



Planning Commission
Notice of Meeting
Wednesday, April 15, 2026 - **6:30 p.m. regular time**

City Commission Chambers
301 Washington Avenue

PLEASE ENTER CITY HALL VIA SAGINAW STREET (REAR) ENTRANCE.
DOOR WILL OPEN @ 6:00 P.M.

AGENDA

1. Introduction & Roll Call
2. Approval of Minutes for February 25, 2026, and March 18, 2026
3. Public Comments – Non-Agenda Items
4. New Business:
 - A. Case SU 26-03 – Special Use- 1315 Columbus Avenue Used Car Sales Establishment, James Owensby [3rd Ward]**

The above-named party has filed an application requesting special use/site plan approval by the Planning Commission that would authorize a portion of the lot at 1315 Columbus Avenue to be used for used vehicle sales. New and used motor vehicle sales are permitted in the C-2-A, General Business zoning district subject to special use approval by the Planning Commission pursuant to Article XVI of the City's zoning regulations.
 - B. Case SPR 26-04 – 599 S. Kiesel St. | Utility Cabinet [7th Ward]**

Airosmith Development is proposing installation of an above ground fiber optic Cabinet within the city-owned right-of-way on S. Kiesel Street.
 - C. Omni Fiber, LLC; fiber optic cabinets within right of way:**
 - 1. Case SPR 26-05 – 689 S. Farragut Street**

right-of-way at the west side of S Farragut St. with the closest address point of 610 S Farragut St.
 - 2. Case SPR 26-06 – 1626 S. Farragut Street**

right-of-way at the west side of S Farragut St. with the closest address point of 1715 Fremont St.
 - 3. Case SPR 26-07 – 251 S. McLellan Street**

right-of-way at the east side of S McLellan St. with the closest address point of west side of Central H.S.

Point of contact: Terry A. Moulane, AICP
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4. **Case SPR 26-08 – 2311 S. Monroe Street**
right-of-way at the east side of S Monroe St. with the closest address point of 2345 S Monroe St.
5. **Case SPR 26-09 – 350 Ridge Road**
right-of-way at the south side of 300 Ridge Rd. with the closest address point of 300 Ridge Rd.
6. **Case SPR 26-10 – 103 Boehringer Court**
right-of-way at the south side of Boehringer Ct. with the closest address point of Bay Community Tennis Courts at Richard Shaw Park.
7. **Case SPR 26-11 – 2151 19th Street**
right-of-way at the south side of 19th St. with the closest address point of 800 S. Johnson St. (NW corner of the park on 19th St.
8. **Case SPR 26-12 – 1307 S. Farragut Street**
right-of-way at the east side of S Farragut St. with the closest address point of 1304 S Farragut St.

5. Any Items Not on the Agenda.

6. **Next Meeting: Special April 29, 2026 @ 6:00 pm special time**

**Work Session for Zoning Ordinance Review with Joe Tangari, AICP
from Giffels Webster.**

7. Adjournment



**Planning Commission Minutes of Meeting
City Commission Chambers, City Hall**

CALL TO ORDER & ROLL CALL:

A regular meeting of the Bay City Planning Commission was called to order by President Douglas Rise, at 6:00 p.m.

PRESENT: Douglas Rise, Ashley Meier, Dennis Banaszak, Michael Berne, Stephen Stoddard,
Whitney Anderson arrived at 6:28 p.m.

ABSENT: None.

OTHERS: Staff Liaison Terry Moulthane, Planning Manager; Adam Pruett, Community Development
Planner.

APPROVAL OF MINUTES:

Motion made by D. Banaszak to approve the meeting minutes for January 21, 2026, as presented. Amendment to the motion was requested by D. Rise to replace the word “drivers” with “driveways” in the first paragraph of page two. Amendment accepted by D. Banaszak, seconded by M. Bernes. Motion passed unanimously.

PUBLIC COMMENT - NON-AGENDA ITEMS:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

A. Case SPR 26-02 – 1703 Marquette Avenue, Dean Boiler

Site plan review is being requested for a 4,900 square foot addition to the north of the existing 5,000 square foot building. The addition measures 70’ by 70’ and 11 parking spaces are provided.

Representative(s) Present: None.

Staff stated the staff report discussed checking for existing utilities for potential easement release where Sidman Street used to be in relation to what the drive was showing on the site plan. Regardless, the addition is not being built over or near that area and it would just be for clarity in the future. The property is zoned M-1, Light Industrial, and it is a permitted use.

It was noted parking was being provided based on the new parking demand for the addition plus the existing space. The only condition listed in the final conclusion of the staff report is for a little bit of landscaping that is required in the front yard for the M-1 district. Staff also stated a recommendation had been made in the report for the property owner to establish a shared access drive with the adjacent back property to clarify access and protect both parties.

Neither the applicant nor a representative was present. Commissioners questioned staff regarding the trash receptacle, parking, landscaping, shared access and right-of-way.

- The placement of a trash receptacle was discussed, and it was confirmed that it would be relocated to meet setback requirements and be outside any easement area.
- Showing the right-of-way on the drawing was requested and is being addressed by the engineer.
- D. Banaszak inquired about the joint ingress and egress. Staff responded that he had suggested that a title search be performed for an existing easement but did not know if the owner had done it; it didn't impact the site plan review because the applicant has their own access.
- At the very least, D. Banaszak felt a cross-access easement would be beneficial other than just completely separating the two drives as part of the construction so there is no crossover. Staff agreed.
- D. Rise questioned if the total amount of parking spaces complied with the zoning ordinance. Staff stated calculations had been conducted as part office and part warehouse. The 11 parking spaces provided were confirmed to meet ordinance requirements for the additional square footage, including one handicap parking space.
- In response to D. Banaszak regarding the location of accessible parking, staff stated the accessible parking stall was noted on the drawing in the bottom left corner.
- A. Meier wondered if the trees shown on the drawing represented the planned landscaping. Staff explained the current drawing with three trees did not represent the required landscaping. Landscaping will need to be incorporated, possibly around the sign or on the south edge of the parking lot, with a revised drawing required to be submitted for staff approval.

Motion:

D. Banaszak moved to approve SPR 26-01 based on:

- a) The uses proposed comply with applicable zoning district use and dimensional regulations.
- b) All elements of the site plan are harmoniously and efficiently organized in relation to the size, shape and character of the lot, the type and size of proposed buildings, the location and layout of landscaping and off-street parking areas, and the character of uses on adjoining properties.
- c) The location and design of driveways is safe in relation to streets providing access to the site and in relation to pedestrian traffic.
- d) Access to the site is designed to minimize conflicts between vehicles and pedestrians and with traffic using adjacent streets and driveways. Vehicular circulation on the site is designed to be safe and convenient.
- e) Safe and convenient pedestrian and bicycle access and circulation are provided.
- f) Off-street parking and loading areas comply with the provisions of article XVII.
- g) **Greenbelts, landscaping, and screening are going to be provided as per administrative approval.**
- h) Walls and fences, if required, are provided in accordance with the regulations of article XIX.
- i) Signs will comply with the provisions of the sign code. A sign permit may be required.
- j) **Refuse receptacles are adequately screened from view from streets and adjoining property in accordance with the regulations of section 122-66 based on comments from the engineer for approving it.**

- k) All exterior lighting (building mounted and free-standing) is designed and installed to comply with the regulations of section 122-59, to result in minimal light trespass onto adjoining property, and to avoid interference with the vision of motorists on adjoining streets.
- l) Access routes to all buildings, structures and uses are provided for emergency services vehicles.
- m) **Public utilities are provided in accordance with the regulations of public utility providers and any other items in terms of showing the right-of-way on the plans, with suggestion for a joint cross-access easement.**

Seconded by A. Meier.

Motion passed unanimously with conditions:

1. Administrative approval of revised landscaping.
2. Relocation of the trash receptacle to meet setback requirements and be outside any easement areas.
3. Right-of-way depiction to be noted on plans.

B. Case SU 26-02 – 501 Columbus Avenue, Bay City Housing Commission

Special use approval and site plan review is requested for the construction of multiple-family apartments less than three stories in height providing 120 dwelling units. The parcels being developed are zoned O-1, Office and C-2-A General Business and bounded by 11th Street, N. Madison Street, Columbus Avenue and Adams Street. Multiple-family dwellings are permitted with special use approval in the O-1 and C-2-A zoning districts with site plan review.

Representative(s) Present: Bill Phillips, Bay City Housing Commission, Kyle Osterhart, Concept Design Studio (architect).

Staff explained he did not go heavy into the various room sizes in the staff report but did list out the number of bedrooms for the dwelling units. The report discussed off-street parking and the need for a variance from the required number of parking spaces. However, based on their projected numbers and experience, the applicant believed that that provided number of spaces would be well in excess of the number that would actually be needed.

Staff noted there were several pages of the first and second floor arrangements in addition to several pages which indicated the square footage of each, in the plans that were distributed to the commissioners.

D. Banaszak moved to address cases SU 26-02 and V 26-01 together. Staff agreed the two cases went hand-in-hand; however, V 26-01 would need to be decided as a recommendation. D. Banaszak withdrew his motion.

Mr. Phillips noted this project has been in development for 8.5-9 years with several design variations. It is planned to span two major sites with the right-of-way that they are proposing to have vacated. Each side is almost a mirror image of itself. He asked his architect, Kyle Osterhart, to elaborate about the project.

Public Hearing:

Motion to open public hearing made by D. Banaszak, seconded by A. Meier. Motion passed unanimously.

Mr. Osterhart gave a detailed description of the development:

- 120 total units across two phases; 3-story L-shaped buildings along Columbus Avenue, and 2-story "stacked flats" on the perimeter. Units will be a mix of one, two, and three bedrooms.
- Plans include a tot lot, dumpster enclosures (with potential minor relocation), and community/office rooms in each phase.
- Mid-rises and first-floor stacked flats will have zero-step entry; second story stacked flats will require stairs. 10% (12 units) will be fully barrier-free (Type A accessible), with elevators in mid-rise buildings.
- The applicant has met with department heads and addressed their questions. Items such as site lighting and final engineering details, will be subject to staff approval.
- Conversations have occurred regarding landscaping, with a focus on creating a buffer between the development and the heavy industrial use across Adams and 11th Streets. While the Bay City Housing Commission may not prefer many trees, the goal is to create a presentable and livable site.
- The plan includes one new access point from Columbus Avenue and one access from 11th Street. A loop around the site is also planned, which could accommodate a bus if a bus stop is placed on Newmarket Court. Specific curb cut details are still to be finalized and will require approval, meeting local ordinances and county standards.
- The exterior design is still under development, with multiple iterations having been reviewed with the city to find a preferred design. The current packet shows a massing model rather than the final design.

Discussion took place regarding utilities. Bay City Housing Commission has gone through the process of vacating a lot of the onsite utilities and the best stormwater connection would be on the corner of Adams and 11th Street. D. Banaszak encouraged Mr. Phillips to prioritize using 11th Street utility connections to avoid disturbing recently paved Adams, Columbus, and Madison Streets. Mr. Phillips stated 11th Street is going to play a major role and that full engineering drawings are pending.

M. Bernes was concerned with access for handicapped buses and dial-a-ride services. Mr. Phillips explained a Reliance letter had been received from Bay Metro Transit after a review of the proposed site plan. They are currently drawing an iteration of their site plan that shows the potential for interior bus stops and handicap access within a roundabout off Columbus Avenue.

D. Rise stated they could allow revisions to the site plan that were within reason, to be handled as an administrative approval by staff.

A variance to reduce the required number of off-street parking spaces to one space per unit will be sought through the Zoning Board of Appeals. A. Meier wondered how the applicant had derived their parking calculations. The applicant presented historical data from other properties indicating this ratio is sufficient, noting that not all residents own cars and street parking is also available on surrounding streets (Columbus, 11th, and potentially Adams).

Mr. Phillips also explained the way their leases are worded, every single automobile that's allowed on the property is permitted and registered in their office, and they are able to add up how many vehicles are on their properties at any given point in time. He added that a certain inflow of guest parking is expected, but rarely would you have all of the spaces filled up at any one point in time.

Mr. Phillips confirmed the only designated parking spaces at the facility would be for the handicapped accessible spaces.

D. Banaszak inquired how the C-2A portion of the dual zoned property would play into everything. Staff explained only half of the property requires parking calculations as the C-2A portion is exempt from parking regulations. To keep it simple a ratio was still used, and then an actual count. Staff believed the calculation for the ZBA report was based on the portion that would require parking.

D. Rise invited public comments. No one stepped forward. Staff stated there had been no emails or telephone calls received; however, he had explained to a gentleman in the office after the last meeting that the case had been postponed and shared exactly what was happening.

Motion made by D. Banaszak to close the public hearing, seconded by M. Bernes. Motion passed unanimously.

D. Rise invited comments from the commissioners.

D. Rise thought it was a nice fit with what was articulated in Section 3, Chapter 3 of the Master plan. He felt it met a need in the city for missing middle housing and was a good project; he would be voting in favor.

D. Banaszak suggested the bus route be changed so that it circulated clockwise around the development to pick up people on both sides. W. Anderson added that there were already multiple bus routes that passed on Columbus and Madison Avenues.

A. Meier inquired about the dumpster placement. Mr. Phillips replied the fixed dumpster pads would be staying where they were shown unless they had to be moved because of stormwater, etc., but did not think they would move very far if they had to move at all.

In response to A. Meier's inquiry regarding the driveway measurement on the architectural plan, Staff stated it was just a discrepancy between the color drawing and the actual sheet C1-02 of the schematic site plan. The correct measurement would be 24 ft. D. Banaszak stated 24 ft is the standard for residential access for ingress and egress.

Motion

D. Banaszak moved to approve SU 26-02 based on the following:

- a) The proposed special use will not impair public health, safety or welfare.
- b) The proposed special use is appropriate for its proposed location and is compatible with the character of surrounding land uses and the uses permitted in the zoning district in which its surrounding property is located.
- c) The proposed special use complies with applicable zoning district regulations.
- d) The proposed special use complies with the applicable standards for specific uses set forth in Article XXI, standards for specific uses. – NOT APPLICABLE
- e) The location design of the proposed special use minimizes any potential adverse effects of the use on adjacent property by avoiding significant adverse impact related to parking,

loading, delivery, storage and service areas, odors, noise, glare, vibration and other potential nuisances.

- f) The location and design of the driveways as discussed are safe in relation to streets providing access to the use. Access to the use is designed to minimize conflicts between vehicles and pedestrians and with traffic using adjacent streets and driveways.
- g) **Off-street parking as per the ZBA will comply.**
- h) Greenbelts, landscaping and screening are provided in accordance with the regulations of Article XVIII.
- i) Walls and fences – NOT APPLICABLE.
- j) Any signage, for instance, a ground mounted sign, would have to get permitted and be approved.
- k) Refuse receptacles as discussed are adequately screened from view from the street and from adjoining property.
- l) All exterior lighting shall be designed to and installed to comply with the regulations of section 122-60 to result in minimal light trespass onto adjoining property and to avoid interference with division of motorists on adjoining streets. **A lighting plan will be provided and approved administratively.**
- m) Access routes to all building structures and uses are provided for emergency service vehicles and public utilities are available in accordance with the regulations of public utility providers. **Stormwater management will have to be approved by the engineer to be consistent with city, state and federal regulations.**
- n) Public utilities are provided in accordance with the regulations of public utility providers. **Stormwater management shall be consistent with city, state and federal regulations that will receive approval by the engineering department under conditions of items stated from part three.**

The most important one would be that the utilities have not been completely vacated yet, but the city is working on it. A land combination application shall be submitted to the assessing department for the two parcels to be combined once Jefferson is vacated.

A sign permit and a lighting plan are going to be required if signage is provided or and lighting is going to be provided.

Part III Departmental Review	Conditions
Building Code Enforcement	Approved and verify code compliance through the plan review process.
Engineering	Storm-water Management permit once final plans are ready, see Ordinance Section 92 for requirements.
Electric	Approved
Parks	Approved
Public Safety/Fire	Approved subject to satisfactory formal plan review and final inspection by Public Safety Fire Division for compliance with International Fire Code 2009 Ed.
Sewer	Approved
Wastewater	Approved
Water	6" water main run is present, and it has not been abandoned yet. It is our plan to do so prior to construction.

Seconded by M Bernes. Motion passed unanimously.

C. Case V 26-01 – Jefferson Street Right-of-Way Vacation

The Bay City Housing Commission, 315 14th Street, is requesting to vacate a portion of Jefferson Street right of way pursuant to Section 94 of the City Code of Ordinances. The street right-of-way is 60' in width and the length being approximately 377'. The street right of way is in the Addition of Lower Saginaw plat and is bounded by Columbus Avenue, Adams, Madison, and 11th Streets. The right of way is more specifically described as being the Jefferson Street right-of-way beginning at the south right-of-way of 11th Street to the north right of Columbus Avenue

Representative(s) Present: Bill Phillips, Bay City Housing Commission, Kyle Osterhart, Concept Design Studio (architect).

Public Hearing:

Motion to open public hearing made by D. Banaszak, seconded by A. Meier. Motion passed unanimously.

Staff reminded the commission they would only be making a recommendation to the City Commission. He noted that the ordinance for right-of-way vacations was amended to no longer require the four weekly publications before the public hearing by the City Commission.

Staff pointed out that Consumers Energy had not returned their response to date but were reviewing the case. The vacation would be contingent on their review regarding any easements needing to be retained. The recommendation as stated in the staff report, states “utility easements being retained until such time as utilities are relocated or removed from within the right-of-way and replaced in accordance with a new development site plan”. This will make a difference in the final resolution that the City Commission will receive; whether or not utility easements would have to be retained or could be released.

Mr. Phillips explained they had tried different ways to design the location, but they always came back to needing the right-of-way vacation in order to pull it all together.

Staff confirmed an easement could be drafted with the vacation if something is identified by Consumers Energy. Mr. Phillips stated they would be able to work with them to reroute if they needed to. He seemed to recall a memorandum from 2017 or 18 where they were actually stubbed off at Columbus Avenue, right about at the lower left-hand corner of the curb cut that is showing on the site plan. He didn't think that line had been in use for a long time. Mr. Phillips stated he was in contact with Consumers Energy as of that morning and was in the process of getting a Reliance letter from them.

A. Meier inquired whether the right-of-way was being used by any other property owners to access their properties. Since Bay City Housing Commission owned the entire block, there were no other property owners, and all parcels would be combined as a single lot under one tax number.

D. Rise invited public comments. No one stepped forward.

Motion:

D. Banaszak moved to recommend Case V 26-01 forwarded to the City Commission based on:

1. It appears the closing and vacating North Jefferson Street right-of-way being in Block 135 of the Lower Saginaw Addition would constitute an improvement and advantage to both the city and to the property owner, the Bay City Housing Commission.
2. Utilities located in the street right-of-way may be relocated or removed. In this case, a water line still has to come out. And as far as Consumers Energy is concerned, I don't think they have any kind of an easement running across the property. They would put their utilities in the front out lawns, inside the road right-of-away. So, I don't see that becoming an issue.
3. Final determination whether any utility easement needs to be retained will have to be made by City Staff and the Planning Department as an administrative decision.

Seconded by A. Meier.

Motion passed unanimously.

OTHER BUSINESS:

Election of Officers:

- **President:** Douglas Rise was nominated and elected.
- **Vice President:** Ashley Meier was nominated and elected.
- **Secretary:** Whitney Anderson was nominated and elected.

Staff announced the 2025 Annual Report should be ready for the March meeting.

The March meeting will be dedicated solely to the presentation and discussion of the updated zoning ordinance. Snacks and water were requested by the commission members.

BUSINESS NOT ON THE AGENDA:

None.

ADJOURN:

Motion to adjourn made by D. Banaszak, seconded by A. Meier. Meeting adjourned at 7:17 p.m.

Prepared by Lisa Griffiths, Planning & Zoning Administrative Assistant



**Planning Commission Minutes of Meeting
City Commission Chambers, City Hall**

CALL TO ORDER & ROLL CALL:

A regular meeting of the Bay City Planning Commission was called to order by President Douglas Rise, at 6:00 p.m.

- PRESENT: Douglas Rise, Ashley Meier, Michael Berne, Stephen Stoddard, Whitney Anderson, Sheila Turbett.
- ABSENT: Dennis Banaszak.
- OTHERS: Staff Liaison Terry Moulthane, Planning Manager; Adam Pruett, Community Development Planner; Lisa Griffiths, Planning Administrative Assistant.

APPROVAL OF MINUTES:

Motion made by M. Berne to approve the meeting minutes for February 25, 2026, as presented. Motion failed due to a lack of support.

PUBLIC COMMENT - NON-AGENDA ITEMS:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

A. Work Session for Zoning Ordinance Review with Joe Tangari, AICP from Giffels Webster.

Representative Present: Joe Tangari, AICP, Giffels Webster.

Staff reviewed a memo by Debbie Kiesel, Community Developer Director, concerning the goal to update the ordinance to align with current best practices, community needs, and the RRC or Redevelopment Ready Community guidelines. The following was explained:

- The updated zoning ordinance is crucial for the city to achieve certified status in the Redevelopment Ready Communities program.
- The revision aims to update outdated language and definitions that may have changed over the years.
- The project is supported by three grants, covering the zoning ordinance, a recently passed sign ordinance, and upcoming pre-approved housing plans.
- The current work builds upon previous efforts on the ordinance by Carlisle Wortman.
- The process is under a significant time constraint, requiring review by the city attorney and targeting submission and reporting deadlines by June/July 2026.
- RRC Best Practices Integration: The new ordinance seeks to incorporate modern planning principles, including:
 - Allowing mixed-use buildings "by right."
 - Encouraging concentrated development (townhouses, quadplexes, tiny homes).

- Modernizing parking regulations (e.g., electric vehicle charging, bicycle parking, payment in lieu of parking, reduced requirements).
- Implementing low-impact development techniques (e.g., rain gardens, bioswales, rainwater collection, open space requirements) to align with stormwater management permits.
- A key goal is to simplify the ordinance, enhance readability, and make it easier for users to navigate and understand.

Review of new content was presented by Joe Tangari. Discussion covered various definitions, district regulations, and special use conditions, highlighting several inconsistencies and areas for improvement:

- Three main batches of new content were distributed:
 - Purple Packet: Definitions.
 - Green Packet: Zoning Districts.
 - Orange Packet: Standards for Specific Uses.
- Definitions Discussion:
 - New definitions added:
 - *Artisan Manufacturing*: To provide for small-scale, handmade goods production.
 - *Quadplex and Triplex*: New multi-family housing types.
 - *Duplex*: Clarified as "Dwelling Two-Family."
 - *Household Recycling Facility, Industrial Heavy and Industrial Light*: Consolidating uses to streamline permitted use lists in industrial districts.
 - *Office Professional and Office Medical*: New, clearer definitions.
 - *Retail*: An expansive definition to consolidate various retail types, allowing for a single listing in retail-permitted districts.
 - A definition for "mixed use" was requested by S. Turbett. Mr. Tangari stated the definition should cover both vertical and horizontal projects.
 - All the definitions in the ordinance are now in one part of the ordinance. Definitions previously located elsewhere have been centralized into one section.
- Feedback and Questions by A. Meier:
 - Noted that "Adult Foster Care Large Group Home" was defined but missing from the permitted uses table under Article 13.
 - Identified a duplicate definition for "Group Daycare Home", suggesting one be removed.
 - Questioned the lack of specific occupancy numbers for "Independent Living Group Homes", which could lead to indefinite occupancy in residential zones and called for consistency with state licensing.
 - Pointed out a redundant "means" in the "Industrial Heavy" definition.
 - Confirmed the necessity for "Innkeeper" as it appears in other parts of the ordinance.
 - Raised concerns about the broad definition of a "Kennel" potentially encompassing home breeders, asking for a clear distinction between pet

ownership, home occupations, and commercial kennels (e.g., setting a threshold for the number of adult animals). The current ordinance places commercial kennels in industrial districts.

- Noted a formatting error under Lot Depth/Double Frontage.
- Raised concerns regarding “Flag Lot” definition: “Flag Lot” could not be found elsewhere by Mr. Tangari. The term will be removed from the ordinance as it is not used for regulation.

Motion to go into recess by A. Meier (support was not audible on the recording) at 6:41 p.m. Motion passed unanimously. Motion to return to regular order at 6:55 p.m. by A. Meier, seconded by M. Berne. Motion passed unanimously.

Discussion continued.

- Reuse of Vacant Institutional Buildings:
 - The current ordinance makes it difficult to repurpose vacant institutional buildings (e.g., churches) due to strict zoning, often leading to rejected proposals or requiring use variances.
 - It was suggested to broaden the definition of "vacant public buildings" to "institutional buildings" to allow more flexible reuse options. This would align with allowing uses from the Mixed-Use (MU) district via special permit.
 - Commissioners discussed balancing the desire for reuse with potential neighborhood impacts (e.g., parking, traffic from event centers).
 - Mr. Tangari will review and update the definition in Section 5.4 to include "institutional buildings" and ensure appropriate reuse provisions are reflected in the MU district.
- Definitions and District Consistency:
 - *"Shared Driveways"*: No definition currently exists in the zoning ordinance, and no issues with setbacks have arisen; therefore, no immediate change is proposed.
 - *"Front Lot Line"*: The definition, which designates the narrowest frontage on a street for corner lots, will remain as it ensures consistent setbacks across blocks.
 - *"Vacant" & "Unoccupied"*: While "occupied" is defined, "vacant" is not. It was suggested to either define "vacant" or reference the city's existing vacant building ordinance.
 - *"Medical Office"*: The current definition groups doctor's offices, clinics, and urgent care. Concerns were raised about the different impacts (e.g., ambulances for urgent care). It was suggested to separate urgent care and combine it with "hospitals" in the use table (Article 13).
 - *Obsolete Definitions*: The ordinance retains definitions for "sexually oriented businesses" (e.g., adult movie theaters, nude model studios), despite their obsolescence due to the internet. Legal precedent prevents outright prohibition, so retaining the definitions allows for regulation if such businesses re-emerge.
 - *Street Classifications*: Detailed street definitions (e.g., collector, local) may be reduced if their primary function has moved to an engineering chapter. "Major Thoroughfare" will remain due to its zoning references.

- Undefined Uses in Permitted Use Table:
 - Lengthy debate took place regarding Planning Department staff having the ability to determine if an unlisted use is "similar and compatible" with existing uses and decide if it's permitted by right, special use, or accessory. This aims to streamline the process.
 - Several commissioners expressed that decisions on unlisted uses should automatically go before the Planning Commission as a special land use to maintain transparency and board oversight.
- Review of Permitted Use Table (Article 13):
 - Multiple inconsistencies were identified between the description of districts and the permitted uses listed in the table, particularly for the new Mixed-Use (MU) district.
 - Commissioners will review the entire table and submit specific comments and proposed changes to staff by early April for review before the next meeting.
 - The "Purpose and Intent" for the RM (Residential Multiple Family) district needs updating to clearly state that it permits triplexes and quadplexes, not just "four or more stories."
 - The prohibition on outdoor storage of "vehicles or equipment" in MU districts needs clarification to distinguish between daily work vehicles and fleets or long-term storage, which might apply to businesses like plumbers.
- Planned Unit Developments (PUDs):
 - The ordinance proposes treating PUDs more like an overlay or special land use rather than a zoning map change, simplifying future modifications. For environmental impact assessments, it was suggested to require professional reports.
 - Language should be added to PUD application requirements for professional environmental impact reports.
- Historic District Commission (HDC):
 - The zoning ordinance currently lacks any reference to the city's Historic District.
 - Language should be added to the ordinance stating that properties in historic districts are subject to HDC standards and reviews. A separate map showing HDC boundaries will be considered for clarity, as it is a PA 169 district, not a zoning overlay.
- Accessory Dwelling Units (ADUs) (Article 21):
 - A new section permits ADUs, both attached and detached, subject to building code (requiring a kitchen for a dwelling unit) and increased lot coverage limits. Detached ADUs can also be located on the second story of an accessory building.
 - ADUs governed by a separate ordinance, are currently prohibited from being used as short-term rentals. Commissioners discussed the possibility where temporary rentals might not require a full kitchen, but building code still dictates dwelling unit status.
- Bars and Lounges (Article 21):
 - The current ordinance prohibits outdoor live entertainment in C-1 (neighborhood business) districts. Commissioners debated whether to maintain the ban or allow it with conditions (e.g., compliance with noise ordinance, specific hours, limits on amplified sound) to support businesses while mitigating neighborhood impact.
 - This section needs review to consider allowing outdoor entertainment with specific conditions.
- Daycare Outdoor Play Space (Article 21):

- Update the ordinance to incorporate recent state law changes regarding daycare outdoor play space requirements (e.g., proximity to a park).
- Wireless Communication Facilities (Article 21):
 - New language has been added to comply with new federal and state statutes. Height restrictions of support structures must follow the statutes.
 - The 12ft height limit for equipment cabinets applies specifically to wireless communication facilities, not general utility cabinets.
- Motor Vehicle/Salvage Yards (Article 22):
 - There were concerns about a perceived lack of specific requirements for fencing, screening, drainage, and surfacing. These uses are subject to existing general "open storage standards" (requiring 8ft opaque screening and green belts) and environmental regulations (Egle).

D. Rise reminded the commissioners to review the use table (Article 13) and other identified inconsistencies/areas of concern and provide their comments to staff by early April.

Staff offered to meet individually with commissioners to discuss the table.

OTHER BUSINESS:

None.

BUSINESS NOT ON THE AGENDA:

None.

ADJOURN:

Motion to adjourn made by A. Meier, seconded by S. Turbett. Meeting adjourned at 10:15 p.m.

Prepared by Lisa Griffiths, Planning & Zoning Administrative Assistant



Application for Special Use Approval/Site Plan Review File SU 26-03

Part I General information

Applicant: James Owensby

Property Owner: Same **Location:**

1315 Columbus Ave.

Zoning District: C-2-A, General Business

Proposed Use: Used vehicle sales office and display area

Part II Summary of Request and Site Plan comments

The applicant is requesting Special Use and Site Plan approval for a 900-square-foot sales area for office use with two to three vehicles being on site. The owner of the property purchased the former Tuthill party store and will continue to use the building as a store. The area where the offices will be located is on the west side of the building. The applicant has provided a summary of the intent on the use of the storefront and parking area.

The parking area appears to provide parking spaces for 14 vehicles, however due to the age of the parking space striping it is recommended that new paint be applied to indicate each parking space and access arrows for in and out direction. The property is in a zoning district exempt from off-street parking requirements.

Due to the building being vacant for the past five years it's unsure how the existing residential use of the upper floor of the building is being used. On-street parking is available on Columbus Avenue however tenants do not prefer parking for their residence being on-street.

New and used car sales is a special use subject to review and approval by the planning commission in the C-2-A General Business zoning district. Review of the site plan (sketch plan) shall be concurrent with review of the application and subject to the site approval standards set forth in Section 122-326 and Section 122-357.

As a note, there are variations of wholesale dealers' licenses that must be obtained. Over the years, the planning department has received request to conduct a home occupation at a residence for vehicle wholesale dealer license. Included in this report is an example of the State of Michigan Municipality Approval Form and the description of the various license types that may be applied for. When signing the Approval Form it's noted as a home occupation and a letter is prepared describing the home occupation rules in the zoning ordinance. Home occupations are enforced on a compliant basis or with specific knowledge that a site is in violation. Zoning enforcement action is taken if a violation occurs. I'm not aware of any past enforcement action having to be taken for a motor vehicle dealers license with a home occupation.

Part III Departmental Review: Proposed use does not change anything related to departments.

Part IV Applicable Zoning Regulations

1. **Section 122-152 C (6) Table of District Uses:** New and used motor vehicle, truck and tractor, boat, mobile home,
Recreation vehicle and trailer sales a special use in the C-2-A, General Business.
2. **Section 122-485 Standards for Uses.** Motor vehicles, recreational vehicles, trailers, and mobile home sales and rental agencies.

Such facilities, including those that sell or rent motor vehicles, mobile homes, utility and similar trailers, and which may include repair facilities or outdoor display areas, shall be subject to the following regulations:

- (1) *Grading, surfacing, and drainage.* Outdoor sales lots, parking areas, and other vehicle maneuvering areas shall be surfaced with asphalt or concrete and graded and drained so as to dispose of surface waters.
- (2) *Driveway location.* The nearest edge of any driveway serving an outdoor vehicle sales area shall be located at least 60 feet from any street intersection as measured from the nearest intersection right-of-way line.
- (3) *Servicing of vehicles.* Service facilities shall be subject to the following regulations:
 - a. Service activities shall be clearly incidental to the vehicle sales operation.
 - b. Vehicle and trailer service activities shall occur within a completely enclosed building.
 - c. New and used parts, and discarded parts shall be stored within a completely enclosed building.
 - d. The building containing service operations shall be located a minimum of ten feet from any property line.
 - e. There shall be no external evidence of the service operations, in the form of dust, odors, or noise, beyond the service building.
- (4) *Loudspeakers prohibited.* Loudspeakers shall not be mounted on the exterior of buildings or structures.
- (5) *Setbacks.* Outdoor sales areas, parking areas and vehicle maneuvering areas shall comply with the locational regulations for parking areas specified in article XVII, off-street parking and loading.
- (6) *Outdoor storage.* Outdoor storage areas for vehicles being serviced shall be screened by a six-foot fence or wall in accordance with the regulations of article XIX, walls and fences, or a landscaped screen in accordance with the regulations of article XVIII, landscaping and screening.

3. Section 122-357 – Special Use Approval Standards

Section 122-357 of the City’s zoning regulations lists standards that apply to the establishment of the special uses in all the City’s zoning districts. Staff comments pertaining to each standard are provided in *italic type*.

- a) The proposed special use will not impair the public health, safety or welfare.
Based on the application information, the presentation by the applicant at the meeting and with public comment, the planning commission will need to decide whether the proposed use will result in the creation of potential nuisances that will impair the public health, safety or welfare. None have been determined by staff.
- b) The proposed special use is appropriate for its proposed location and compatible with the character of surrounding land uses, and the uses permitted in the zoning district(s) in which surrounding property is located. *The planning commission will need to decide whether the proposed building use is compatible with this neighborhood.*

- c) The proposed special use complies with applicable zoning district regulations. *The proposed use meets the regulations being a special use and those in Section 122:485.*
- d) The proposed special use complies with applicable standards for specific uses set forth in article XXI, Standards for Specific Uses. *Section 122:485.*
- e) The location and design of the proposed special use minimize any potential adverse effects of the use on adjacent property by avoiding significant adverse impact relating to parking, loading, delivery, storage and service areas, odors, noise, glare, vibration and other potential nuisances. *Appears to be met.*
- f) The location and design of driveways are safe in relation to streets providing access to the use. Access to the use is designed to minimize conflicts between vehicles and pedestrians and with traffic using adjacent streets and driveways. Vehicular circulation is designed to be safe and convenient. *The access drive from N. Lincoln Street remains unchanged.*
- g) Off-street parking areas comply with the provisions of article XVII. *N/A*
- h) Greenbelts, landscaping and screening are provided in accordance with the regulations of article XVIII. *The property lines do contain mature landscaping however the shrubs do not form a visual barrier for sufficient screening to the abutting properties. Section 122:485 (6) Standards for outdoor storage states "Outdoor storage areas for vehicles being serviced shall be screened by a six-foot fence or wall in accordance with the regulations of article XIX, walls and fences, or a landscaped screen in accordance with the regulations of article XVIII, landscaping and screening. Standard (3) describes some service activities of which none will occur at this site.*
- i) Walls and fences comply with the provisions of article XIX. *N/A*
- j) Signs comply with the provisions of article XX. *No sign is shown but a window or wall sign would be most appropriate at this location.*
- k) Refuse receptacles are adequately screened from view from streets and adjoining property. *N/A*
- l) All exterior lighting (building mounted and freestanding) is designed and installed to comply with the regulations of section 122-60 to result in minimal light trespass onto adjoining property, and to avoid interference with the vision of motorists on adjoining streets. *Lighting unchanged.*
- m) Access routes to all buildings, structures and uses are provided for emergency services vehicles. *Provided.*
- n) Public utilities are provided in accordance with the regulations of public utility providers. Storm water management is consistent with city, state and federal regulations. Public utilities are provided in accordance with the regulations of public utility providers. Storm water management is consistent with city, state and federal regulations. *The property is served with all public utilities.*

Section 122-358. Conditions.

Any conditions imposed with the approval of a special use shall be in accordance with the regulations of the Michigan Zoning Enabling Act, PA 110 of 2006 as amended.

Section 122-326. Review and approval.

- (a) The planning commission shall review the site plan, and any reports or findings prepared by the planning department and other city departments. The planning commission may approve, approve with conditions or deny approval of the site plan. It may also table action on the application at the request of the applicant or pending receipt of a revised site plan or other supplemental information requested by the planning commission, deemed necessary to an informed decision.

Part V Staff Findings and Conditions

- 1. The proposed use can meet the requirements for zoning district in which it is located.
- 2. Based on public input and the explanation of the proposed use by the applicant, the planning commission will need to determine specifically whether the use is appropriate for its proposed location and compatible with the character of surrounding land uses with regards to building design and placement.
- 3. Parking spaces repainted and access direction at drives.
- 4. Limit the vehicles for this use to three.

Part VI Planning Commission Finding of Fact and Motion to Approve or Deny Applicant's Request

The Planning Commission must make a detailed finding of facts specifying the factual basis for the motion to approve or deny the applicant's request. The finding of fact must state the Planning Commission's findings related to the proposed special use's compliance or non-compliance with all conditions and standards listed at Sections 122-103 and 122-357 of the City's zoning regulations.



.Supplement motion form

I move that the board Approve or Deny the appellant's request for the following reasons, findings of facts and conditions:

- a) The proposed special use will not impair public health, safety or welfare. Reason

- b) The proposed special use is appropriate for its proposed location and compatible with the character of surrounding land uses, and the uses permitted in the zoning district(s) in which surrounding property is located. Reason

- c) The proposed special use complies (does not comply) with applicable zoning district regulations.

- d) The proposed special use complies with applicable standards for specific uses set forth in article XXI.
- e) The location and design of the proposed special use minimize any potential adverse effects of the use on adjacent property by avoiding significant adverse impact relating to parking, loading, delivery, storage and service areas, odors, noise, glare, vibration and other potential nuisances. Reason

- f) The location and design of driveways are safe in relation to streets providing access to the use. Access to the use is designed to minimize conflicts between vehicles and pedestrians and with traffic using adjacent streets and driveways. Vehicular circulation is designed to be safe and convenient.
- g) Off-street parking areas comply with the provisions of article XVII.
- h) Greenbelts, landscaping and screening are provided in accordance with the regulations of article XVIII.
- i) Walls and fences comply with the provisions of article XIX.
- j) Signs comply with the provisions of article XX.

- k) Refuse receptacles are adequately screened from view from streets and adjoining property.
- l) All exterior lighting (building mounted and freestanding) is designed and installed to comply with the regulations of section 122-60 to result in minimal light trespass onto adjoining property, and to avoid interference with the vision of motorists on adjoining streets.
- m) Access routes to all buildings, structures and uses are provided for emergency services vehicles.
- n) Public utilities are provided in accordance with the regulations of public utility providers. Storm water management is consistent with city, state and federal regulations. Public utilities are provided in accordance with the regulations of public utility providers. Storm water management is consistent with city, state and federal regulations.

Subject: Special Land Use Request – 1315 Columbus Ave

To Whom It May Concern,

I am currently the owner of the property located at 1315 Columbus Ave. The property is currently vacant, and I am seeking approval for a **Special Land Use** that would allow us to operate an **automobile wholesale/retail licensed office** at this location.

The space, which is approximately **900 square feet**, will primarily be used for **administrative purposes**. Specifically, it will serve as an office for the storage and management of vehicle titles and other automotive-related documentation required by the State of Michigan. The office will contain a desk, filing cabinet, and a small seating area. The proposed office hours will be **10:00 AM to 4:00 PM**, with **one employee present during those hours**.

Regarding parking, we anticipate using **no more than two to three parking spaces** located at the rear of the property at any given time. The majority of our business is conducted in the **automotive wholesale market**, which typically does not require vehicles to be brought to the office location.

Our goal is to responsibly utilize this currently vacant property while maintaining minimal impact on the surrounding area.

Please feel free to contact me if you have any questions or require additional information regarding this request.
Sincerely,

James Owensby
9892336531
Bridgewatersteel@gmail.com



09-160-028-279-010-00

1315 COLUMBUS AVE

1315 COLUMBUS AVE

AUG 2023



09-160-028-279-010-00

1315 COLUMBUS AVE

1315 COLUMBUS AVE

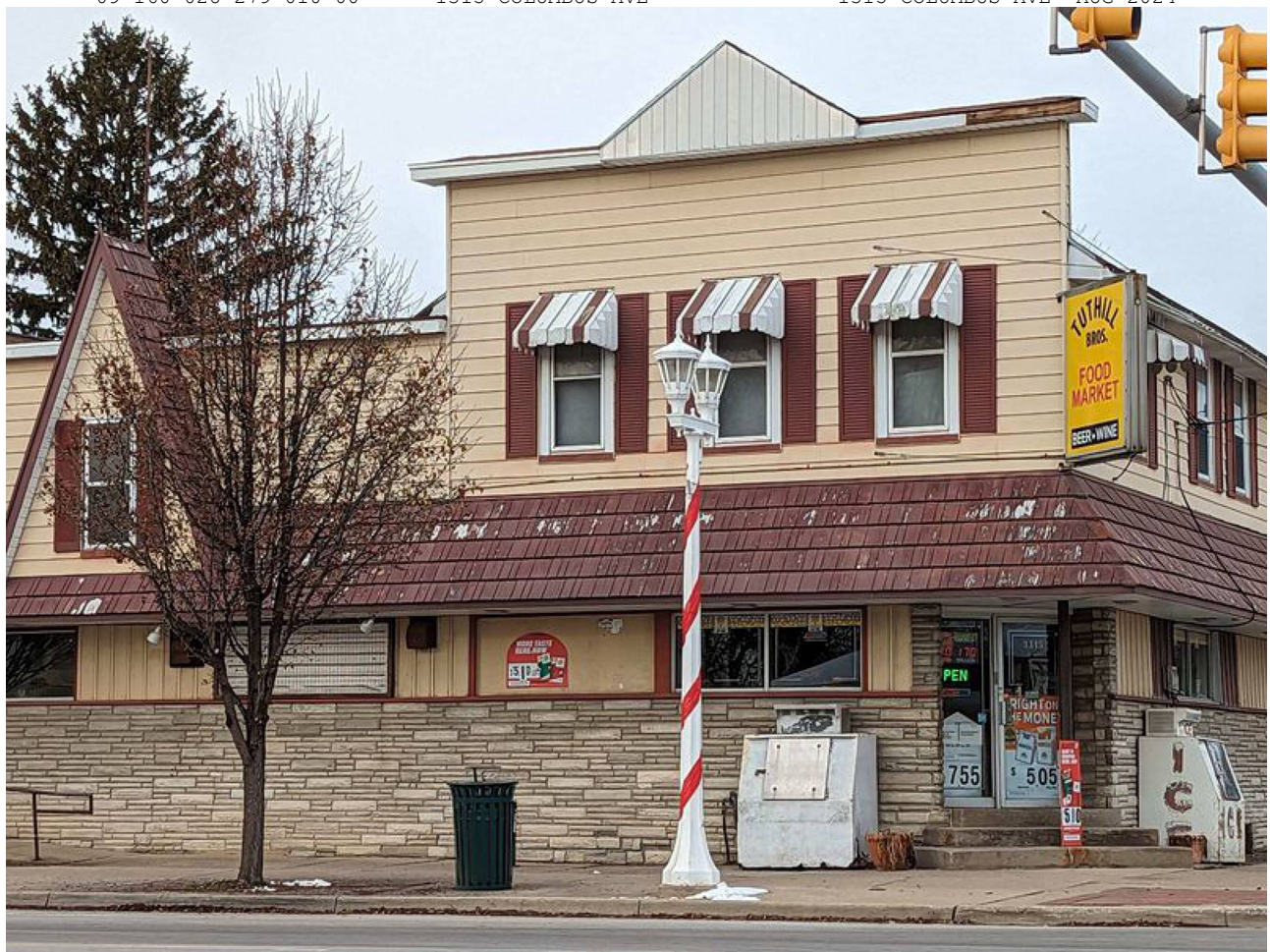
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1315 COLUMBUS AVE

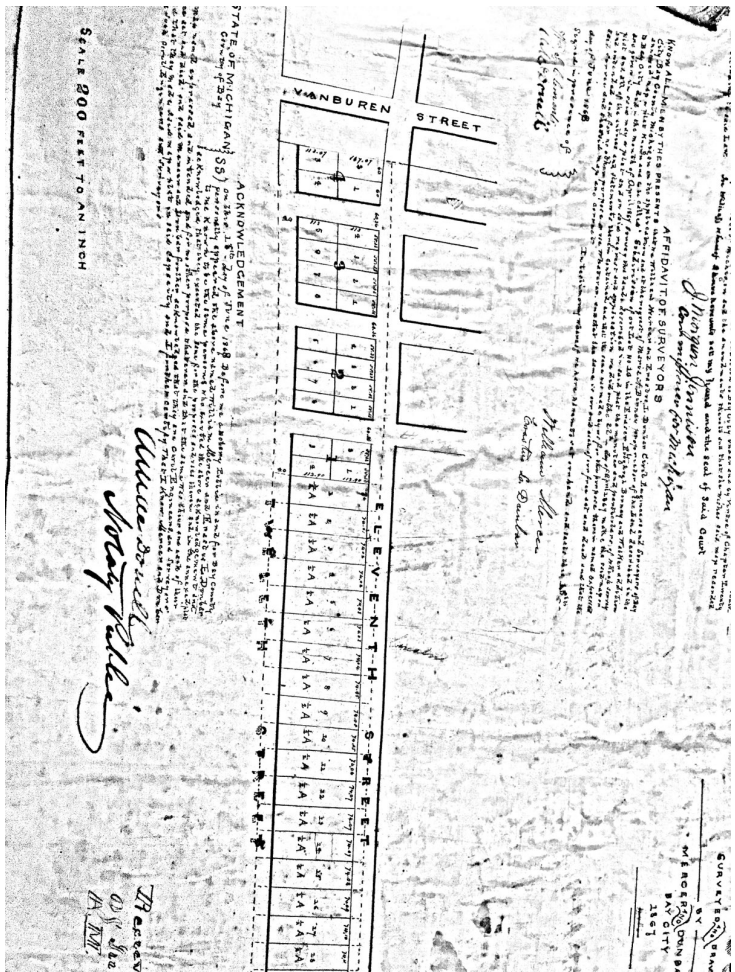
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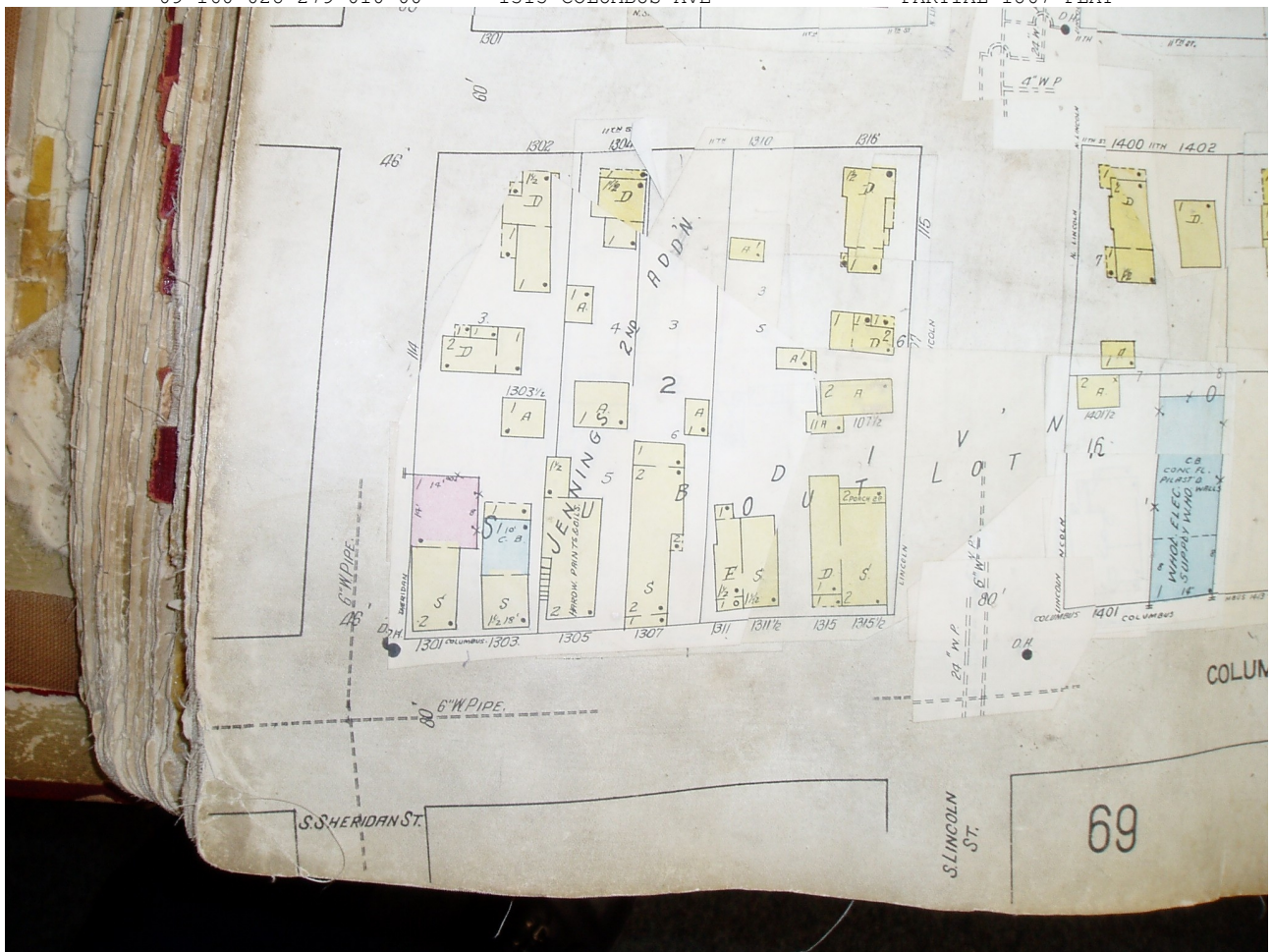
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1315 COLUMBUS AVE

'23 MLS



09-160-028-279-010-00 1315 COLUMBUS AVE PARTIAL 1867 PLAT



09-160-028-279-010-00 1315 COLUMBUS AVE SANBORN INSURANCE MAPS





MUNICIPALITY APPROVAL

Name of Dealership: _____

Dealership Address: _____
(street) (city) (zip)

Dealer License Number (if applicable): _____

- Class A - New Vehicle Dealer
- Class B - Used Vehicle Dealer
- Class C - Used Vehicle Parts Dealer
- Class D - Broker
- Class E - Distressed Vehicle Transporter
- Class F - Vehicle Scrap Metal Processor
- Class G - Vehicle Salvage Pool
- Class R - Automotive Recycler
- Class W - Automotive Wholesaler

Municipal Authority:

The license(s) being applied for (checked above) would permit, but not require, all business activities described above. Please check the appropriate category below, complete the signature portion of this form, and return this completed form to the applicant.

If you have any questions or concerns, contact the Michigan Department of State, Licensing Unit, at 1-888-SOS-MICH (1-888-767-6424).

Thank you.

Municipality requirements may include; local building code requirements, land use requirements, sign ordinances, local licensure, etc...

Location **MEETS** all the municipal requirements for dealer classification(s) checked above.

Location is approved subject to current and successor zoning regulations (Chpt. 122 of the city code) governing the conduct of home occupations in the city's residential zoning districts.

Reason:

There are **NO MUNICIPAL REQUIREMENTS** in this jurisdiction for dealer classification(s) checked above.

Signature of Municipal Authority Date () Telephone Number

Printed Name of Municipal Authority Jurisdiction (City, Township, etc.)

Class A (New Vehicle Dealer) - This dealer buys and sells new vehicles under a franchise agreement or a contract with a new vehicle manufacturer.

Class B (Used Vehicle Dealer) - This dealer buys and sells used vehicles.

Class C (Used Vehicle Parts Dealer) and Class R (Automotive Recycler) - These dealers buy or otherwise acquire late model major component parts for resale, either at wholesale or at retail, and/or acquire vehicles to dismantle for the resale of their parts, selling the remains as scrap. These are the only classes which can legally buy late model distressed vehicles (salvage or scrap vehicles) or late model major component parts from insurance companies, or through auctions, brokers, or salvage pools in Michigan.

Class D (Broker) - This dealer "brokers" the sale of vehicles or late model major component (salvageable) parts by arranging (or offering to arrange) for the sale of the vehicles or parts between two parties. A broker **may not** take ownership of the vehicles or major component parts.

Class E (Distressed Vehicle Transporter) - This dealer may: 1) buy or acquire ownership of, 2) transport, and 3) sell scrapped or junked vehicles only. Vehicles may be sold at wholesale only to:

1. Used Vehicle Parts Dealers (Class C); or
2. Scrap Metal Processors (Class F); or
3. Automotive Recyclers (Class R).

This dealer may NOT dismantle vehicles or sell parts. (Note: A vehicle "crusher" is one type of distressed vehicle transporter.)

Class F (Vehicle Scrap Metal Processor) -This dealer processes vehicles into scrap metal by shearing, fragmenting, baling, shredding, etc. (Crushing vehicles is not considered a scrap metal process since it is not the final step before remelting.)

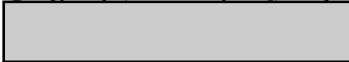
A scrap metal processor who acquires vehicles only from licensed dealers is not required to be licensed but must keep certain records and make them available for inspection.

Class G (Vehicle Salvage Pool) -This dealer engages in the business of storing and displaying damaged or distressed vehicles for insurance companies. Class G is compatible only with Class D.

Class W (Automotive Wholesaler) - This dealer engages in the business of buying and selling used vehicles from and to licensed vehicle dealers. A wholesaler may not buy, sell or otherwise deal in vehicles to a person other than a licensed vehicle dealer.



March 24, 2009



Bay City, MI 48708-6754

RE: Michigan Department of State Used Vehicle Parts Dealer License – 

Dear Mr. White:

This letter shall serve as the city's official record of its conditional approval of your Michigan Department of State Used Vehicle Parts Dealer License authorizing you to conduct business as a used motor vehicle parts dealer at your residence. Your residence is located in an R-1 Single-Family residential zoning district pursuant to chapter 122 (zoning) of the City of Bay City Code of Ordinances. You may operate your business as a home occupation pursuant to section 122-56 of the city code subject to the following specific limitations:

1. Your business must be clearly incidental and secondary to the use of your home as a residence and must be conducted entirely within your home.
2. Your business shall not change the residential character or appearance of your home or the neighborhood in which it is located. The appearance of your home shall not be altered, nor shall your business be conducted in a manner which would cause your home to differ from its residential character.
3. Only the residents of your home may be engaged in the conduct of your business.
4. No motor vehicle parts shall at any time be stored or stocked within your home or elsewhere on your property. No retail sales of motor vehicle parts shall be permitted on your property.

You may contact me at 894-8176 should additional information be desired.

Sincerely,

CITY OF BAY CITY



Zoning Officer

**Planning Commission
Utility Cabinet Site Plan Review Staff Report**

Case SPR 26-04 – 599 S. Kiesel St

Applicant: Airosmith Development o/b Ripple Fiber
318 West Avenue
Saratoga Springs, New York 12866

Project Summary

Ripple Fiber. proposing to place a 37" deep x 30" wide x 74.4" tall outdoor utility cabinet on a 60"x60" concrete pad on grade within the city right-of-way on the corner of W. White and S. Kiesel Streets.



Purpose of Utility Cabinet Regulations

Utility cabinets are regulated by Chapter 34, Article V, Sections 34-140, et. seq. of the City Code. Section 34-140 (Purpose) states the regulations are intended to ensure that utility cabinets:

1. Do not create an obstacle in the right-of-way;
2. Minimize impediments to a driver's view of the street and or sidewalk;
3. Do not create an attractive nuisance to children;
4. Do not interfere with essential services;
5. Do not detract from the streetscape; and
6. Protect property owners' rights to attractive, well-maintained public spaces and rights-of-way, while ensuring that the legitimate needs of utility companies are met.



Departmental Review

All departments	All departments were unable to complete the review. Other review reports approved do require a call to Miss Dig prior to installation.
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Permit Required

Section 34-142 states that a permit is required for the installation of a utility cabinet. Permits can be issued by the Planning Commission upon receipt of the City Engineer's recommendation regarding installation of the utility cabinet in question. The City Engineer's designee has recommended issuance of a permit.

Regulations Governing Location of Utility Cabinets

Section 34-144 of the City Code governs the location of utility cabinets. The proposed cabinet by Omni Fiber complies with all but (1) regulations listed in Section 34-144.

Section 34-144 - Location	
Is proposed cabinet within 20 feet from a crosswalk?	No
Is proposed cabinet within 30 feet of the approach to a stop sign or traffic control signal located at the side of the road or within the lawn extension?	No
Will the proposed cabinet blocks egress from an emergency exit	No
Will the proposed cabinet interfere with another utility's access to, maintenance of or operation of its facilities?	No
Is the proposed cabinet within 10 feet from the intersection of a sidewalk or street and the edge of a driveways	No
Is the proposed within 10 feet from a tree?	No
Is the proposed within 10 feet from a mailbox owned by the United States Postal Service?	No
Is the proposed cabinet within 30 feet of a bus stop?	No

Specifications for Utility Cabinets

Section 34-145 establishes specifications of the utility cabinet installations. The specifications govern the maximum dimensions of ground-mounted utility cabinets, their orientation to streets, and other factors. Omni Fiber is obligated to comply with all specifications listed at Section 34-145 as a condition of approval of any proposed utility cabinet.

Staff Findings/Recommendations

Planning Department and Public Works Department staff have determined that the fiber optic Commscope 432 Port Outdoor Cabinet subject to this staff report complies with the Sections 34-140 and 34-144 of the City Code. Staff recommends the Planning Commission issue a permit authorizing installation of the utility cabinet subject to the following findings and conditions:

Conditions of Issuance of Permit

The applicant shall comply with the following conditions:

1. At least 14 days before the applicant installs a utility cabinet, the applicant shall give notice of such installation by first-class mail to all property owners that reside on the same street or cross street and are within 100 feet of the proposed utility cabinet location. Copies of all notices shall be provided to Planning Department staff within three days of mailing.
2. Upon the applicant's completed installation of a utility cabinet and related equipment, fixtures and appurtenances, the applicant shall provide to the city accurate as-built drawings of the entire area within 100 feet of the installed utility cabinet location. Such as-built drawings shall include:
 - a. The name, address and telephone number of the individual responsible for the content of the as- built drawings;
 - b. The drawing date, north arrow, and site location map;
 - c. The drawing scale (no less than 1" = 10');
 - d. Lot lines and right-of-way boundaries including the location of any benchmarks or property corners either found or set;
 - e. The accurate location, including height and or depth, of the franchisee's utility cabinet, related equipment, fixtures and appurtenances;

- f. The locations and exterior dimensions of neighboring houses, garages or other buildings, driveways, sidewalks, fences, trees, telephone poles, fire hydrants, bus stops, play equipment, etc.;
 - g. The locations of all existing utilities in the right-of-way.
3. The applicant agrees to indemnify, defend and hold harmless the city for any injury that is a direct result, in whole or in part, to the franchisee's as-built drawings being inaccurate regarding the location of the franchisee's utility cabinet, related equipment, fixtures or appurtenances.

**Planning Commission
Utility Cabinet Site Plan Review Staff Report**

**Case SPR 26-05 - 698 S. Farragut St.
Cabinet BCT01-F14**

Applicant: Omni Fiber, LLC. - Angelica Vasquez 4680
Parkway Dr., Suite 450
Mason, OH 45040

Project Summary

Omni Fiber, LLC. is proposing installation of an above ground fiber optic Commscope 432 Port Outdoor Cabinet within the city-owned right-of-way at the west side of S Farragut St. (43.584146°N - 83.880454°W) with the closest address point of 610 S Farragut St. (see below). The proposed cabinet measurements are 48 inches in height, 27 inches in width, and 18 inches in depth.

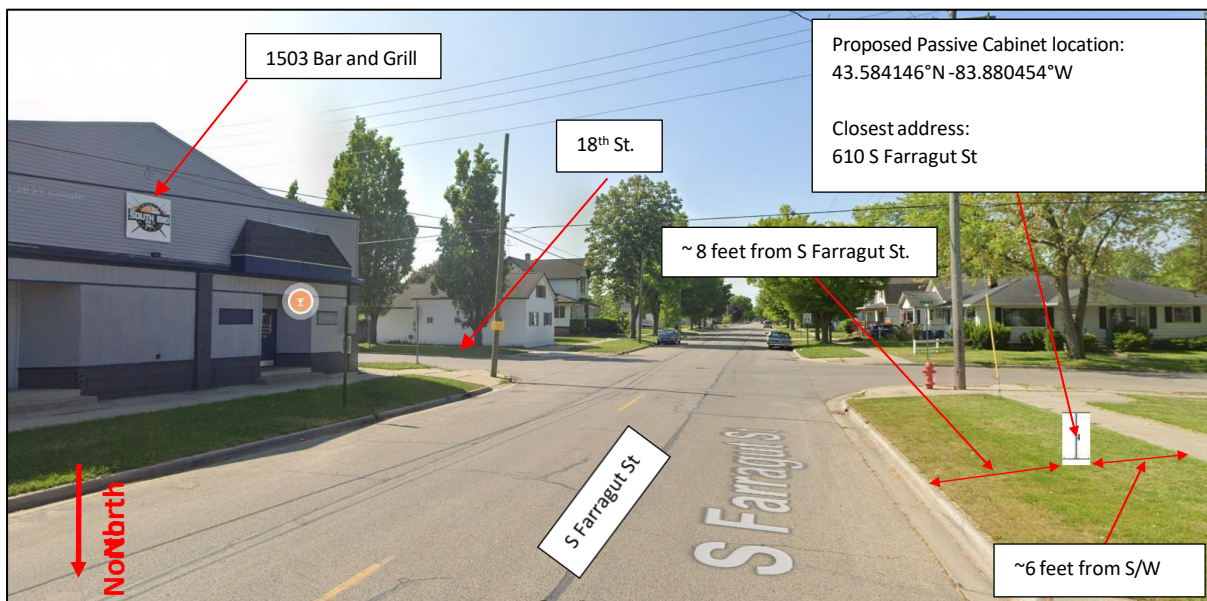


Purpose of Utility Cabinet Regulations

Utility cabinets are regulated by Chapter 34, Article V, Sections 34-140, et. seq. of the City Code. Section 34-140 (Purpose) states the regulations are intended to ensure that utility cabinets:

1. Do not create an obstacle in the right-of-way;
2. Minimize impediments to a driver's view of the street and or sidewalk;
3. Do not create an attractive nuisance to children;
4. Do not interfere with essential services;
5. Do not detract from the streetscape; and
6. Protect property owners' rights to attractive, well-maintained public spaces and rights-of-way, while ensuring that the legitimate needs of utility companies are met.

A street level view illustrating a mock-up of the proposed cabinet is provided below.



Departmental Review

All departments	All departments were unable to complete the review. Other review reports approved do require a call to Miss Dig prior to installation.
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Permit Required

Section 34-142 states that a permit is required for the installation of a utility cabinet. Permits can be issued by the Planning Commission upon receipt of the City Engineer’s recommendation regarding installation of the utility cabinet in question. The City Engineer’s designee has recommended issuance of a permit.

Regulations Governing Location of Utility Cabinets

Section 34-144 of the City Code governs the location of utility cabinets. The proposed cabinet by Omni Fiber complies with all but (1) regulations listed in Section 34-144.

Section 34-144 - Location	
Is proposed cabinet within 20 feet from a crosswalk?	No
Is proposed cabinet within 30 feet of the approach to a stop sign or traffic control signal located at the side of the road or within the lawn extension?	No
Will the proposed cabinet blocks egress from an emergency exit	No
Will the proposed cabinet interfere with another utility's access to, maintenance of or operation of its facilities?	No
Is the proposed cabinet within 10 feet from the intersection of a sidewalk or street and the edge of a driveways	NO
Is the proposed within 10 feet from a tree?	No
Is the proposed within 10 feet from a mailbox owned by the United States Postal Service?	No
Is the proposed cabinet within 30 feet of a bus stop?	No

Specifications for Utility Cabinets

Section 34-145 establishes specifications of the utility cabinet installations. The specifications govern the maximum dimensions of ground-mounted utility cabinets, their orientation to streets, and other factors. Omni Fiber is obligated to comply with all specifications listed at Section 34-145 as a condition of approval of any proposed utility cabinet.

Staff Findings/Recommendations

Planning Department and Public Works Department staff have determined that the fiber optic Commscope 432 Port Outdoor Cabinet subject to this staff report complies with the Sections 34-140 and 34-144 of the City Code. Staff recommends the Planning Commission issue a permit authorizing installation of the utility cabinet subject to the following findings and conditions:

Conditions of Issuance of Permit

The applicant shall comply with the following conditions:

1. At least 14 days before the applicant installs a utility cabinet, the applicant shall give notice of such installation by first-class mail to all property owners that reside on the same street or cross street and are within 100 feet of the proposed utility cabinet location. Copies of all notices shall be provided to Planning Department staff within three days of mailing.
2. Upon the applicant's completed installation of a utility cabinet and related equipment, fixtures and appurtenances, the applicant shall provide to the city accurate as-built drawings of the entire area within 100 feet of the installed utility cabinet location. Such as-built drawings shall include:
 - a. The name, address and telephone number of the individual responsible for the content of the as- built drawings;
 - b. The drawing date, north arrow, and site location map;
 - c. The drawing scale (no less than 1" = 10');
 - d. Lot lines and right-of-way boundaries including the location of any benchmarks or property corners either found or set;
 - e. The accurate location, including height and or depth, of the franchisee's utility cabinet,

- related equipment, fixtures and appurtenances;
 - f. The locations and exterior dimensions of neighboring houses, garages or other buildings, driveways, sidewalks, fences, trees, telephone poles, fire hydrants, bus stops, play equipment, etc.;
 - g. The locations of all existing utilities in the right-of-way.
3. The applicant agrees to indemnify, defend and hold harmless the city for any injury that is a direct result, in whole or in part, to the franchisee's as-built drawings being inaccurate regarding the location of the franchisee's utility cabinet, related equipment, fixtures or appurtenances.

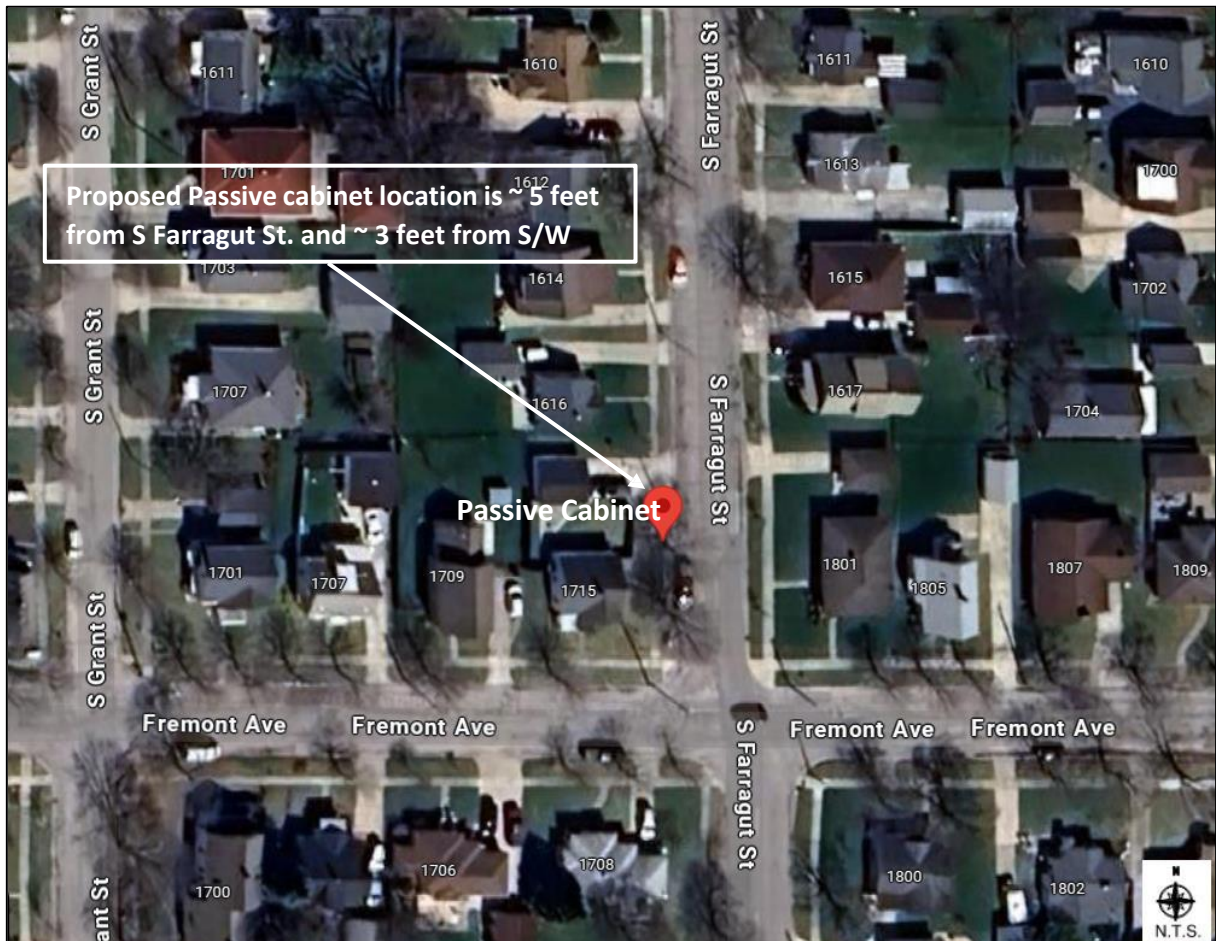
**Planning Commission
Utility Cabinet Site Plan Review Staff Report**

**Case SPR 26-06 – 1626 S. Farragut St.
Cabinet BCT01-F23**

Applicant: Omni Fiber, LLC. - Angelica Vasquez
4680 Parkway Dr., Suite 450
Mason, OH 45040

Project Summary

Omni Fiber, LLC. is proposing installation of an above ground fiber optic Commscope 432 Port Outdoor Cabinet within the city-owned right-of-way at the west side of S Farragut St. (43.573217°N -83.880259°W) with the closest address point of 1310 Fremont (see below). The proposed cabinet measurements are 48 inches in height, 27 inches in width, and 18 inches in depth.

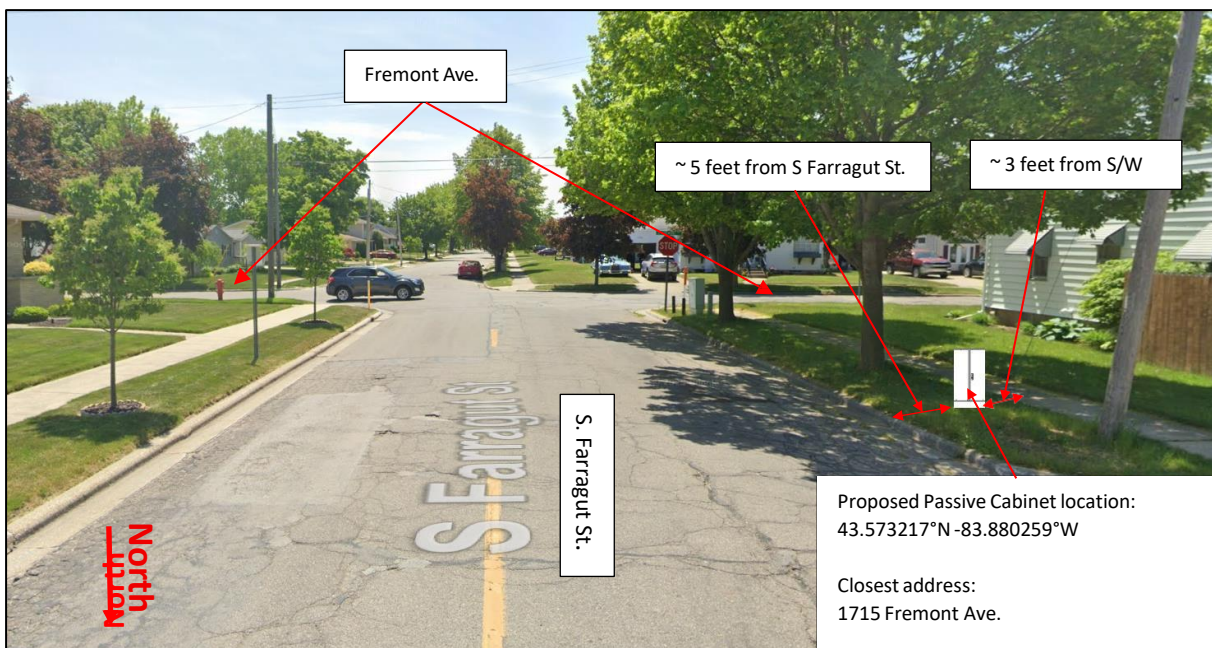


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1. Do not create an obstacle in the right-of-way;
2. Minimize impediments to a driver's view of the street and or sidewalk;
3. Do not create an attractive nuisance to children;
4. Do not interfere with essential services;
5. Do not detract from the streetscape; and
6. Protect property owners' rights to attractive, well-maintained public spaces and rights-of-way, while ensuring that the legitimate needs of utility companies are met.

A street level view illustrating a mock-up of the proposed cabinet is provided below.



Departmental Review

All departments	All departments were unable to complete the review. Other review reports approved do require a call to Miss Dig prior to installation.
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Permit Required

Section 34-142 states that a permit is required for the installation of a utility cabinet. Permits can be issued by the Planning Commission upon receipt of the City Engineer's recommendation regarding installation of the utility cabinet in question. The City Engineer's designee has recommended issuance of a permit.

Regulations Governing Location of Utility Cabinets

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Section 34-144 - Location	
Is proposed cabinet within 20 feet from a crosswalk?	No
Is proposed cabinet within 30 feet of the approach to a stop sign or traffic control signal located at the side of the road or within the lawn extension?	No
Will the proposed cabinet blocks egress from an emergency exit	No
Will the proposed cabinet interfere with another utility's access to, maintenance of or operation of its facilities?	No
Is the proposed cabinet within 10 feet from the intersection of a sidewalk or street and the edge of a driveways	NO
Is the proposed within 10 feet from a tree?	No
Is the proposed within 10 feet from a mailbox owned by the United States Postal Service?	No
Is the proposed cabinet within 30 feet of a bus stop?	No

Specifications for Utility Cabinets

Section 34-145 establishes specifications of the utility cabinet installations. The specifications govern the maximum dimensions of ground-mounted utility cabinets, their orientation to streets, and other factors. Omni Fiber is obligated to comply with all specifications listed at Section 34-145 as a condition of approval of any proposed utility cabinet.

Staff Findings/Recommendations

Planning Department and Public Works Department staff have determined that the fiber optic Commscope 432 Port Outdoor Cabinet subject to this staff report complies with the Sections 34-140 and 34-144 of the City Code. Staff recommends the Planning Commission issue a permit authorizing installation of the utility cabinet subject to the following findings and conditions:

Conditions of Issuance of Permit

The applicant shall comply with the following conditions:

1. At least 14 days before the applicant installs a utility cabinet, the applicant shall give notice of such installation by first-class mail to all property owners that reside on the same street or cross street and are within 100 feet of the proposed utility cabinet location. Copies of all notices shall be provided to Planning Department staff within three days of mailing.
2. Upon the applicant's completed installation of a utility cabinet and related equipment, fixtures and appurtenances, the applicant shall provide to the city accurate as-built drawings of the entire area within 100 feet of the installed utility cabinet location. Such as-built drawings shall include:
 - a. The name, address and telephone number of the individual responsible for the content of the as-built drawings;
 - b. The drawing date, north arrow, and site location map;
 - c. The drawing scale (no less than 1" = 10');
 - d. Lot lines and right-of-way boundaries including the location of any benchmarks or

- property corners either found or set;
 - e. The accurate location, including height and or depth, of the franchisee's utility cabinet, related equipment, fixtures and appurtenances;
 - f. The locations and exterior dimensions of neighboring houses, garages or other buildings, driveways, sidewalks, fences, trees, telephone poles, fire hydrants, bus stops, play equipment, etc.;
 - g. The locations of all existing utilities in the right-of-way.
3. The applicant agrees to indemnify, defend and hold harmless the city for any injury that is a direct result, in whole or in part, to the franchisee's as-built drawings being inaccurate regarding the location of the franchisee's utility cabinet, related equipment, fixtures or appurtenances.

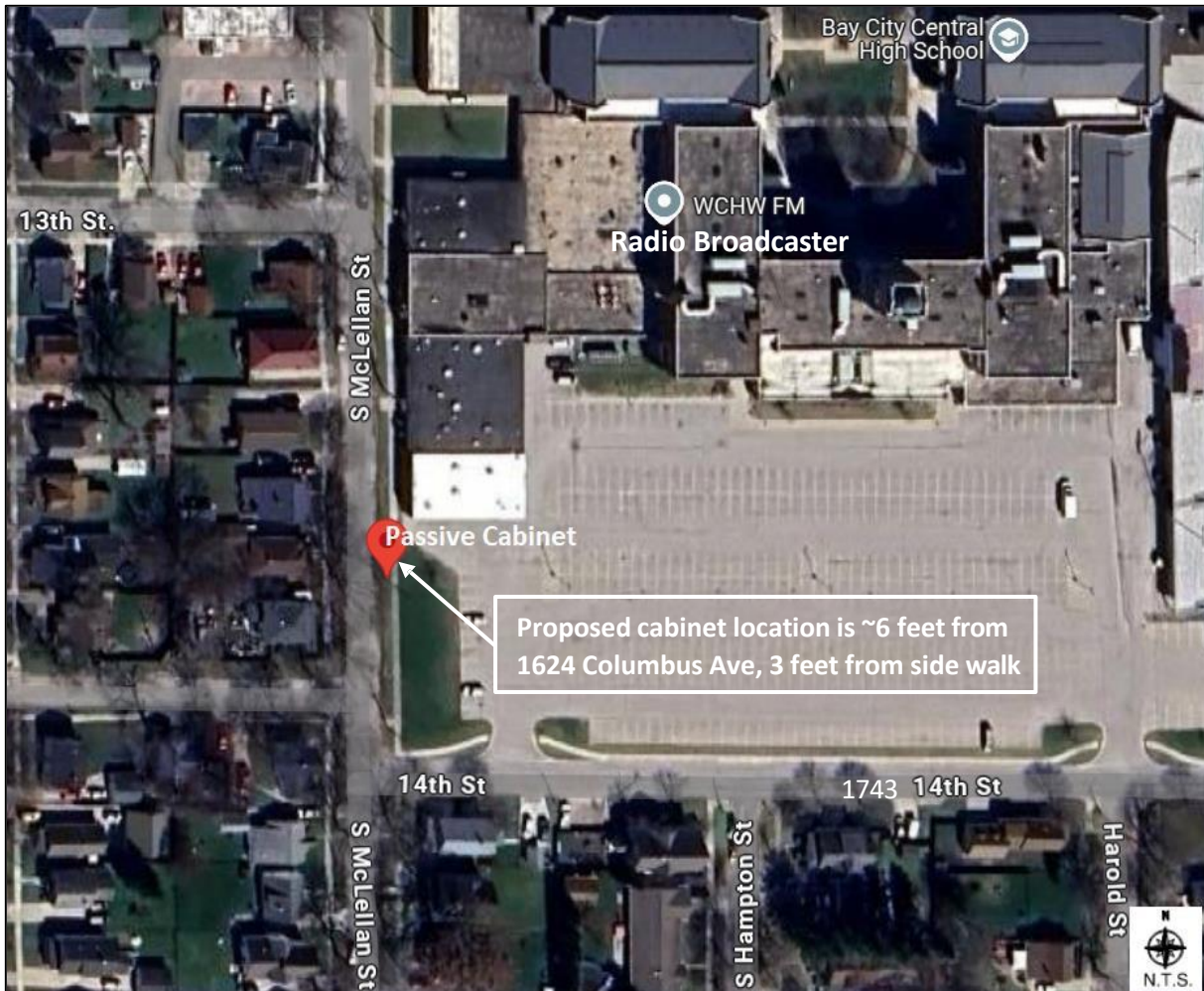
**Planning Commission
Utility Cabinet Site Plan Review Staff Report**

Case SPR 26-07 – 251 S. McLellan St.
Cabinet BCT01-F30

Applicant: Omni Fiber, LLC. - Angelica Vasquez
4680 Parkway Dr., Suite 450
Mason, OH 45040

Project Summary

Omni Fiber, LLC. is proposing installation of an above ground fiber optic Commscope 432 Port Outdoor Cabinet within the city-owned right-of-way at the east side of S McLellan St. (43.587841°N -83.875075°W) with the closest address point of 1624 Columbus Ave. (see below). The proposed cabinet measurements are 48 inches in height, 27 inches in width, and 18 inches in depth.

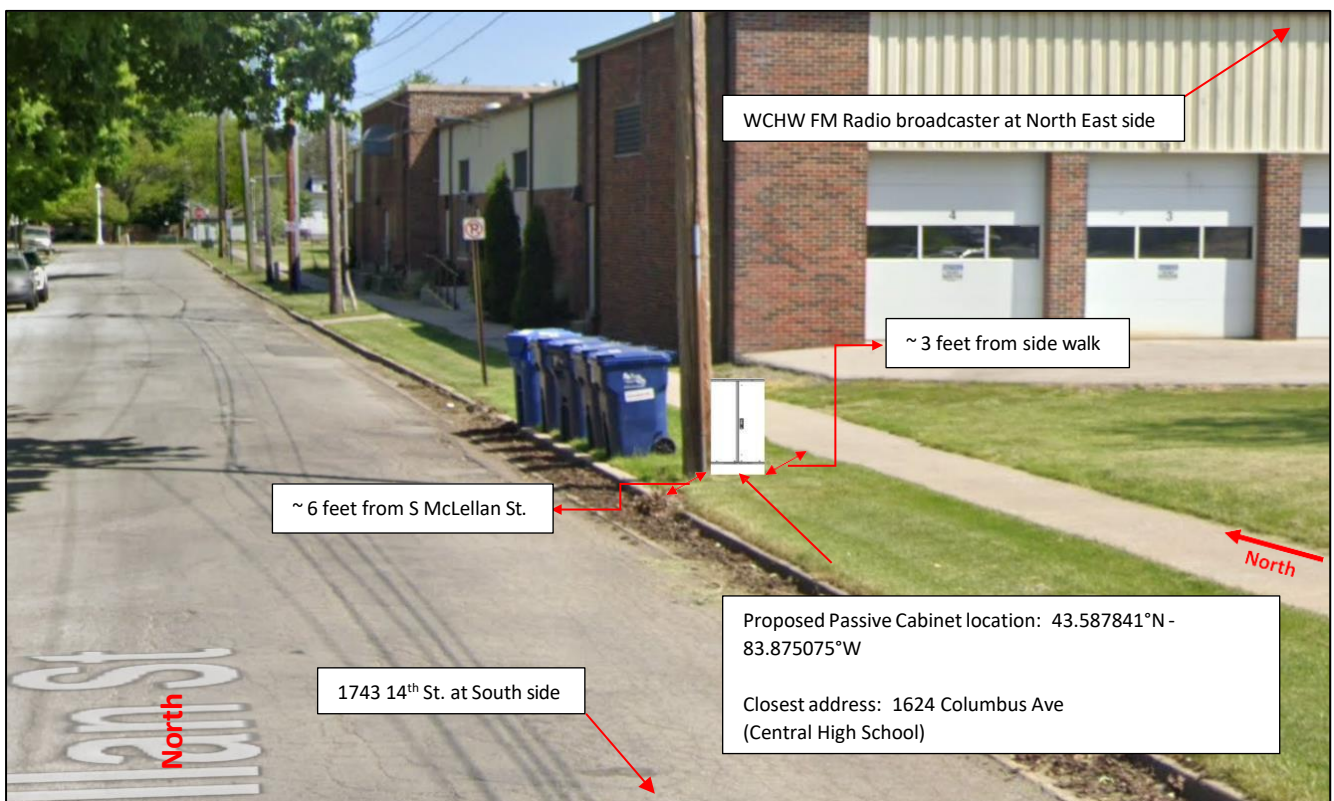


Purpose of Utility Cabinet Regulations

Utility cabinets are regulated by Chapter 34, Article V, Sections 34-140, et. seq. of the City Code. Section 34-140 (Purpose) states the regulations are intended to insure that utility cabinets:

1. Do not create an obstacle in the right-of-way;
2. Minimize impediments to a driver's view of the street and or sidewalk;
3. Do not create an attractive nuisance to children;
4. Do not interfere with essential services;
5. Do not detract from the streetscape; and
6. Protect property owners' rights to attractive, well-maintained public spaces and rights-of-way, while ensuring that the legitimate needs of utility companies are met.

A street level view illustrating a mock-up of the proposed cabinet is provided below.



Departmental Review

All departments	All departments were unable to complete the review. Other review reports approved do require a call to Miss Dig prior to installation.
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Permit Required

Section 34-142 states that a permit is required for the installation of a utility cabinet. Permits can be issued by the Planning Commission upon receipt of the City Engineer's recommendation regarding installation of the utility cabinet in question. The City Engineer's designee has recommended issuance of a permit.

Regulations Governing Location of Utility Cabinets

Section 34-144 of the City Code governs the location of utility cabinets. The proposed cabinet by Omni Fiber complies with all but (1) regulations listed in Section 34-144.

Section 34-144 - Location	
Is proposed cabinet within 20 feet from a crosswalk?	No
Is proposed cabinet within 30 feet of the approach to a stop sign or traffic control signal located at the side of the road or within the lawn extension?	No
Will the proposed cabinet blocks egress from an emergency exit	No
Will the proposed cabinet interfere with another utility's access to, maintenance of or operation of its facilities?	No
Is the proposed cabinet within 10 feet from the intersection of a sidewalk or street and the edge of a driveways	NO
Is the proposed within 10 feet from a tree?	No
Is the proposed within 10 feet from a mailbox owned by the United States Postal Service?	No
Is the proposed cabinet within 30 feet of a bus stop?	No

Specifications for Utility Cabinets

Section 34-145 establishes specifications of the utility cabinet installations. The specifications govern the maximum dimensions of ground-mounted utility cabinets, their orientation to streets, and other factors. Omni Fiber is obligated to comply with all specifications listed at Section 34-145 as a condition of approval of any proposed utility cabinet.

Staff Findings/Recommendations

Planning Department and Public Works Department staff have determined that the fiber optic Commscope 432 Port Outdoor Cabinet subject to this staff report complies with the Sections 34-140 and 34-144 of the City Code. Staff recommends the Planning Commission issue a permit authorizing installation of the utility cabinet subject to the following findings and conditions:

Conditions of Issuance of Permit

The applicant shall comply with the following conditions:

1. At least 14 days before the applicant installs a utility cabinet, the applicant shall give notice of such installation by first-class mail to all property owners that reside on the same street or cross street and are within 100 feet of the proposed utility cabinet location. Copies of all notices shall be provided to Planning Department staff within three days of mailing.
2. Upon the applicant's completed installation of a utility cabinet and related equipment, fixtures and appurtenances, the applicant shall provide to the city accurate as-built drawings of the entire area within 100 feet of the installed utility cabinet location. Such as-built drawings shall include:
 - a. The name, address and telephone number of the individual responsible for the content of the as-built drawings;
 - b. The drawing date, north arrow, and site location map;
 - c. The drawing scale (no less than 1" = 10');
 - d. Lot lines and right-of-way boundaries including the location of any benchmarks or

- property corners either found or set;
- e. The accurate location, including height and or depth, of the franchisee's utility cabinet, related equipment, fixtures and appurtenances;
 - f. The locations and exterior dimensions of neighboring houses, garages or other buildings, driveways, sidewalks, fences, trees, telephone poles, fire hydrants, bus stops, play equipment, etc.;
 - g. The locations of all existing utilities in the right-of-way.
3. The applicant agrees to indemnify, defend and hold harmless the city for any injury that is a direct result, in whole or in part, to the franchisee's as-built drawings being inaccurate regarding the location of the franchisee's utility cabinet, related equipment, fixtures or appurtenances.

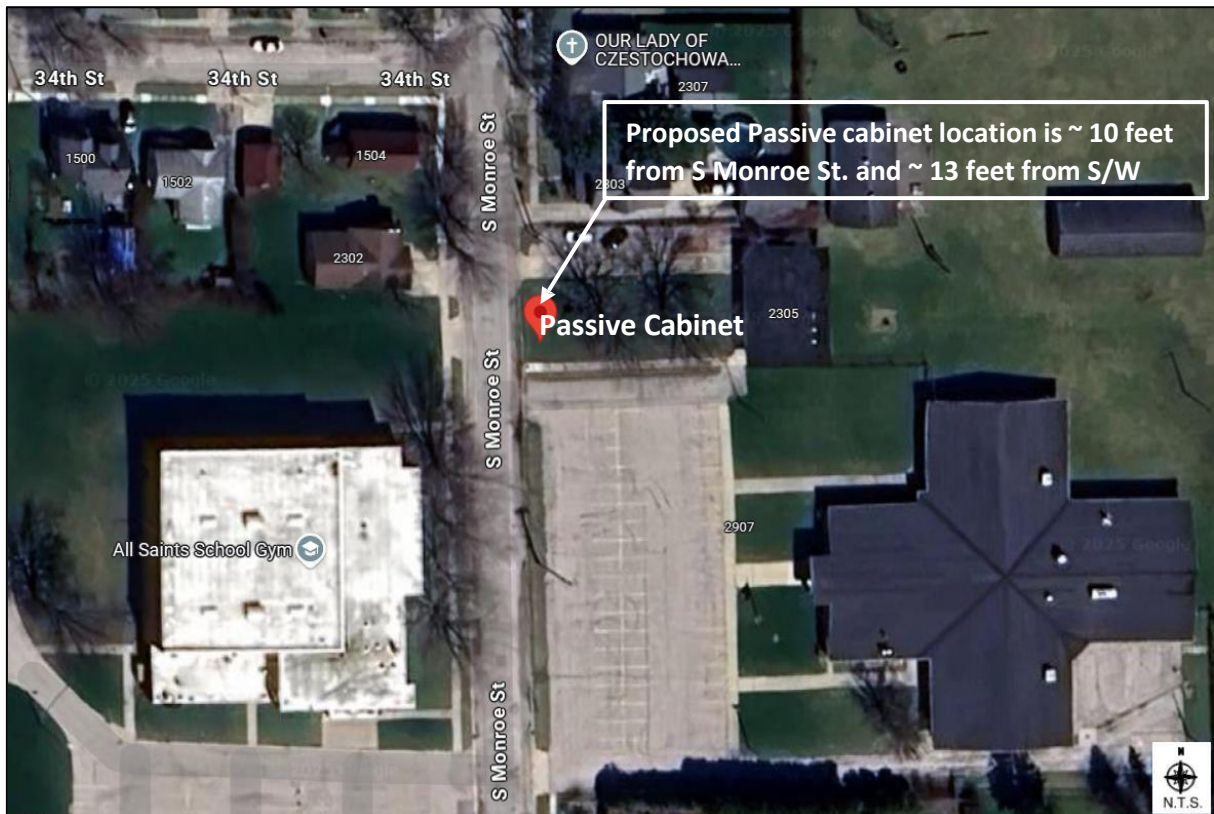
**Planning Commission
Utility Cabinet Site Plan Review Staff Report**

**Case SPR 26-08 – 2311 S. Monroe St.
Cabinet BCT01-F33**

Applicant: Omni Fiber, LLC. - Angelica Vasquez
4680 Parkway Dr., Suite 450
Mason, OH 45040

Project Summary

Omni Fiber, LLC. is proposing installation of an above ground fiber optic Commscope 432 Port Outdoor Cabinet within the city-owned right-of-way at the east side of S Monroe St. (43.567410°N -83.884124°W) with the closest address point of 2345 S Monroe St. (see below). The proposed cabinet measurements are 48 inches in height, 27 inches in width, and 18 inches in depth.



Purpose of Utility Cabinet Regulations

Utility cabinets are regulated by Chapter 34, Article V, Sections 34-140, et. seq. of the City Code. Section 34-140 (Purpose) states the regulations are intended to ensure that utility cabinets:

1. Do not create an obstacle in the right-of-way;
2. Minimize impediments to a driver's view of the street and or sidewalk;
3. Do not create an attractive nuisance to children;
4. Do not interfere with essential services;
5. Do not detract from the streetscape; and
6. Protect property owners' rights to attractive, well-maintained public spaces and rights-of-way, while ensuring that the legitimate needs of utility companies are met.

A street level view illustrating a mock-up of the proposed cabinet is provided below.



Departmental Review

All departments	All departments were unable to complete the review. Other review reports approved do require a call to Miss Dig prior to installation.
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Permit Required

Section 34-142 states that a permit is required for the installation of a utility cabinet. Permits can be issued by the Planning Commission upon receipt of the City Engineer's recommendation regarding installation of the utility cabinet in question. The City Engineer's designee has recommended issuance of a permit.

Regulations Governing Location of Utility Cabinets

Section 34-144 of the City Code governs the location of utility cabinets. The proposed cabinet by Omni Fiber complies with all but (1) regulations listed in Section 34-144.

Section 34-144 - Location	
Is proposed cabinet within 20 feet from a crosswalk?	No
Is proposed cabinet within 30 feet of the approach to a stop sign or traffic control signal located at the side of the road or within the lawn extension?	No
Will the proposed cabinet blocks egress from an emergency exit	No
Will the proposed cabinet interfere with another utility's access to, maintenance of or operation of its facilities?	No
Is the proposed cabinet within 10 feet from the intersection of a sidewalk or street and the edge of a driveways	NO
Is the proposed within 10 feet from a tree?	No
Is the proposed within 10 feet from a mailbox owned by the United States Postal Service?	No
Is the proposed cabinet within 30 feet of a bus stop?	No

Specifications for Utility Cabinets

Section 34-145 establishes specifications of the utility cabinet installations. The specifications govern the maximum dimensions of ground-mounted utility cabinets, their orientation to streets, and other factors. Omni Fiber is obligated to comply with all specifications listed at Section 34-145 as a condition of approval of any proposed utility cabinet.

Staff Findings/Recommendations

Planning Department and Public Works Department staff have determined that the fiber optic Commscope 432 Port Outdoor Cabinet subject to this staff report complies with the Sections 34-140 and 34-144 of the City Code. Staff recommends the Planning Commission issue a permit authorizing installation of the utility cabinet subject to the following findings and conditions:

Conditions of Issuance of Permit

The applicant shall comply with the following conditions:

1. At least 14 days before the applicant installs a utility cabinet, the applicant shall give notice of such installation by first-class mail to all property owners that reside on the same street or cross street and are within 100 feet of the proposed utility cabinet location. Copies of all notices shall be provided to Planning Department staff within three days of mailing.
2. Upon the applicant's completed installation of a utility cabinet and related equipment, fixtures and appurtenances, the applicant shall provide to the city accurate as-built drawings of the entire area within 100 feet of the installed utility cabinet location. Such as-built drawings shall include:
 - a. The name, address and telephone number of the individual responsible for the content of the as- built drawings;
 - b. The drawing date, north arrow, and site location map;
 - c. The drawing scale (no less than 1" = 10');
 - d. Lot lines and right-of-way boundaries including the location of any benchmarks or property corners either found or set;
 - e. The accurate location, including height and or depth, of the franchisee's utility cabinet, related equipment, fixtures and appurtenances;

- f. The locations and exterior dimensions of neighboring houses, garages or other buildings, driveways, sidewalks, fences, trees, telephone poles, fire hydrants, bus stops, play equipment, etc.;
 - g. The locations of all existing utilities in the right-of-way.
3. The applicant agrees to indemnify, defend and hold harmless the city for any injury that is a direct result, in whole or in part, to the franchisee's as-built drawings being inaccurate regarding the location of the franchisee's utility cabinet, related equipment, fixtures or appurtenances.

**Planning Commission
Utility Cabinet Site Plan Review Staff Report**

**Case SPR 26-09 – 350 Ridge Rd.
Cabinet BCT01-F40**

Applicant: Omni Fiber, LLC. - Angelica Vasquez
4680 Parkway Dr., Suite 450
Mason, OH 45040

Project Summary

Omni Fiber, LLC. is proposing installation of an above ground fiber optic Commscope 432 Port Outdoor Cabinet within the city-owned right-of-way at the south side of 300 Ridge Rd. (43.590452°N-83.858468°W) with the closest address point of 300 Ridge Rd. (see below). The proposed cabinet measurements are 48 inches in height, 27 inches in width, and 18 inches in depth.

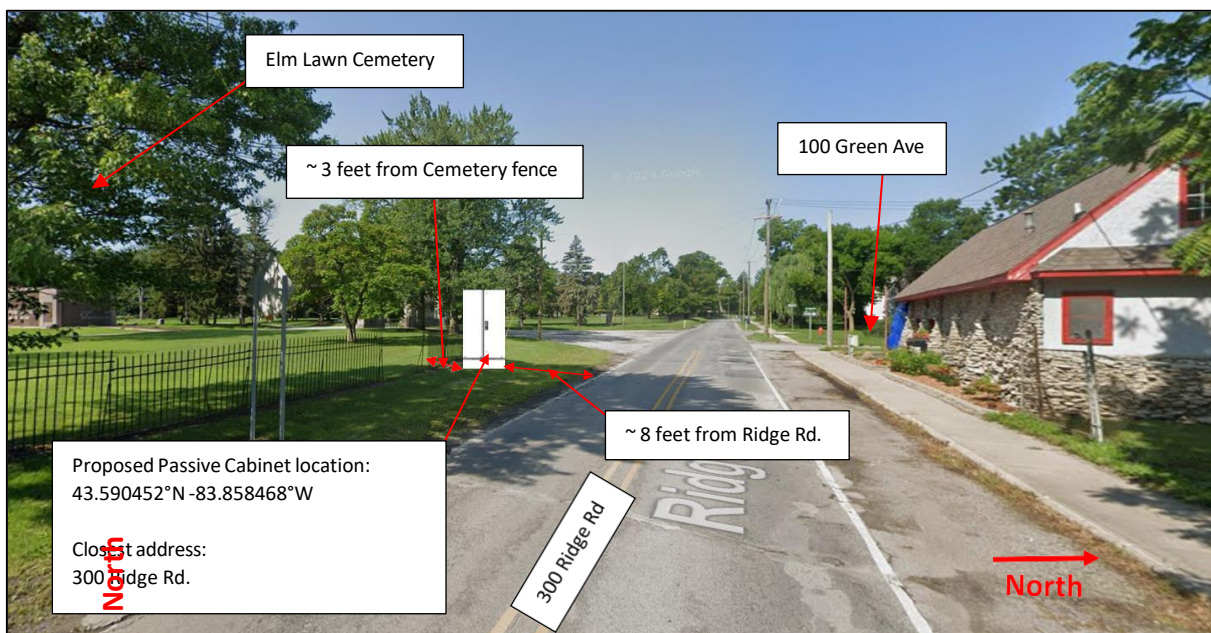


Purpose of Utility Cabinet Regulations

Utility cabinets are regulated by Chapter 34, Article V, Sections 34-140, et. seq. of the City Code. Section 34-140 (Purpose) states the regulations are intended to ensure that utility cabinets:

1. Do not create an obstacle in the right-of-way;
2. Minimize impediments to a driver's view of the street and or sidewalk;
3. Do not create an attractive nuisance to children;
4. Do not interfere with essential services;
5. Do not detract from the streetscape; and
6. Protect property owners' rights to attractive, well-maintained public spaces and rights-of-way, while ensuring that the legitimate needs of utility companies are met.

A street level view illustrating a mock-up of the proposed cabinet is provided below.



Departmental Review

All departments	All departments were unable to complete the review. Other review reports approved do require a call to Miss Dig prior to installation.
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Permit Required

Section 34-142 states that a permit is required for the installation of a utility cabinet. Permits can be issued by the Planning Commission upon receipt of the City Engineer's recommendation regarding installation of the utility cabinet in question. The City Engineer's designee has recommended issuance of a permit.

Regulations Governing Location of Utility Cabinets

Section 34-144 of the City Code governs the location of utility cabinets. The proposed cabinet by Omni Fiber complies with all but (1) regulations listed in Section 34-144.

Section 34-144 - Location	
Is proposed cabinet within 20 feet from a crosswalk?	No
Is proposed cabinet within 30 feet of the approach to a stop sign or traffic control signal located at the side of the road or within the lawn extension?	No
Will the proposed cabinet blocks egress from an emergency exit	No
Will the proposed cabinet interfere with another utility's access to, maintenance of or operation of its facilities?	No
Is the proposed cabinet within 10 feet from the intersection of a sidewalk or street and the edge of a driveways	NO
Is the proposed within 10 feet from a tree?	No
Is the proposed within 10 feet from a mailbox owned by the United States Postal Service?	No
Is the proposed cabinet within 30 feet of a bus stop?	No

Specifications for Utility Cabinets

Section 34-145 establishes specifications of the utility cabinet installations. The specifications govern the maximum dimensions of ground-mounted utility cabinets, their orientation to streets, and other factors. Omni Fiber is obligated to comply with all specifications listed at Section 34-145 as a condition of approval of any proposed utility cabinet.

Staff Findings/Recommendations

Planning Department and Public Works Department staff have determined that the fiber optic Commscope 432 Port Outdoor Cabinet subject to this staff report complies with the Sections 34-140 and 34-144 of the City Code. Staff recommends the Planning Commission issue a permit authorizing installation of the utility cabinet subject to the following findings and conditions:

Conditions of Issuance of Permit

The applicant shall comply with the following conditions:

1. At least 14 days before the applicant installs a utility cabinet, the applicant shall give notice of such installation by first-class mail to all property owners that reside on the same street or cross street and are within 100 feet of the proposed utility cabinet location. Copies of all notices shall be provided to Planning Department staff within three days of mailing.
2. Upon the applicant’s completed installation of a utility cabinet and related equipment, fixtures and appurtenances, the applicant shall provide to the city accurate as-built drawings of the entire area within 100 feet of the installed utility cabinet location. Such as-built drawings shall include:
 - a. The name, address and telephone number of the individual responsible for the content of the as- built drawings;
 - b. The drawing date, north arrow, and site location map;
 - c. The drawing scale (no less than 1" = 10');

- d. Lot lines and right-of-way boundaries including the location of any benchmarks or property corners either found or set;
 - e. The accurate location, including height and or depth, of the franchisee's utility cabinet, related equipment, fixtures and appurtenances;
 - f. The locations and exterior dimensions of neighboring houses, garages or other buildings, driveways, sidewalks, fences, trees, telephone poles, fire hydrants, bus stops, play equipment, etc.;
 - g. The locations of all existing utilities in the right-of-way.
3. The applicant agrees to indemnify, defend and hold harmless the city for any injury that is a direct result, in whole or in part, to the franchisee's as-built drawings being inaccurate regarding the location of the franchisee's utility cabinet, related equipment, fixtures or appurtenances.

**Planning Commission
Utility Cabinet Site Plan Review Staff Report**

Case SPR 26-10 – 103 Boehringer Ct.
Cabinet BCT01-F41

Applicant: Omni Fiber, LLC. - Angelica Vasquez
4680 Parkway Dr., Suite 450
Mason, OH 45040

Project Summary

Omni Fiber, LLC. is proposing installation of an above ground fiber optic Commscope 432 Port Outdoor Cabinet within the city-owned right-of-way at the south side of Boehringer Ct. (43.591876°N -83.862959°W) with the closest address point of Bay Community Tennis Courts at Richard Shaw Park. (see below). The proposed cabinet measurements are 48 inches in height, 27 inches in width, and 18 inches in depth.



Purpose of Utility Cabinet Regulations

Utility cabinets are regulated by Chapter 34, Article V, Sections 34-140, et. seq. of the City Code. Section 34-140 (Purpose) states the regulations are intended to ensure that utility cabinets:

1. Do not create an obstacle in the right-of-way;
2. Minimize impediments to a driver's view of the street and or sidewalk;
3. Do not create an attractive nuisance to children;
4. Do not interfere with essential services;
5. Do not detract from the streetscape; and
6. Protect property owners' rights to attractive, well-maintained public spaces and rights-of-way, while ensuring that the legitimate needs of utility companies are met.

A street level view illustrating a mock-up of the proposed cabinet is provided below.



Departmental Review

<p>All departments</p>	<p>All departments were unable to complete the review. Other review reports approved do require a call to Miss Dig prior to installation.</p>
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Permit Required

Section 34-142 states that a permit is required for the installation of a utility cabinet. Permits can be issued by the Planning Commission upon receipt of the City Engineer's recommendation regarding installation of the utility cabinet in question. The City Engineer's designee has recommended issuance of a permit.

Regulations Governing Location of Utility Cabinets

Section 34-144 of the City Code governs the location of utility cabinets. The proposed cabinet by Omni Fiber complies with all but (1) regulations listed in Section 34-144.

Section 34-144 - Location	
Is proposed cabinet within 20 feet from a crosswalk?	No
Is proposed cabinet within 30 feet of the approach to a stop sign or traffic control signal located at the side of the road or within the lawn extension?	No
Will the proposed cabinet blocks egress from an emergency exit	No
Will the proposed cabinet interfere with another utility's access to, maintenance of or operation of its facilities?	No
Is the proposed cabinet within 10 feet from the intersection of a sidewalk or street and the edge of a driveways	NO
Is the proposed within 10 feet from a tree?	No
Is the proposed within 10 feet from a mailbox owned by the United States Postal Service?	No
Is the proposed cabinet within 30 feet of a bus stop?	No

Specifications for Utility Cabinets

Section 34-145 establishes specifications of the utility cabinet installations. The specifications govern the maximum dimensions of ground-mounted utility cabinets, their orientation to streets, and other factors. Omni Fiber is obligated to comply with all specifications listed at Section 34-145 as a condition of approval of any proposed utility cabinet.

Staff Findings/Recommendations

Planning Department and Public Works Department staff have determined that the fiber optic Commscope 432 Port Outdoor Cabinet subject to this staff report complies with the Sections 34-140 and 34-144 of the City Code. Staff recommends the Planning Commission issue a permit authorizing installation of the utility cabinet subject to the following findings and conditions:

Conditions of Issuance of Permit

The applicant shall comply with the following conditions:

1. At least 14 days before the applicant installs a utility cabinet, the applicant shall give notice of such installation by first-class mail to all property owners that reside on the same street or cross street and are within 100 feet of the proposed utility cabinet location. Copies of all notices shall be provided to Planning Department staff within three days of mailing.
2. Upon the applicant's completed installation of a utility cabinet and related equipment,

fixtures and appurtenances, the applicant shall provide to the city accurate as-built drawings of the entire area within 100 feet of the installed utility cabinet location. Such as-built drawings shall include:

- a. The name, address and telephone number of the individual responsible for the content of the as-built drawings;
 - b. The drawing date, north arrow, and site location map;
 - c. The drawing scale (no less than 1" = 10');
 - d. Lot lines and right-of-way boundaries including the location of any benchmarks or property corners either found or set;
 - e. The accurate location, including height and or depth, of the franchisee's utility cabinet, related equipment, fixtures and appurtenances;
 - f. The locations and exterior dimensions of neighboring houses, garages or other buildings, driveways, sidewalks, fences, trees, telephone poles, fire hydrants, bus stops, play equipment, etc.;
 - g. The locations of all existing utilities in the right-of-way.
3. The applicant agrees to indemnify, defend and hold harmless the city for any injury that is a direct result, in whole or in part, to the franchisee's as-built drawings being inaccurate regarding the location of the franchisee's utility cabinet, related equipment, fixtures or appurtenances.

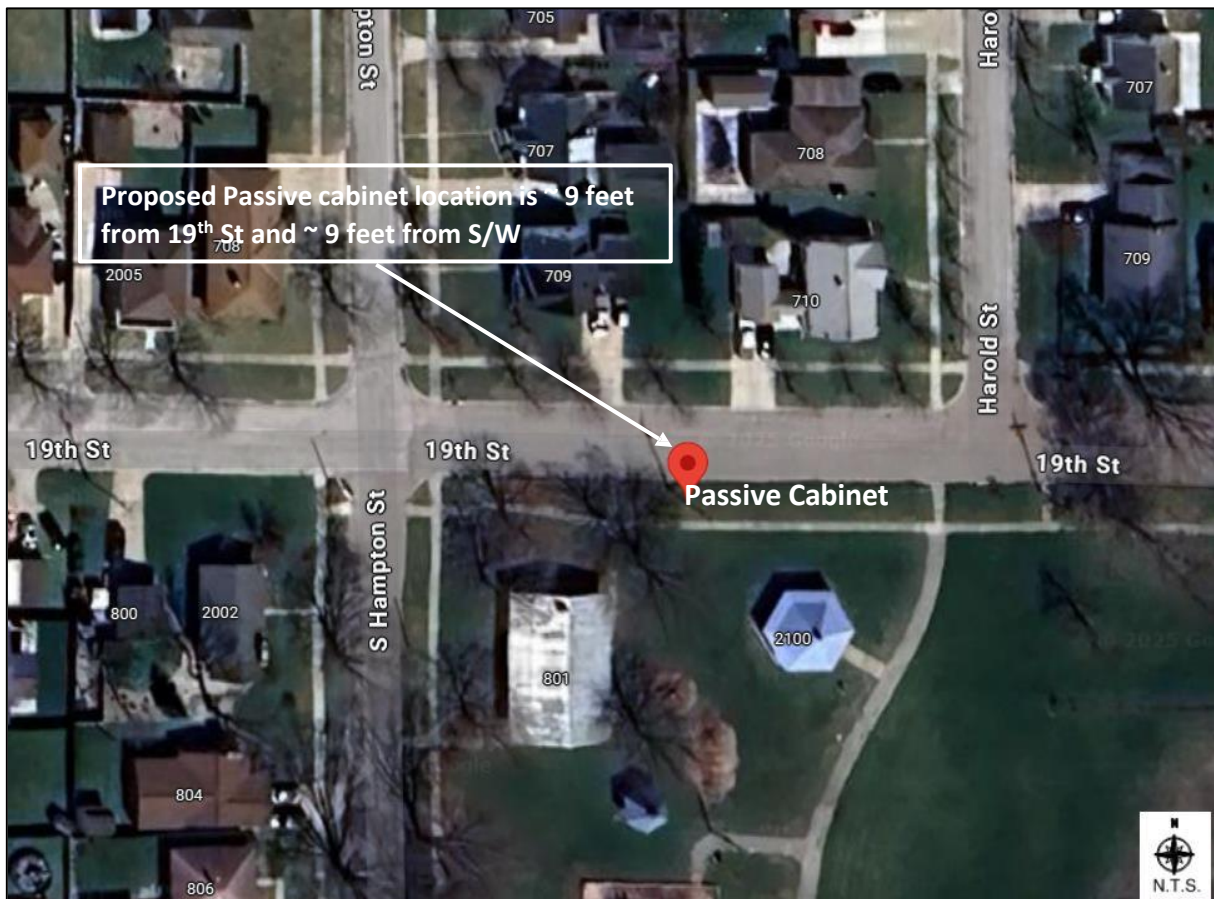
**Planning Commission
Utility Cabinet Site Plan Review Staff Report**

**Case SPR 26-11 – 2151 19th Street
Cabinet BCT01-F42**

Applicant: Omni Fiber, LLC. - Angelica Vasquez
4680 Parkway Dr., Suite 450
Mason, OH 45040

Project Summary

Omni Fiber, LLC. is proposing installation of an above ground fiber optic Commscope 432 Port Outdoor Cabinet within the city-owned right-of-way at the south side of 19th St. (43.582756°N -83.873475°W) with the closest address point of 800 S. Johnson St. (NW corner of the park on 19th St. - see below). The proposed cabinet measurements are 48 inches in height, 27 inches in width, and 18 inches in depth.

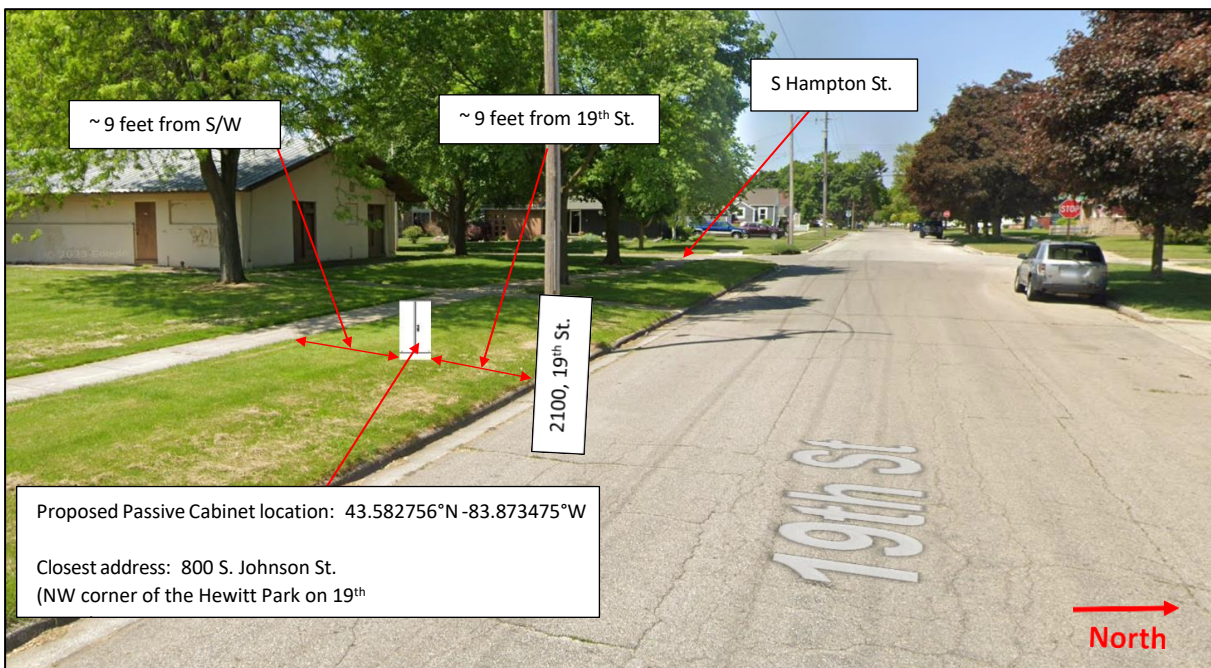


Purpose of Utility Cabinet Regulations

Utility cabinets are regulated by Chapter 34, Article V, Sections 34-140, et. seq. of the City Code. Section 34-140 (Purpose) states the regulations are intended to ensure that utility cabinets:

1. Do not create an obstacle in the right-of-way;
2. Minimize impediments to a driver's view of the street and or sidewalk;
3. Do not create an attractive nuisance to children;
4. Do not interfere with essential services;
5. Do not detract from the streetscape; and
6. Protect property owners' rights to attractive, well-maintained public spaces and rights-of-way, while ensuring that the legitimate needs of utility companies are met.

A street level view illustrating a mock-up of the proposed cabinet is provided below.



Departmental Review

All departments	All departments were unable to complete the review. Other review reports approved do require a call to Miss Dig prior to installation.
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Permit Required

Section 34-142 states that a permit is required for the installation of a utility cabinet. Permits can be issued by the Planning Commission upon receipt of the City Engineer's recommendation regarding installation of the utility cabinet in question. The City Engineer's designee has recommended issuance of a permit.

Regulations Governing Location of Utility Cabinets

Section 34-144 of the City Code governs the location of utility cabinets. The proposed cabinet by Omni Fiber complies with all but (1) regulations listed in Section 34-144.

Section 34-144 - Location	
Is proposed cabinet within 20 feet from a crosswalk?	No
Is proposed cabinet within 30 feet of the approach to a stop sign or traffic control signal located at the side of the road or within the lawn extension?	No
Will the proposed cabinet blocks egress from an emergency exit	No
Will the proposed cabinet interfere with another utility's access to, maintenance of or operation of its facilities?	No
Is the proposed cabinet within 10 feet from the intersection of a sidewalk or street and the edge of a driveways	NO
Is the proposed within 10 feet from a tree?	No
Is the proposed within 10 feet from a mailbox owned by the United States Postal Service?	No
Is the proposed cabinet within 30 feet of a bus stop?	No

Specifications for Utility Cabinets

Section 34-145 establishes specifications of the utility cabinet installations. The specifications govern the maximum dimensions of ground-mounted utility cabinets, their orientation to streets, and other factors. Omni Fiber is obligated to comply with all specifications listed at Section 34-145 as a condition of approval of any proposed utility cabinet.

Staff Findings/Recommendations

Planning Department and Public Works Department staff have determined that the fiber optic Commscope 432 Port Outdoor Cabinet subject to this staff report complies with the Sections 34-140 and 34-144 of the City Code. Staff recommends the Planning Commission issue a permit authorizing installation of the utility cabinet subject to the following findings and conditions:

Conditions of Issuance of Permit

The applicant shall comply with the following conditions:

1. At least 14 days before the applicant installs a utility cabinet, the applicant shall give notice of such installation by first-class mail to all property owners that reside on the same street or cross street and are within 100 feet of the proposed utility cabinet location. Copies of all notices shall be provided to Planning Department staff within three days of mailing.
2. Upon the applicant’s completed installation of a utility cabinet and related equipment, fixtures and appurtenances, the applicant shall provide to the city accurate as-built drawings of the entire area within 100 feet of the installed utility cabinet location. Such as-built drawings shall include:
 - a. The name, address and telephone number of the individual responsible for the content of the as-built drawings;
 - b. The drawing date, north arrow, and site location map;

- c. The drawing scale (no less than 1" = 10');
 - d. Lot lines and right-of-way boundaries including the location of any benchmarks or property corners either found or set;
 - e. The accurate location, including height and or depth, of the franchisee's utility cabinet, related equipment, fixtures and appurtenances;
 - f. The locations and exterior dimensions of neighboring houses, garages or other buildings, driveways, sidewalks, fences, trees, telephone poles, fire hydrants, bus stops, play equipment, etc.;
 - g. The locations of all existing utilities in the right-of-way.
3. The applicant agrees to indemnify, defend and hold harmless the city for any injury that is a direct result, in whole or in part, to the franchisee's as-built drawings being inaccurate regarding the location of the franchisee's utility cabinet, related equipment, fixtures or appurtenances.

**Planning Commission
Utility Cabinet Site Plan Review Staff Report**

**Case SPR 26-12 – 1307 S. Farragut St.
Cabinet BCT01-F43**

Applicant: Omni Fiber, LLC. - Angelica Vasquez
4680 Parkway Dr., Suite 450
Mason, OH 45040

Project Summary

Omni Fiber, LLC. is proposing installation of an above ground fiber optic Commscope 432 Port Outdoor Cabinet within the city-owned right-of-way at the east side of S Farragut St. (43.577107°N -83.880142°W) with the closest address point of 1304 S Farragut St. (see below). The proposed cabinet measurements are 48 inches in height, 27 inches in width, and 18 inches in depth.



Regulations Governing Location of Utility Cabinets

Section 34-144 of the City Code governs the location of utility cabinets. The proposed cabinet by Omni Fiber complies with all but (1) regulations listed in Section 34-144.

Section 34-144 - Location	
Is proposed cabinet within 20 feet from a crosswalk?	No
Is proposed cabinet within 30 feet of the approach to a stop sign or traffic control signal located at the side of the road or within the lawn extension?	No
Will the proposed cabinet blocks egress from an emergency exit	No
Will the proposed cabinet interfere with another utility's access to, maintenance of or operation of its facilities?	No
Is the proposed cabinet within 10 feet from the intersection of a sidewalk or street and the edge of a driveways	NO
Is the proposed within 10 feet from a tree?	No
Is the proposed within 10 feet from a mailbox owned by the United States Postal Service?	No
Is the proposed cabinet within 30 feet of a bus stop?	No

Specifications for Utility Cabinets

Section 34-145 establishes specifications of the utility cabinet installations. The specifications govern the maximum dimensions of ground-mounted utility cabinets, their orientation to streets, and other factors. Omni Fiber is obligated to comply with all specifications listed at Section 34-145 as a condition of approval of any proposed utility cabinet.

Staff Findings/Recommendations

Planning Department and Public Works Department staff have determined that the fiber optic Commscope 432 Port Outdoor Cabinet subject to this staff report complies with the Sections 34-140 and 34-144 of the City Code. Staff recommends the Planning Commission issue a permit authorizing installation of the utility cabinet subject to the following findings and conditions:

Conditions of Issuance of Permit

The applicant shall comply with the following conditions:

1. At least 14 days before the applicant installs a utility cabinet, the applicant shall give notice of such installation by first-class mail to all property owners that reside on the same street or cross street and are within 100 feet of the proposed utility cabinet location. Copies of all notices shall be provided to Planning Department staff within three days of mailing.
2. Upon the applicant's completed installation of a utility cabinet and related equipment, fixtures and appurtenances, the applicant shall provide to the city accurate as-built drawings of the entire area within 100 feet of the installed utility cabinet location. Such as-built drawings shall include:
 - a. The name, address and telephone number of the individual responsible for the content of the as-built drawings;

- b. The drawing date, north arrow, and site location map;
 - c. The drawing scale (no less than 1" = 10');
 - d. Lot lines and right-of-way boundaries including the location of any benchmarks or property corners either found or set;
 - e. The accurate location, including height and or depth, of the franchisee's utility cabinet, related equipment, fixtures and appurtenances;
 - f. The locations and exterior dimensions of neighboring houses, garages or other buildings, driveways, sidewalks, fences, trees, telephone poles, fire hydrants, bus stops, play equipment, etc.;
 - g. The locations of all existing utilities in the right-of-way.
3. The applicant agrees to indemnify, defend and hold harmless the city for any injury that is a direct result, in whole or in part, to the franchisee's as-built drawings being inaccurate regarding the location of the franchisee's utility cabinet, related equipment, fixtures or appurtenances.