	384	293	352	1402
TUESDAY	0	377	356	397	277	1407
WEDNESDAY	0	383	384	373	348	1488
THURSDAY	0	381	391	362	355	1489
FRIDAY	283	319	355	370	339	1666
		1833	1870	1795	1671	7452
		FEB	FEB	+/-	JAN	
		2008	2007		2008	
SERVICE DAYS		(21)	(20)		(22)	
SENIORS		830	880	-50	925	
HDGP SENIORS		1004	945	59	1148	
HANDICAPPED		3528	2962	566	3518	
WHEELCHAIRS **		173	136	37	191	
GENERAL		2090	2046	44	2025	
		7452	6833	619	7616	
<b>MARCH</b>		2006	7748	2007	7656	-1%
<b>APRIL</b>		2006	6426	2007	6705	4%
<b>MAY</b>		2006	7061	2007	6778	-4%
<b>JUNE</b>		2006	6190	2007	6023	-3%
<b>JULY</b>		2006	5865	2007	5775	-2%
<b>AUGUST</b>		2006	6918	2007	6378	-8%
<b>SEPTEMBER</b>		2006	6328	2007	6071	-4%
<b>OCTOBER</b>		2006	7117	2007	7357	3%
<b>NOVEMBER</b>		2006	6597	2007	6718	2%
<b>DECEMBER</b>		2006	6610	2007	6171	-7%
<b>JANUARY</b>		2007	7633	2008	7616	0%
<b>FEBRUARY</b>		2007	6833	2008	7452	9%
			81326		80700	-1%

\*\* WHEELCHAIR TOTALS ARE INCLUDED IN HANDICAPPED PASSENGER TOTALS