

cityofnovi.org

CITY of NOVI CITY COUNCIL

Agenda Item D
August 25, 2014

SUBJECT: Approval of Zoning Ordinance Text Amendment 18.269 to amend the City of Novi Zoning Ordinance at Article 12, "OSC, Office Service Commercial District", Section 1203, "Required Conditions" in order to permit Outdoor Display Areas in conjunction with a permitted General Hospital Use. **SECOND READING**

Baus

SUBMITTING DEPARTMENT: Department of Community Development, Planning Division

CITY MANAGER APPROVAL: *[Signature]*

BACKGROUND INFORMATION:

The applicant, Providence Park Hospital, has proposed an ordinance amendment that would allow for outdoor display areas in the OSC, Office Service Commercial zoning district. Staff understands that Providence Park and the Varsity Lincoln dealership are interested in teaming up to provide vehicle display pads at Providence Park in order to highlight and recognize the donation of vehicles by the dealership for use at the hospital campus.

Although the proposed text amendment would allow for display of other donations - art, vehicles, or similar - we understand that the display pads would initially be used in a manner similar to the display pads for vehicles currently provided at the Suburban Collection Showplace.

Following the initial submittal of the proposed ordinance amendment, the text has undergone a number of modifications based on comments from Planning staff, the City Attorney's Office and the Planning Commission. The proposed amendment modifies the existing section of the OSC District that prohibits outdoor storage and display in order to allow limited display areas for use by donors in recognition of a donation of money, goods or services (e.g., art, vehicles, or the like). This ordinance applies only to a permitted general hospital use located in the OSC, Office Service Commercial District.

The following conditions are included in the proposed ordinance language:

- Limitation on the number of display pads to no more than two, with a maximum size of 20 feet by 15 feet;
- Displayed items must be compatible with the use of the general hospital campus and the existing building and improvements;
- Maintenance of corner sight clearance areas;
- Compliance with outdoor lighting standards;
- Limitation on signage provided;
- Hard-surface material to be used for the display pads – concrete, asphalt or pavers;
- Administrative approval of the site plan for the location of the pads; and
- Display pads shall be set back a minimum of 150 feet from a major thoroughfare.

Additionally, to address the Planning Commission's concern regarding the City's oversight of the items to be displayed, the proposed ordinance would now allow review of the display area as a temporary special land use. This is a process that is already in place in Ordinance Section 3004 for certain temporary land uses, which allows review and approval by the Building Official upon receipt of an application and a plan demonstrating certain conditions regarding the nature and compatibility of the proposed temporary use. An excerpt of the relevant sections of current Zoning Ordinance Section 3004 is attached for reference.

The proposed ordinance language related to the temporary use will now read:

Outdoor storage and display shall be prohibited except that in conjunction with a permitted general hospital use that is otherwise in compliance with this Article, a display area for use by donors in recognition of a donation of money, goods or services (e.g., art, vehicles, or the like) may be permitted by a temporary special land use permit and permit extensions granted by the Building Official as provided in Section 3004.2.b, subject to the conditions in Section 3004.3 and this section. An application for a temporary special land use permit shall identify the donor, type of item(s) to be displayed, and confirm that those item(s) are owned by the donor, with supplemental or amended applications allowed and required for any changes in the type of item(s) to be displayed.

This suggested modification to the proposed ordinance will allow the Building Official to confirm the donor, type of item to be displayed, and to review subsequent applications when changes are proposed to the types of items to be displayed.

The applicant has reviewed these modifications and has indicated support of the proposed modified language.

On July 23rd, the Planning Commission voted to forward a motion for favorable consideration to the City Council. Relevant draft meeting minutes are attached.

On August 11th, the City Council voted to approve the First Reading of the ordinance modifications. On August 25th, the City Council will be asked to approve the Second Reading of the ordinance.

RECOMMENDED ACTION: APPROVAL OF SECOND READING of Zoning Ordinance Text Amendment 18.269 to amend the City of Novi Zoning Ordinance at Article 12, "OSC, Office Service Commercial District", Section 1203, "Required Conditions" in order to permit Outdoor Display Areas in conjunction with a permitted General Hospital Use.

	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Casey				
Council Member Fischer				

	1	2	Y	N
Council Member Markham				
Council Member Mutch				
Council Member Wrobel				

**EXCERPT DRAFT
CITY COUNCIL MINUTES
AUGUST 11, 2014**

**Excerpt from Draft:
REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, AUGUST 11, 2014 AT 7:00 P.M.
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 TEN MILE ROAD**

Mayor Gatt called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Gatt, Mayor Pro Tem Staudt, Council Members Casey, Fischer, Markham, Mutch, Wrobel

ALSO PRESENT: Victor Cardenas, Interim City Manager
Thomas Schultz, City Attorney

MATTERS FOR COUNCIL ACTION

3. Approval of Zoning Ordinance Text Amendment 18.269 to amend the City of Novi Zoning Ordinance at Article 12, "OSC, Office Service Commercial District", Section 1203, "Required Conditions" in order to permit Outdoor Display Areas in conjunction with a permitted General Hospital Use. **FIRST READING**

Mr. Cardenas explained they had recognized the constantly evolving world of sponsorships. The text amendment would permit display pads similar to what was found at the Suburban Collection Showplace campus. The Planning Commission has reviewed and recommended for approval.

CM 14-08-130 Moved by Staudt, seconded by Gatt; CARRIED 6-1:

To approve Zoning Ordinance Text Amendment 18.269 to amend the City of Novi Zoning Ordinance at Article 12, "OSC, Office Service Commercial District", Section 1203, "Required Conditions" in order to permit Outdoor Display Areas in conjunction with a permitted General Hospital Use. FIRST READING.

Roll call vote on CM 14-08-130

Yeas: Wrobel, Gatt, Staudt, Casey, Fischer, Markham

Nays: Mutch

**LETTER FROM APPLICANT
JULY 24, 2014**



Believe in better

RECEIVED

AUG 14 2014

CITY OF NOVI
COMMUNITY DEVELOPMENT

July 24, 2014

Barbara McBeth
Deputy Community Development Director
City of Novi
45175 Ten Mile Road
Novi, Michigan 48375

Dear Ms. McBeth,

Thank you for your assistance in helping Providence Park Hospital with the ordinance change to allow for the vehicle display on our property. On behalf of Providence Park I accept the conditions set forth in the revised ordinance for display pads. This change helps support the philanthropic efforts for the hospital and will allow us to move forward in our relationship with Varsity Lincoln to display two of their vehicles in exchange for their provision of a security vehicle to Providence Park. The displayed vehicles will be maintained by Varsity, the grounds will be maintained by the hospital. This is a time limited arrangement which may be renewed. If it is discontinued, the hospital will likely convert the display pads back to their original landscaping.

We are requesting that the City Council review and approve this at their August 11 meeting, and will have a hospital representative there to address questions. I would attend personally, though am scheduled on vacation that week. If you have any further questions please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Peter Karadjoff" followed by a stylized initial "PK".

Peter Karadjoff
President, Providence Park Hospital

PROPOSED ORDINANCE AMENDMENTS – CLEAN VERSION

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. _____

AN ORDINANCE TO ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE, ARTICLE 12, "OSC OFFICE SERVICE COMMERCIAL DISTRICT," SECTION 1203, "REQUIRED CONDITIONS," IN ORDER TO ALLOW CERTAIN OUTDOOR DISPLAYS IN CONNECTION WITH A PERMITTED GENERAL HOSPITAL USE.

THE CITY OF NOVI ORDAINS:

PART I. That Article 12, "OSC Office Service Commercial District," Section 1203, "Required Conditions," is hereby amended as follows:

Sec. 1203. Required Conditions.

To promote the most desirable use of land in the OSC District in accordance with a well-conceived plan, to provide stability of commercial development, to strengthen the economic base of the City, to protect the character and pattern of desirable development, to conserve the value of land and building, and to protect the City's tax revenue, the following special conditions shall be met by all uses precedent to location in an OSC District:

1. [Unchanged]
2. They shall be located within a completely enclosed building except for outdoor restaurant seating, off-street parking and public open space or park areas. Outdoor storage and display shall be prohibited except that in conjunction with a permitted general hospital use that is otherwise in compliance with this Article, a display area for use by donors in recognition of a donation of money, goods or services (e.g., art, vehicles, or the like) may be permitted by a temporary special land use permit and permit extensions granted by the Building Official as provided in Section 3004.2.b, subject to the conditions in Section 3004.3 and this section. An application for a temporary special land use permit shall identify the donor, type of item(s) to be displayed, and confirm that those item(s) are owned by the donor, with supplemental or amended applications allowed and required for any changes in the type of item(s) to be displayed.
 - a) A maximum of two display pad areas no greater than 20' x 15' in size in connection with the general hospital use are allowed, with displayed items to not occupy more than a 18' x 9' area of a display pad so as to allow a 3 feet wide perimeter along the sides for pedestrian access;

- b) The displayed items must be compatible with the use of the general hospital campus and the existing building and improvements located thereon;
- c) Required corner clearances shall be provided at all intersections and drive aisles;
- d) Lighting shall comply with the requirements of Section 2511, Exterior Lighting;
- e) One sign shall be permitted to be located on the display of no greater than two (2) square feet in area. All other signs as defined in Chapter 28 of the City Code are prohibited;
- f) Display pads shall be required and shall be constructed of concrete, asphalt, pavers, or other similar hard-surface material approved by the Department of Community Development. The location and materials for display pads shall be subject to administrative site plan approval pursuant to Section 2516 of this ordinance.
- g) Display pads shall be set back a minimum of 150 feet from a major thoroughfare.

3.-6. [Unchanged]

PART II. Severability. Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

PART III. Savings Clause. The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

PART IV. Repealer. All other Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

PART V. Effective Date: Publication. Public hearing having been held hereon pursuant to the provisions of Section 102 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Novi stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00 a.m. to 5:00 p.m., local time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

Robert J. Gatt, Mayor

Maryanne Cornelius, City Clerk

Certificate of Adoption

I hereby certify that the foregoing is a true and complete copy of the ordinance adopted at the regular meeting of the Novi City Council held on the ____ day of _____, 2014.

Maryanne Cornelius, City Clerk

PROPOSED ORDINANCE AMENDMENTS – STRIKE VERSION

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

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Robert J. Gatt, Mayor

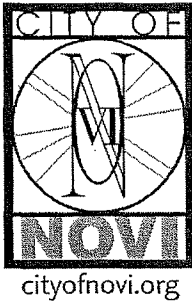
Maryanne Cornelius, City Clerk

Certificate of Adoption

I hereby certify that the foregoing is a true and complete copy of the ordinance adopted at the regular meeting of the Novi City Council held on the ____ day of _____, 2014.

Maryanne Cornelius, City Clerk

**DRAFT PLANNING COMMISSION
MEETING MINUTES - EXCERPT
JULY 23, 2014**



PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

July 23, 2014 7:00 PM

Council Chambers | Novi Civic Center | 45175 W. Ten Mile
(248) 347-0475

CALL TO ORDER

The meeting was called to order at or about 7:00 PM.

ROLL CALL

Present: Member Anthony, Member Greco, Member Lynch, Member Zuchlewski

Absent: Member Baratta (excused), Member Giacometti (excused), Chair Pehrson (excused)

Also Present: Barbara McBeth, Deputy Director of Community Development; Sara White, Planner; Jeremy Miller, Engineer; Gary Dovre, City Attorney.

2. ZONING ORDINANCE TEXT AMENDMENT 18.269

Planning Commission's recommendation to the City Council of an ordinance to the amend Ordinance No. 97-18 as amended, the City of Novi Zoning Ordinance at Article 12, OSC, Office Service Commercial District, Section 1203, Required Conditions: In order to allow Outdoor Display Areas in conjunction with a permitted General Hospital Use.

Deputy Director McBeth said if you recall at the Planning Commission's last meeting on July 9th the public hearing was held for this matter. There was considerable discussion by the Planning Commission with the applicant at that time about the proposed ordinance amendment. Unfortunately, the applicant isn't present this evening because he had a scheduling conflict. The applicant is aware that this is being presented again tonight with some modifications as identified in the minutes from the previous meeting.

The primary change that has been made to the draft ordinance is that we're now recommending that the display areas be permitted as a temporary special land use. That's a procedure that we currently have in the zoning ordinance and it allows the building official to hold an administrative hearing and review the submitted plan in accordance with the number of standards that are provided in the ordinance. Staff would be able to verify certain standards are met with the submittal including that the display is of a temporary nature, clarify the identity of the donor and type of item to be displayed. Changes to the displayed item would come back again for a fresh review to insure that the displayed item is consistent with the general hospital use and the intent of this ordinance.

A couple of other modifications that were made to the ordinance were highlighted in the memo. There was a comment that maybe this display would be a distraction to passing traffic on either Beck Road or Grand River, so the suggested language is that this display pads be setback at least 150 feet from the major thoroughfare. There's a graphic that was provided in the packets that shows where this setback line is located - 150 feet is pretty much located within the ring road itself.

Other changes that were made were limitation on the display area occupying a certain amount of space on that display pad. This would limit the size of the vehicles that are being displayed to the size of a passenger vehicle. Additionally, the use of pavers as an acceptable hard service material for the display pad is now included in the proposed ordinance. So tonight, the Planning Commission is asked to consider the modifications to the ordinance and make a recommendation to the City Council, unless additional modifications are suggested or needed.

Member Lynch said I remember in the last discussion we were talking about other people wanting to go in there and I just wanted to make sure that this isn't being discriminatory in any way to other

automobile manufacturers. We're allowing passenger cars. It looks like by the limitation of the footprint we've excluded other types of vehicles. Is that appropriate?

Deputy Director McBeth said I think that might be a policy decision and discussion that you could have. What we heard from the Planning Commission last time was the thought was that display of passenger vehicles seemed acceptable and complementary to hospital but maybe something larger than that would not be appropriate. That's why the ordinance was carefully crafted around the size of the display pad, and also allows a review by the building official.

Member Lynch said I understand all that and I fully support what they're doing after the discussion with the president of the hospital. I just want to make sure that we're not going to be accused of making an ordinance for one entity and excluding several others.

Deputy Director McBeth said we had conversations with the applicant and they're comfortable with this language as presented. So I don't think that this applicant feels that it's being discriminatory.

Member Lynch said it's really up to the applicant what they want to put up there, right? They would come to us and say look we would like to put this vehicle or this piece of art then administratively you could approve or object.

Deputy Director McBeth said that is correct.

Attorney Dove said this ordinance does, in effect, limit the size of items that may be on the display pad. I walked away from the last meeting thinking that that was one of the concerns that we didn't have overly-large items that were crammed right out to the end of the display area. So the ordinance talks about maintaining pedestrian access from both sides. One thing I would like to point out, and it relates to Ms. McBeth's presentation, as drafted you'll see this ordinance refers to two sections on this temporary special land uses, 3004.2.b and 3004.3. It does not refer to 3004.5 which is the temporary land use provision where someone could ask the administrative official to hold a public hearing. So on the face on this language, it does not require the building official to hold a public hearing every time. It was intentionally drafted to not mandate public hearings and I just wanted to point out that distinction.

Member Anthony said I agree with Member Lynch in not wanting to set a precedent for other signage. What is the intent of these pads at the hospital?

Attorney Dove said it is to allow someone in this district to recognize a donor of something of value to be able to display it on their property. One of the changes here was that the only things that could be displayed in the pad have to belong to the donor.

Member Anthony said so when we're talking about a donor, we're referring to someone who is a donor to the hospital?

Attorney Dove said yes.

Member Anthony said so they have donated something to the hospital and what they've donated is on the pad?

Attorney Dove said no, or it doesn't have to be. One could donate money and say we would like to display this. It doesn't have to be a car for a car.

Member Anthony said it could be a sign or vehicle or any object that is displayed on the pad.

Attorney Dovre said as long as it is, to quote the ordinance, "compatible with the use of the general hospital campus and existing building and improvements on it". Admittedly, a subjective standard of sorts, yet there is a standard. It can't just be anything. It has to have a relationship to the hospital use.

Member Anthony said with the limitations on a public hearing for each object there is still a requirement to go through city staff to notify them on what is being displayed.

Attorney Dovre said yes and I believe in your packets the temporary land use sections were included. It is a discretionary decision by the building official.

Member Anthony said with this being temporary is it that the pad itself is temporary or that the object that's placed on the pad is temporary or both?

Attorney Dovre said the pad is put in as a permanent pad, the permit granted by the building official maybe for 12 months with extensions possible of 12 months. It goes 12 months at a time, that's the time frame currently laid out in that section of the ordinance.

Member Anthony said so the object approved by staff could be there for 12 months and then a renewal is needed. Either a renewal based on 12 months or based on a new object.

Attorney Dovre said this ordinance would not require a turnover of the type of object. And it deals with types of objects or items but the permit would need to be extended or renewed.

Member Anthony said and the intent is to somehow give the credit to the donor as a way to say thank you look at what this person has done for us.

Attorney Dovre said that was my understanding of the concept behind this.

Member Anthony said is this done anywhere else in our area that you know of.

Attorney Dovre said I do not. If you recall from the applicant at the last meeting, I asked him that question and he was not aware of it anywhere in Michigan or elsewhere. I'm not sure how extensively he looked and I have not attempted to look myself.

Member Greco said I don't think Member Anthony was here last time we discussed this. The issue is that one of the local car dealers, Varsity Lincoln, is donating security cars to the hospital for security and transportation and in exchange for that they would like to display a car at the hospital. The hospital said yes but they need a change to the ordinance in order to do that because outdoor displays of items are not allowed in the OSC District. So that's the purpose behind this and why we're looking at this right now.

Member Anthony said that was very helpful. Thank you.

Member Zuchlewski said the only thing I was looking for was the time frame but then I heard the 12 month period. I'm satisfied with it as it sits.

Member Greco said just for my comments in reviewing it, I thought the attorney's office and the staff did a good job ascertaining what the Planning Commission was talking about and discussing last meeting with regard to this. I think the changes are consistent with what we've talked about with regard to limitations on location and size that we were concerned about. I think that despite the comments made earlier, I think discriminatory is a strong word, but we clearly are as a commission

and a city if we're going to approve this differentiating between different type of applicants and objects. There no doubt about that regarding the size and type of things that are there. So it is a policy decision, as Ms. McBeth pointed out, on what we want to do or not do. We clearly are differentiating between different sections, applicants, and items.

With that in mind, given that this is a unique situation and given that we had the applicant here talking about this donor relationship and the benefit they would receive as a nonprofit organization. I think with the changes that are here, I'm comfortable recommending it for approval to see what the City Council thinks, because ultimately it is their policy decision on what they want to do with respect to this district and occupant of the district and what they underlying intent is of the deal. So I am satisfied with the changes that were made.

Moved by Member Lynch and seconded by Member Anthony:

ROLL CALL VOTE ON THE ZONING ORDINANCE TEXT AMENDMENT 18.269 APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER ANTHONY:

Motion to recommend approval to the City Council of Zoning Ordinance Text Amendment 18.269, as revised. Motion carried 4-0.

**EXCERPT FROM CURRENT ORDINANCE
SECTION 3004.2 TEMPORARY SPECIAL LAND USE
(FOR REFERENCE)**

Excerpt from existing ordinance language (as referenced in proposed OSC section)

Sec. 3004. Temporary Special Exception and Temporary Special Land Use Permits.

2. The Building Official shall have the power, upon filing of an application in accordance with section 3004.1.a(2), to grant permits authorizing temporary special land uses for:
 - b. Temporary uses, not otherwise permitted in any district, not to exceed twelve (12) months with the granting of twelve (12) month extensions being permissible that do not require the erection of any capital improvements of a structural nature, provided the conditions set forth in section 3004.3 below, are met.
3. For any temporary special land use permitted in section 2, above, the Building Official shall take into consideration the factors in section 2516.2.c. In addition, the granting of permits for the temporary special exceptions and temporary special land uses in section 1 and 2 above, shall be subject to the following conditions:
 - a. The granting of the temporary exception or use shall in no way constitute a change in the basic uses permitted in the district nor on the property wherein the temporary exception or use is permitted, and shall not adversely affect the public health, safety, and welfare.
 - b. The temporary exemption or use shall be compatible with surrounding uses and shall not adversely affect the surrounding neighborhood or area by means or odor, noise, dust or other nuisance or detrimental condition.
 - c. The parking required by the temporary use will be provided on-site, through off-street parking unless adequate street parking is available in the immediate area.
 - d. Increased traffic caused by the temporary use shall not adversely affect the surrounding neighborhood or the City at large.
 - e. Permanent alterations to the site are prohibited.
 - f. Adequate fire protection and access for fire vehicles shall be provided as determined by the Fire Chief, or his design.
 - g. The site shall be completely cleared of all trash, debris, signs, sign supports, temporary structures, and electrical service within three days following the date specified for termination of the temporary use.
 - h. The granting of the temporary exception or use shall be granted in writing stipulating all conditions as to time, nature of development permitted and arrangements for removing the use at the termination of said temporary permit.
 - i. All setbacks, land coverage, off-street parking, lighting and other requirements of the district shall be met; and

- j. In classifying uses as not requiring capital improvement, the Building Official or his designee shall determine that they are either demountable structures related to the permitted use of land; recreation developments, such as but not limited to golf driving ranges and outdoor archery courts; or structures which do not require foundations, heating systems or sanitary connections.
- k. The Building Official may impose reasonable conditions necessary to assure compliance with the standards in this subsection, to ensure that operation and maintenance of the permitted use mitigate potential adverse impacts on existing uses on adjoining properties and in the surrounding area, and to protect the public health, safety and general welfare. Conditions may address, but are not limited to, provisions for adequate parking, storage, and lighting; provisions for security, traffic safety, fire and life safety; conditions limiting hours of operation; provision for adequate sewage disposal; and any other health and safety concerns the Building Official may deem necessary to comply with the standards above. In addition, the Building Official may require the posting of a bond to ensure timely removal of structures and materials and restoration of the area.



**OSC DISPLAY PADS
TEXT AMENDMENT
APPROXIMATE 150 FOOT SETBACK LINE
PROPOSED DISPLAY PAD LOCATIONS**

OSC Display Pads Text Amendment

Setback Location



Map Legend

-  150' Setback
-  Proposed Display Pads



1 inch = 194 feet



City of Novi

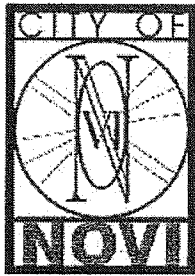
Planning Division
Community Development Dept.
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

Map Author: Sara White
Date: 07-18-14

MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to show National Map Accuracy Standards and use the most recent accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

**MEMO FROM COMMUNITY DEVELOPMENT
JULY 25, 2014**



cityofnovi.org

MEMORANDUM

TO: MEMBERS OF THE PLANNING COMMISSION
FROM: BARBARA MCBETH, AICP, DEPUTY DIRECTOR
OF COMMUNITY DEVELOPMENT
SUBJECT: TEXT AMENDMENT 18.269 DISPLAY PADS IN OSC DISTRICT
DATE: JULY 25, 2014

*Mayor & Council -
FYI on a matter
approved by the
Planning Commission
and will go before
Council in
the near future.
JMB*

The applicant, Providence Park Hospital has proposed an ordinance amendment that would allow for outdoor display areas in the OSC, Office Service Commercial zoning district. Staff understands that Providence Park and the Varsity Lincoln dealership are interested in teaming up to provide vehicle display pads at Providence Park in order to highlight and recognize the donation of vehicles by the dealership for use at the hospital campus. Although the proposed text amendment would allow for display of other donations - art, vehicles, or similar - we understand that the display pads would initially be used in a manner similar to the display pads for vehicles currently provided at the Suburban Collection Showplace.

Following the initial submittal of the proposed ordinance amendment, the text has undergone a number of modifications based on comments from Planning staff, the City Attorney's Office and the Planning Commission. The proposed amendment modifies the existing section of the OSC District that prohibits outdoor storage and display in order to allow limited display areas for use by donors in recognition of a donation of money, goods or services (e.g., art, vehicles, or the like). This ordinance applies only to a permitted general hospital use located in the OSC, Office Service Commercial District.

The following conditions are included:

- Limitation on the number of display pads to no more than two, with a maximum size of 20 feet by 15 feet;
- Displayed items must be compatible with the use of the general hospital campus and the existing building and improvements;
- Maintenance of corner sight clearance areas;
- Compliance with outdoor lighting standards;
- Limitation on signage provided;
- Hard-surface material to be used for the display pads - concrete, asphalt or pavers;
- Administrative approval of the site plan for the location of the pads; and
- Display pads shall be set back a minimum of 150 feet from a major thoroughfare.

Additionally, to address the Planning Commission's concern regarding the City's oversight of the items to be displayed, the proposed ordinance would now allow review of the display area as a temporary special land use. This is a process that is already in place in Ordinance Section 3004 for certain temporary land uses, which allows review and approval by the Building Official upon receipt of an application and a plan

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demonstrating certain conditions regarding the nature and compatibility of the proposed temporary use. An excerpt of relevant sections of current Zoning Ordinance Section 3004 is attached for reference.

The proposed ordinance language related to the temporary use will now read:



Outdoor storage and display shall be prohibited except that in conjunction with a permitted general hospital use that is otherwise in compliance with this Article, a display area for use by donors in recognition of a donation of money, goods or services (e.g., art, vehicles, or the like) may be permitted by a temporary special land use permit and permit extensions granted by the Building Official as provided in Section 3004.2.b, subject to the conditions in Section 3004.3 and this section. An application for a temporary special land use permit shall identify the donor, type of item(s) to be displayed, and confirm that those item(s) are owned by the donor, with supplemental or amended applications allowed and required for any changes in the type of item(s) to be displayed.

This suggested modification to the proposed ordinance will allow the Building Official to confirm the donor, type of item to be displayed, and to review subsequent applications when changes are proposed to the types of items to be displayed.

The revised draft ordinance is attached as reference. The applicant has reviewed these modifications and has indicated support of the proposed modified language.

On July 23rd, the Planning Commission voted to forward a motion for favorable consideration to the City Council. The City Council will be asked to consider the proposed ordinance modifications for approval of a First Reading at an upcoming City Council meeting.