

July 14, 2023

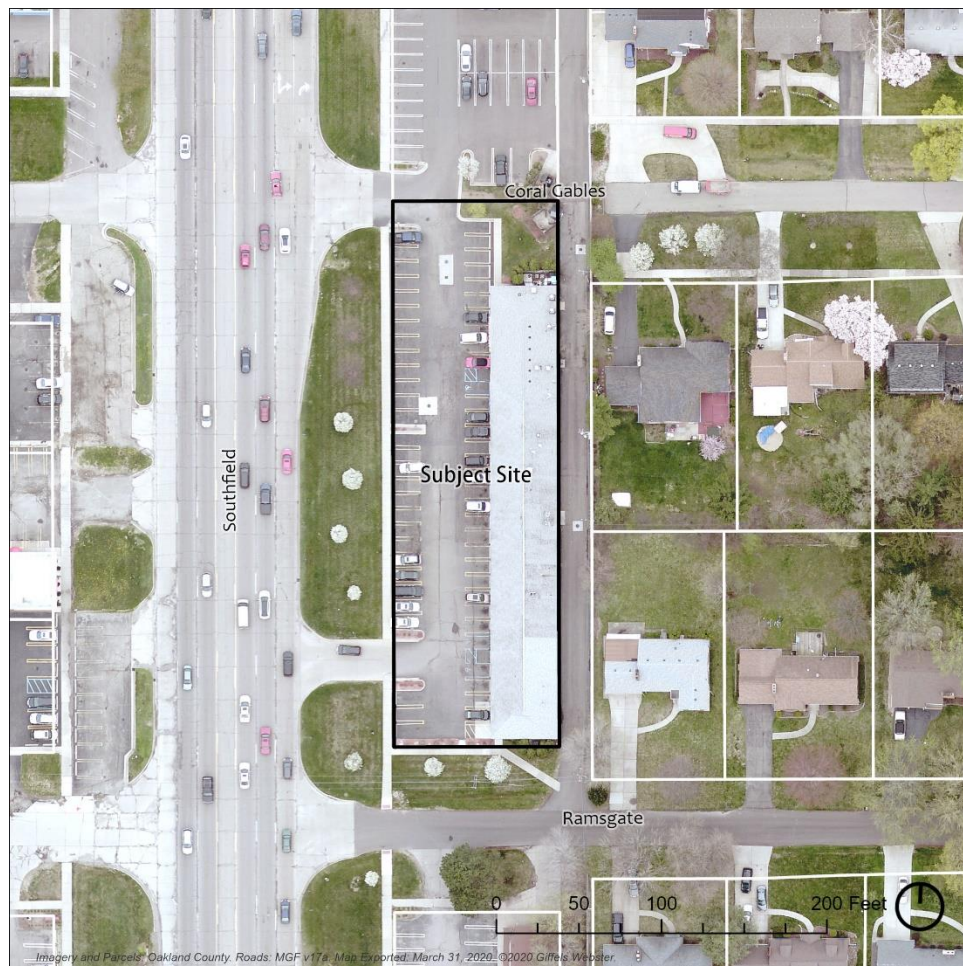
Planning Commission
City of Lathrup Village
27400 Southfield Road
Lathrup Village, MI 48076

Site Plan Review

Site: 26780 Southfield Road
Applicant: 44 Burrito, LLC
Plan Date: July 6, 2023
Zoning: CV Commercial Vehicular District
Parcel ID: 24-24-103-032
Proposal: Outdoor Patio Addition

Dear Planning Commissioners,

We have reviewed the site plan application and a summary of our findings is below. Items in **bold** require specific action by the applicant.



REVIEW SUMMARY

1. Site plan approval is required for the addition of an outdoor patio area at an existing commercial site. The tenant lease space that will include the outdoor patio is proposed to be a restaurant, a use that is not changing from the previous occupant of the space.
2. The plan shall show the fence fully enclosing the outdoor patio area.
3. The plan shall demonstrate access to the patio area can accommodate minimum barrier-free access standards (specifically the width of the gate or fence opening facing the sidewalk).
4. The site plan identifies an existing dumpster enclosure on-site. Upon submittal for permitting, the plan shall show the minimum dimensional ordinance standards for dumpster enclosures.
5. The plans shall indicate if any exterior lighting is proposed for the proposed restaurant use and outdoor patio area use. The lighting standards of Section 5.8 shall apply, with special attention given to the adjacent single-family neighborhood to the east.
6. Overall site plan approval for a building renovation occurred in 2020. The proposed occupancy is not a change of use (restaurant-to-restaurant) and therefore, no change to the existing parking facility is proposed. The ordinance states the Planning Commission has the authority to consider whether an outdoor patio should require additional parking spaces.

DETAILED REVIEW

Project Summary

The approximately 30,012 square foot site is zoned CV – Commercial Vehicular District and is located along the east side of Southfield Road, between Coral Gables Street to the north and Ramsgate Drive to the south. The existing building consists of one floor and contains seven (7) tenant lease spaces totaling 9,450 square feet. The northernmost 1,872 square foot lease space is proposed to be renovated for use as a restaurant with a 130 square foot outdoor dining patio and no drive-thru. Two driveways from Southfield Road provide access to the site and a 20-foot public alley separates the site from single-family (R-1) lots to the east. The properties to the north and west of the site are zoned CV – Commercial Vehicular and the lots to the south are zoned MX-Mixed Use.

In early 2020, the commercial building on the site received approval to update the façade with new materials including Nichiha fiber cement panels, cultured stone, metal ribbed panels, new roofing, and vinyl fabric awnings to replace the existing wood fascia.



Lease space – August 2018



Lease space – July 2023

- e. Where pedestrian entry to such outdoor dining areas is limited to access from the interior of the main building, direct emergency egress shall be provided from these enclosed outdoor dining areas per the current building codes.

Per the plans reviewed, access to the outdoor dining area is not provided from the interior of the restaurant.

- f. Provision of such outdoor dining areas shall not impair emergency vehicle access to the subject property. *This standard appears to be met.*
- g. Parking shall be provided for the uses in such outdoor dining areas, in addition to that required for uses in the main building. The Planning Commission may require modification or rearrangement of inside and outside seating areas in order to assure that adequate parking is available.

See parking comment below. The overall site received site plan approval in 2020 and no change to the site is proposed, other than the addition of a restaurant's outdoor dining patio.

- h. Applications for outdoor dining shall be accompanied by fully dimensioned plans or drawings indicating the location and layout of the proposed seating area within the subject site, and the delineations method proposed.

The plans show the dimensioned location of the proposed outdoor patio space in relation to the existing building and site.

- 3. **Development Standards (Section 3.1.7.D & 3.8).** The proposed improvements are interior to an existing site and therefore the development standards of lot size, lot coverage, setbacks, and building heights are not being altered.
- 4. **Waste and Rubbish (Section 5.3.1).** No garbage, sewage, filth, refuse, waste, trash, debris, or rubbish, including cans, bottles, wastepaper, cartons, boxes, crates, inoperable machinery, discarded building materials, discarded household goods, or any offensive or obnoxious matter, shall be kept in open containers or piled, placed, or stored on the open ground. The owners and occupants of every building shall provide proper, covered receptacles for said waste and keep receptacles clean and in an inconspicuous location, out of public view, on the grounds outside of a building.

*The site plan shows the location of the dumpster enclosure on the premises. **For permitting purposes, the site plan shall be updated to include the dimensional standards of Section 5.3.2 pertaining to dumpsters, to ensure the minimum standards are met.***

- 5. **Building Materials (Section 5.4).** Except as otherwise provided in this ordinance, on all permanent buildings, exterior wall construction and exposed, exterior chimneys shall be either brick, natural stone, masonry materials other than brick, or a combination thereof, provided all such materials comply with the specifications outlined in this section.

The proposed improvements pertain to interior renovations only and no exterior changes to the building materials are proposed.

- 6. **Outside Illumination (Section 5.8).** All lighting apparatus used for outside illumination shall direct all light downward and shall be so constructed as to prevent the directed light from extending beyond the lot being illuminated. Except as otherwise provided in this ordinance, no lighting apparatus shall be placed more than 18 feet above grade as measured to the point on the ground nearest the light. No light source shall cause or permit direct, indirect, or reflected light to extend beyond the lot upon which it is placed so as to be annoying to any occupant of a neighboring lot who is of ordinary sensibilities.

The plans shall show any proposed exterior lighting fixtures, particularly those facing east toward the alley and adjacent single-family residential lots. For permitting purposes, existing and proposed outside illumination shall demonstrate compliance with this ordinance standard.

7. **Off-Street Parking (Section 5.13.3)** Increase of floor area or change in use. Whenever a use requiring off-street parking is increased in floor area and such uses are located in a building existing on or before the effective date of this article, and whenever a use of existing premises is changed to one requiring greater off-street parking, parking facilities for the total floor area and use shall first be provided and thereafter maintained in the amounts specified in this article.

The overall site received site plan approval in 2020. The tenant space was previously used as a restaurant (Happy's Pizza) and no change of use is occurring to expand the gross floor area of the leasable space, except for the addition of 130 square feet of outdoor dining area. Applying the ordinance parking standard of 1 parking space for every 70 square feet of gross floor area for restaurants, the patio may warrant an additional 1.9 (or 2) parking spaces.

Site plan analysis and application of the ordinance standards allows the Planning Commission the authority to determine if up to 2 additional parking spaces should be accounted for if the outdoor patio were approved.

8. **Off-street parking layout standards (Section 5.13.9).** *N/A – no changes proposed.*
9. **Delivery vehicle space. (Section 5.13.12).** On the premises of every building or use involving the frequent receipt or shipment of goods by motor, there shall be provided in addition to the otherwise required parking spaces and access drives, an area reserved for standing, loading, and unloading sufficient to avoid undue interference with public use of streets, alleys, driveways, aisles, and other parking spaces. A delivery space shall be a clear area 10 feet by 40 feet with 14-foot height clearance, and the minimum numbers of such spaces required is specified in the table that follows. The Board of Zoning Appeals may permit delivery spaces to be used for the overnight parking of vehicles prohibited in parking facilities under the provisions of 5.13.16.

According to the ordinance, the overall site requires 1 (one) 10' x 40' vehicle delivery space. Since the existing site does not contain a vehicle delivery space and the proposed restaurant is not a change in use, this standard may be considered an existing nonconformity.

10. **Screening Standards for Site Plan Approval (Section 6.1.5.O).** Off-street parking, loading, and unloading areas, outside refuse storage areas, and other storage areas that are visible from adjacent homes or from public roads, shall be screened by walls or landscaping of adequate height.
11. **Landscaping (Section 5.15.15).**

All site plans submitted for approval shall include a landscape element which clearly shows all existing trees which are more than six inches in trunk caliper when measured 3 feet above ground level in height. The plans must clearly designate which of such trees are to be saved and which will be destroyed.



Ex. tree to be removed for patio. Replace with landscaping along the north side of the patio fence for enhanced screening.



We will look forward to discussing the site plan application with the Planning Commission on July 18, 2023.

Regards,

Giffels Webster

Jill Bahm, AICP
Partner

Eric Pietsch
Senior Planner