



NEW HAVEN PLANNING COMMISSION MEETING AGENDA

October 01, 2024 at 7:00 PM
Municipal Council Room – 57775 Main Street

In accordance with the Americans with Disabilities Act, reasonable accommodations can be made with advance notice by calling the Village Offices at (586) 749-5301

The New Haven Planning Commission will hold its Regular Meeting at 7:00 pm, at the New Haven Municipal Offices at 57775 Main Street.

- 1. Call to Order/Roll Call**
- 2. Public Hearing - None**
- 3. Approval of Agenda**
- 4. Public Comments on Agenda**
- 5. Approval of the Minutes**
 - A.** Regular Meeting Minutes - September 3, 2024
- 6. Communications/Correspondence/Workshop**
- 7. Old Business**
 - A.** Outdoor Cafes, Dining, or Seating Ordinance
 - B.** Morgans Auto - Site Plan Approval
- 8. New Business**
- 9. Planner's Report**
- 10. Public Comments on Non-Agenda Items**
- 11. Call from the Table**
- 12. Adjournment**



NEW HAVEN PLANNING COMMISSION MEETING MINUTES

September 03, 2024 at 7:00 PM
Municipal Council Room – 57775 Main Street

1. Call to Order/Roll Call

Meeting called to order at 7:00 PM

PRESENT

- Chris Dilbert
- Lucy Nolan-Dilbert
- Rob Pannell
- Craig Simms
- Rachel Whitsett

ABSENT

- Katie Cendrowski
- Genevieve Rodzik

2. Public Hearing - None

3. Approval of Agenda

Motion made by L. Nolan-Dilbert to approve the agenda as presented, Seconded by C. Simms.
Voting Yea: C. Dilbert, L. Nolan-Dilbert, R. Pannell, C. Simms, R. Whitsett

4. Public Comments on Agenda

None

5. Approval of the Minutes

- A. Regular Meeting Minutes - August 6, 2024

Motion made by R. Whitsett, to approve the regular meeting minutes from August 6, 2024 , Seconded by C. Dilbert.

Voting Yea: C. Dilbert, R. Pannell, C. Simms, R. Whitsett

Voting Abstaining: L. Nolan-Dilbert

6. Communications/Correspondence/Workshop

7. Old Business

A. Morgans Auto - Site Plan Approval

Motion made by C. Simms to table for professionals to be able to review revised site plan, Seconded by L. Nolan-Dilbert.

Roll Call - Voting Yea: C. Dilbert, L. Nolan-Dilbert, R. Pannell, C. Simms, R. Whitsett

Site plan revised August 28, 2024, professionals need 10 days to review for recommendation.

B. Outdoor cafe, dinning, or seating ordinance

Motion made by C. Dilbert to table outdoor cafe, dinning, or seating ordinance, Seconded by L. Nolan-Dilbert.

Voting Yea: C. Dilbert, L. Nolan-Dilbert, R. Pannell, C. Simms, R. Whitsett

8. New Business

None

9. Planner's Report

None

10. Public Comments on Non-Agenda Items

None

11. Call from the Table

None

12. Adjournment

Motion made by R. Whitsett to adjourn at 7:20 PM, Seconded by C. Simms.

Voting Yea: C. Dilbert, L. Nolan-Dilbert, R. Pannell, C. Simms, R. Whitsett

§ 515-150

Outdoor Cafes, Dining, or Seating Areas.

Outdoor cafes, dining, or seating when incidental or accessory to a permitted restaurant, craft beverage production establishment, or any other similar food establishment use in the GBD (General Business Downtown) District or GB (General Business) District, may be permitted provided the following conditions are met:

A. Siting and Location. Outdoor cafes, dining, or seating shall be directly adjacent to, and on the same parcel as, the building or tenant space occupied by the principal use that it serves. These outdoor areas are permitted in all yards and shall adhere to required setback standards for the underlying district. All applicants who wish to install an outdoor seating area shall submit a site plan, proof of insurance, expressed written consent from landlord/owner (if not the applicant), and will not be permitted without review and approval from the Planning Commission, Village building official, fire department, and engineering for compliance with all regulatory and safety requirements.

B. Design and Layout Criteria

(1.) Outdoor dining areas, not temporary in nature, shall be separated from parking and other common areas by an affixed 3 foot tall ornamental fence, protective barriers (bollards, jersey barriers, or other recommended safety features deemed necessary by Village building and public safety officials), in addition to landscaping or other materials acceptable to the Planning Commission. The fence, screening, and protective barriers shall be designed in a manner that is compatible and complementary to the primary building and adjacent sites.

(2.) Outdoor seating areas may not obstruct any fire equipment, building entrance or exit, area marked or designated for emergency egress or ADA accessibility, or pedestrian passage on any trail or sidewalk.

(3.) All tables, chairs, umbrellas, lighting, and other accessories must be temporary and removable.

(4.) Outdoor heaters are not permitted, nor are any outdoor cooking features and accessories

(5.) Outdoor dining areas must be kept free of trash, debris, and tripping hazards.

(6.) No signs are permitted in the outdoor seating area, nor may they be affixed to any part of the structures that define the outdoor space.

(7.) If alcoholic beverages are to be served, the current Liquor Control Commission Rules and Regulations shall apply. Further, all food preparation shall take place inside the establishment. Proper State, Local, and Health Department licensing and approvals from permitting jurisdictions shall be provided to the Village.

(8.) No music, intercom or other noise shall be permitted that impacts adjacent properties and violates Section 515-90.A of the Village noise ordinance.

C. Off-Street Parking and Outdoor Seating Capacity. Outdoor dining shall be considered an incidental and accessory use and therefore not included in the parking calculation of required parking spaces under the following conditions:

(1.) The occupant load of the outdoor dining area shall not exceed thirty (30) percent of the interior customer/patron occupant load of the building or tenant space housing the principal permitted use (occupant load to be determined per the building code). If greater than thirty (30) percent, then the outdoor dining area shall be included as part of the floor area and occupant load of the principal use for the purposes of calculating the parking requirement for that use. In the case of carry-out or drive-thru restaurant establishments, the outdoor seating area shall not exceed twelve (12) seats for the outdoor dining area.

D. Lighting. Lighting for outdoor dining areas shall be noted on the application and shall be shielded downward and away from adjacent properties and rights-of-way. All lighting shall be designed to prevent glare from negatively impacting adjacent properties or rights-of-way. See § 515-90 for specific requirements for site lighting.

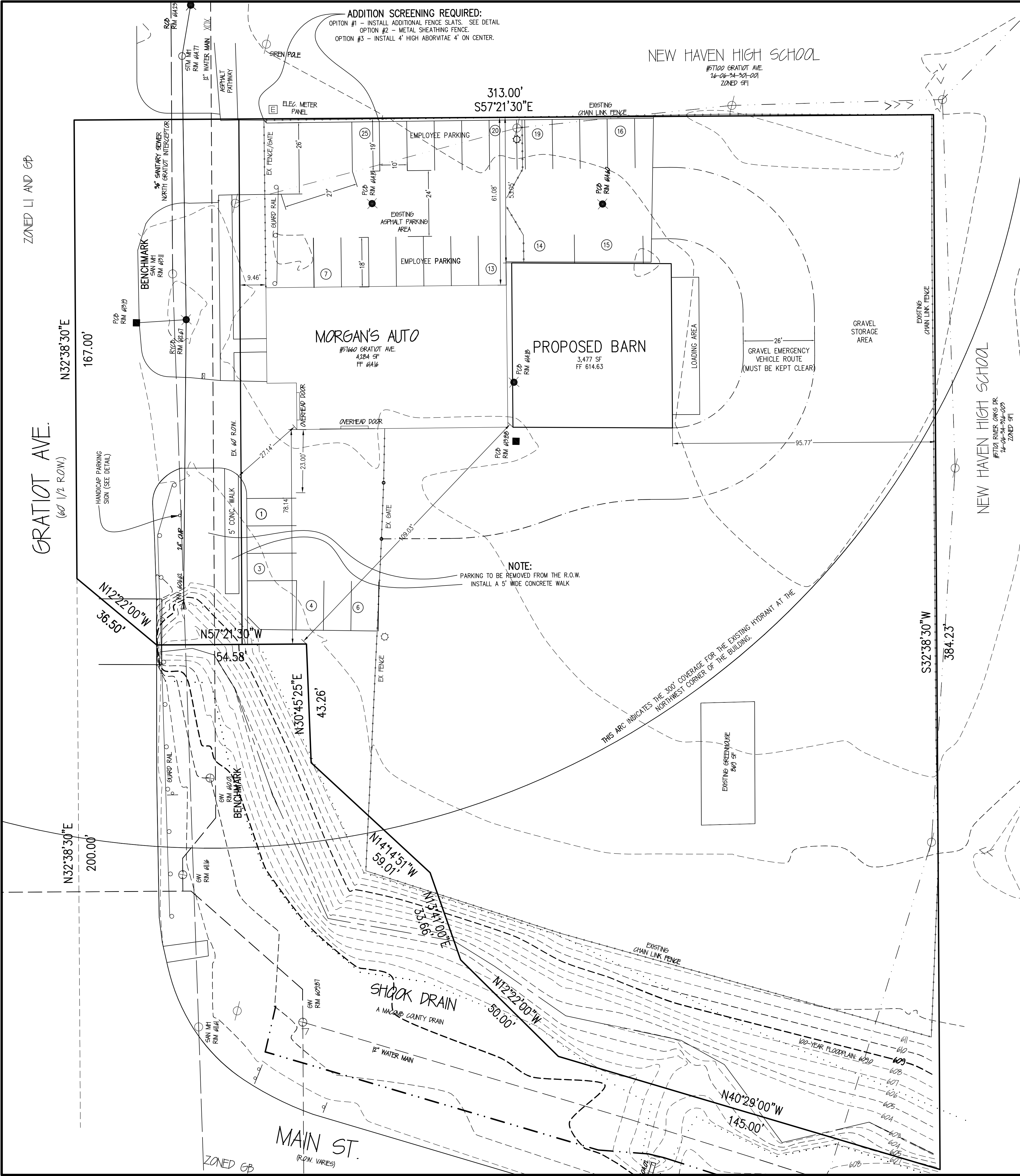
E. Hours of Operation. The hours of outdoor dining operation shall be limited to the hours of 10a.m. to 10p.m., or the hours of operation of the principal use, whichever is more restrictive.

F. Temporary/Seasonal Outdoor Cafe, Dining, or Seating. The intent of this provision is to create or increase outdoor cafe, dining, or seating areas for existing restaurants and food service establishments on a temporary or seasonal basis. Temporary/Seasonal Outdoor areas are a permitted use in the GBD

and GB District and may be administratively reviewed at the discretion of the Building Department Director/Official or their designee with the following guidance and design criteria:

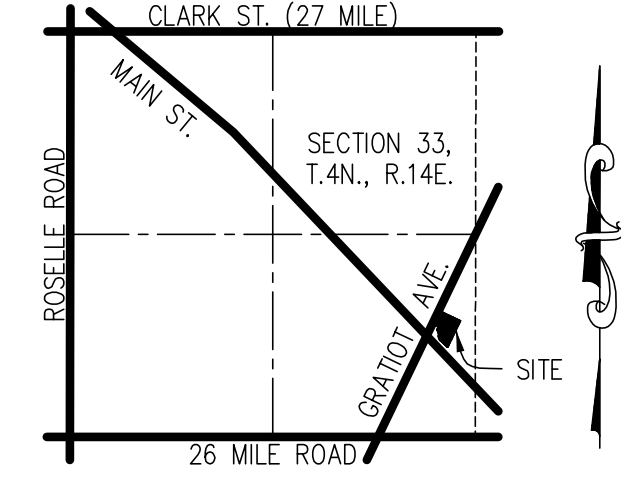
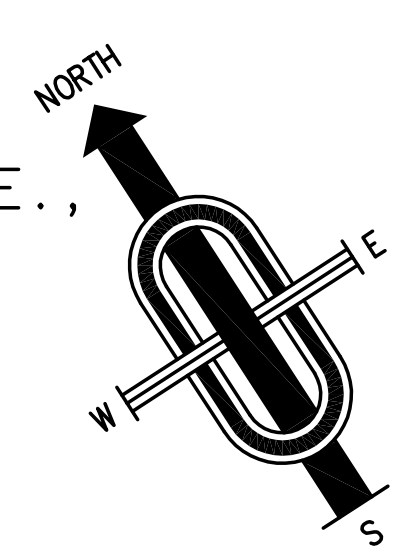
- (1.) Permit required. An annual building permit issued by the Building Department Director/Official or their designee shall be required. A restaurant must submit a permit application and all required documents (including written consent form the property owner/landlord if not the applicant), and applicable fees as determined by the Village of New Haven before the issuance of a permit.
- (2.) Permit revocation. A permit may be revoked for cause by the Building Department Director/Official of their designee, if the outdoor dining is creating a nuisance, or for any other violation of law, fire and safety code, or other ordinance.
- (3.) Appeals. An appeal of a permit denial or revocation shall be made to Village Council.
- (4.) Dates of operation. Permitted temporary/seasonal outdoor seating may operate between April 15th and October 15th. All seating, screening, fencing, protective barriers and other outdoor dining materials must be removed and stored off-site outside of the permitted outdoor dining season, as defined.
- (5.) Required design and landscaping for temporary dining areas shall adhere to the design criteria as provided by this ordinance and may be waived by the Building Department Director/Official or their designee in specific case consideration where no good purpose would come from following such criteria. Permit applications shall include a sketch plan of the seating area and location, properly scaled and dimensioned, and demonstrating the safety and design features as required by ordinance. Further, the proposed design shall be reviewed for compliance with the requirements of Village Public Safety, and in accordance with all current fire and building codes.
- (6.) The outdoor dining area shall be configured to provide safe separation from neighboring parking spaces and drive aisles; protective barriers, and movable planters or decorative fencing shall be used in these instances to define the outdoor dining space and to provide proper screening for the area. Further, adequate clearance for car door swing areas shall be maintained for adjacent parking spaces (Minimum: 3 feet).
- (7.) When the temporary outdoor dining area is located in a parking lot, it may not reduce the number of available parking spaces below the minimum required for the site. If the site consists of less than ten (10) total parking spaces, then only 1 parking space may be displaced for this purpose.

G. Hold Harmless. The applicant shall acknowledge that he/she is proceeding at his/her own risk and hereby agrees to assume all responsibility and to hold harmless the Village, its officers, agents, and assigns in connection herewith from any claims, demands, liabilities, losses, causes of action of any nature whatsoever arising out of or in connection with the permit(s) issued or any part thereof, from and against all costs, fees, expenses, liabilities, any orders, judgments, or decrees which may be entered, and from and against all costs for attorneys' fees, expenses and liabilities incurred in the defense of such claim or in the investigation thereof.

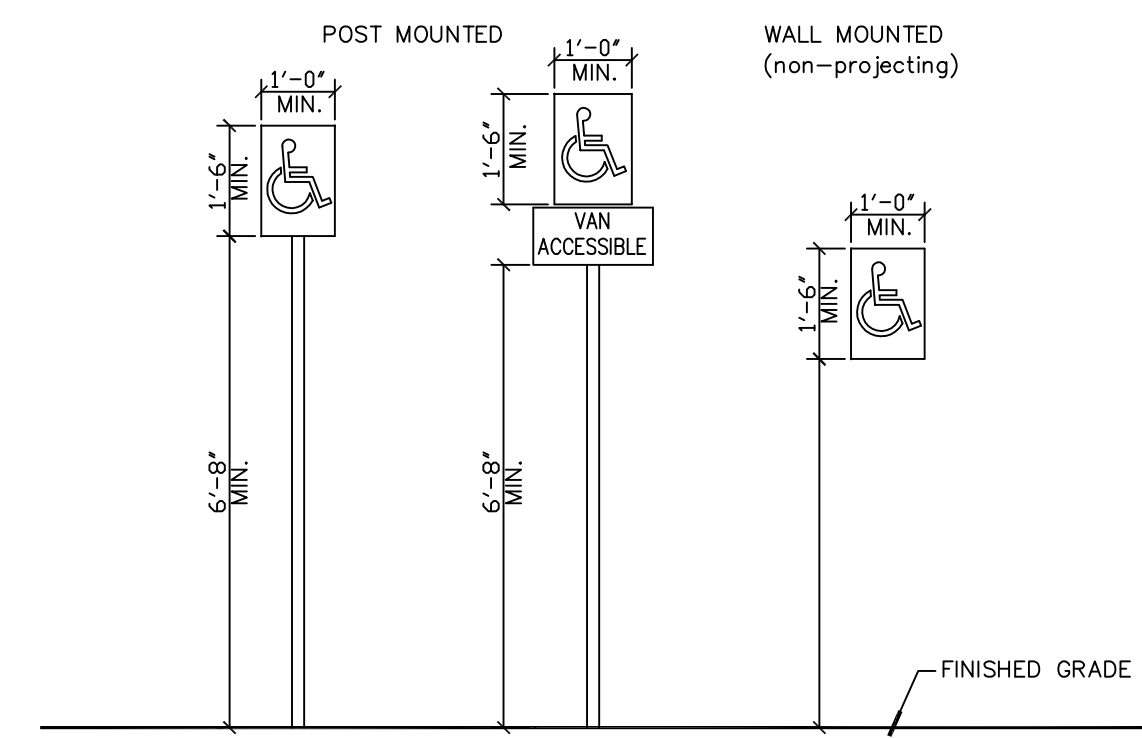


"Morgan's Auto"

PART OF THE SOUTHEAST 1/4 OF SECTION 33, T.4N., R.14E.,
VILLAGE OF NEW HAVEN, MACOMB COUNTY, MICHIGAN.



LOCATION MAP
NOT TO SCALE



EACH ACCESSIBLE PARKING SPACE IS REQUIRED TO HAVE A SIGN. THE SIGN SHALL BE CENTERED IN THE PARKING SPACE.
VAN ACCESSIBLE PARKING SPACES SHALL BE DESIGNATED "VAN ACCESSIBLE" ON THE FACE OF THE SIGN OR SHALL HAVE AN ADDITIONAL SIGN "VAN ACCESSIBLE" MOUNTED BELOW THE REQUIRED SIGN.

ACCESSIBLE PARKING SIGNAGE
NOT TO SCALE

BENCHMARKS: NAVD 88 DATUM
1. SANITARY SEWER MANHOLE IN FRONT OF MORGAN'S AUTO #57660 GRATIOT AVE. ELEVATION: 613.11
2. A GAVE VALVE RIM ON THE EAST SIDE OF GRATIOT AVENUE AND NEW HAVEN ROAD; THENCE N32°38'30"E 200.0' TO THE POINT OF BEGINNING; THENCE N32°38'30"E 167.0'; THENCE S57°21'30"E 313.0'; THENCE S32°38'30"W 384.23'; THENCE N40°29'W 145.0'; THENCE N12°22'W 50.0'; THENCE N13°41'E 33.66'; THENCE N14°14'51"W 59.01'; THENCE N30°45'25"E 43.26'; THENCE N57°21'30"W 54.58'; THENCE N12°22'W 36.50' TO THE POINT OF BEGINNING.
CONTAINING 2.105 ACRES.
LEGAL DESCRIPTION PROVIDED FROM ASSESSING RECORDS.

LEGAL DESCRIPTION: PARCEL 03-33-430-009
PART OF SECTION 33, T.4N., R.14E., VILLAGE OF NEW HAVEN, MACOMB COUNTY, MICHIGAN. BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE CENTERLINE OF GRATIOT AVENUE AND NEW HAVEN ROAD; THENCE N32°38'30"E 200.0' TO THE POINT OF BEGINNING; THENCE N32°38'30"E 167.0'; THENCE S57°21'30"E 313.0'; THENCE S32°38'30"W 384.23'; THENCE N40°29'W 145.0'; THENCE N12°22'W 50.0'; THENCE N13°41'E 33.66'; THENCE N14°14'51"W 59.01'; THENCE N30°45'25"E 43.26'; THENCE N57°21'30"W 54.58'; THENCE N12°22'W 36.50' TO THE POINT OF BEGINNING.
CONTAINING 2.105 ACRES.
LEGAL DESCRIPTION PROVIDED FROM ASSESSING RECORDS.

- GENERAL NOTES:**
- A PERMIT WILL BE REQUIRED FROM THE MACOMB COUNTY DEPT. OF ROADS FOR ALL WORK PERFORMED WITHIN THE NAPI DRIVE RIGHT-OF-WAY. ENTRANCE PAVEMENT REQUIREMENTS WILL BE COORDINATED WITH THE DEPT. OF ROADS DURING THE PERMITTING PROCESS.
 - PROPOSED UTILITY LOCATIONS SHOWN ARE FOR PLANNING PURPOSES AND MAY BE SUBJECT TO CHANGE DURING THE ENGINEERING STAGE. MUNICIPAL UTILITIES (WATER, SANITARY, AND STORM SEWER) WILL BE BROUGHT ON SITE BY THE DEVELOPER FROM EXISTING SOURCES. PLANS WILL BE SUBMITTED TO THE SHELBY TWP DPW FOR REVIEW FOR ENGINEERING REVIEW PRIOR TO CONSTRUCTION.
 - NO CONSTRUCTION ACTIVITY SHALL BE PERMITTED PRIOR TO RECEIPT OF "PERMIT TO CONSTRUCT" FROM SHELBY TWP DPW.
 - ALL UNPAVED AREAS SHALL HAVE APPROPRIATE GROUND COVER. AREAS ADJACENT TO BUILDINGS AND WITHIN THE PARKING AREAS SHALL BE COVERED WITH SHREDDED BARK MULCH BEDDINGS. SOD SHALL BE USED IN THE LARGER GREENBELT AREAS ALONG THE FRONTAGE OF THE SITE, AND AROUND ALL SIDES OF THE BUILDINGS, WHERE APPROPRIATE. THE BALANCE OF THE SITE AREA THAT IS ENCLOSED BY THE FENCE WILL BE A STORAGE AREA.
 - SODDED AREAS SHALL HAVE AUTOMATIC UNDERGROUND SPRINKLER SYSTEMS INSTALLED.
 - THERE ARE EXISTING TREES ON THIS PROPERTY ALONG THE FRONTAGE OF THE SITE. SEE LANDSCAPE PLAN FOR TREE PROTECTION NOTES AND DETAILS.
 - A PHOTOMETRIC PLAN WILL BE SUPPLIED BY OTHERS.
 - SEE ARCHITECTURAL PLANS SUPPLIED BY RLA STUDIO.
 - ANY PROPOSED ROOF MOUNTED MECHANICAL UNITS WILL BE PROPERLY SCREENED.
 - DETENTION HAS BEEN PROVIDED BY OFFSITE IMPROVEMENTS IN THE LONGSTAFF DRAIN, WHICH IS DOWNSTREAM

PREPARED FOR:
MARK BROWN
MORGAN'S AUTO
57660 GRATIOT AVE.
NEW HAVEN, MI 48048
(586) 943-1453
MORGANSAUTO@YAHOO.COM

PREPARED BY:
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REV. 8/28/2024



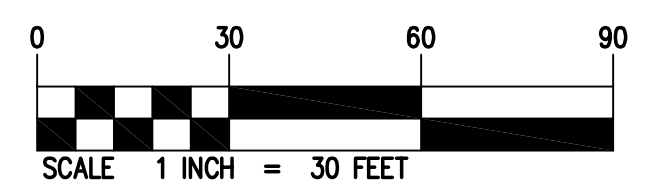
COMMUNITY E.S.
CIVIL ENGINEERING & SURVEYING

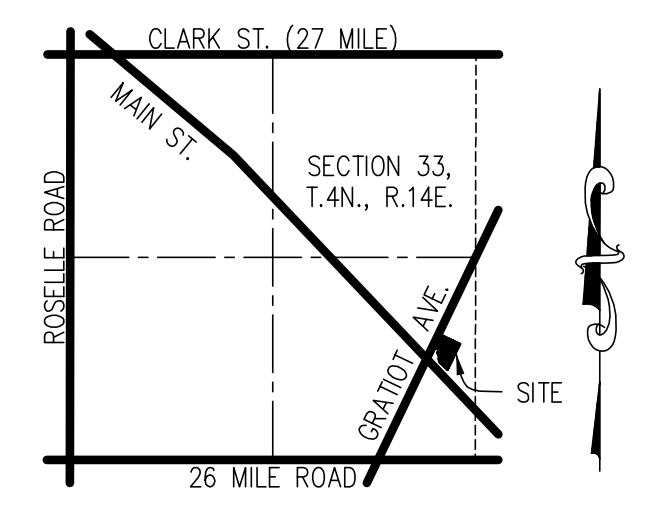
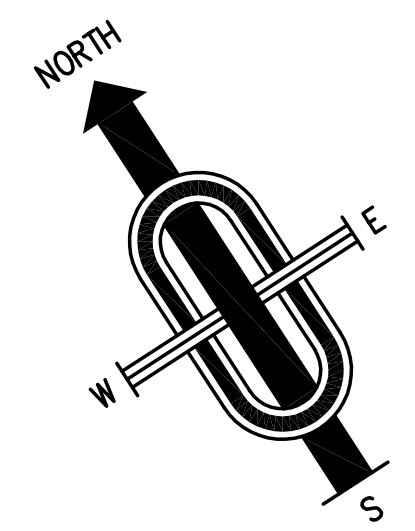
MORGAN'S AUTO
PART OF SECTION 33, T.4N., R.14E., VILLAGE OF NEW HAVEN, MACOMB COUNTY, MICHIGAN.

DATE **Jan. 3, 2024** SCALE **1" = 20'**
DRAWN BY **R.S.H.** SHEET **1 OF 3**
CHECKED BY **R.S.H.** DRAWING **Z-24-152**

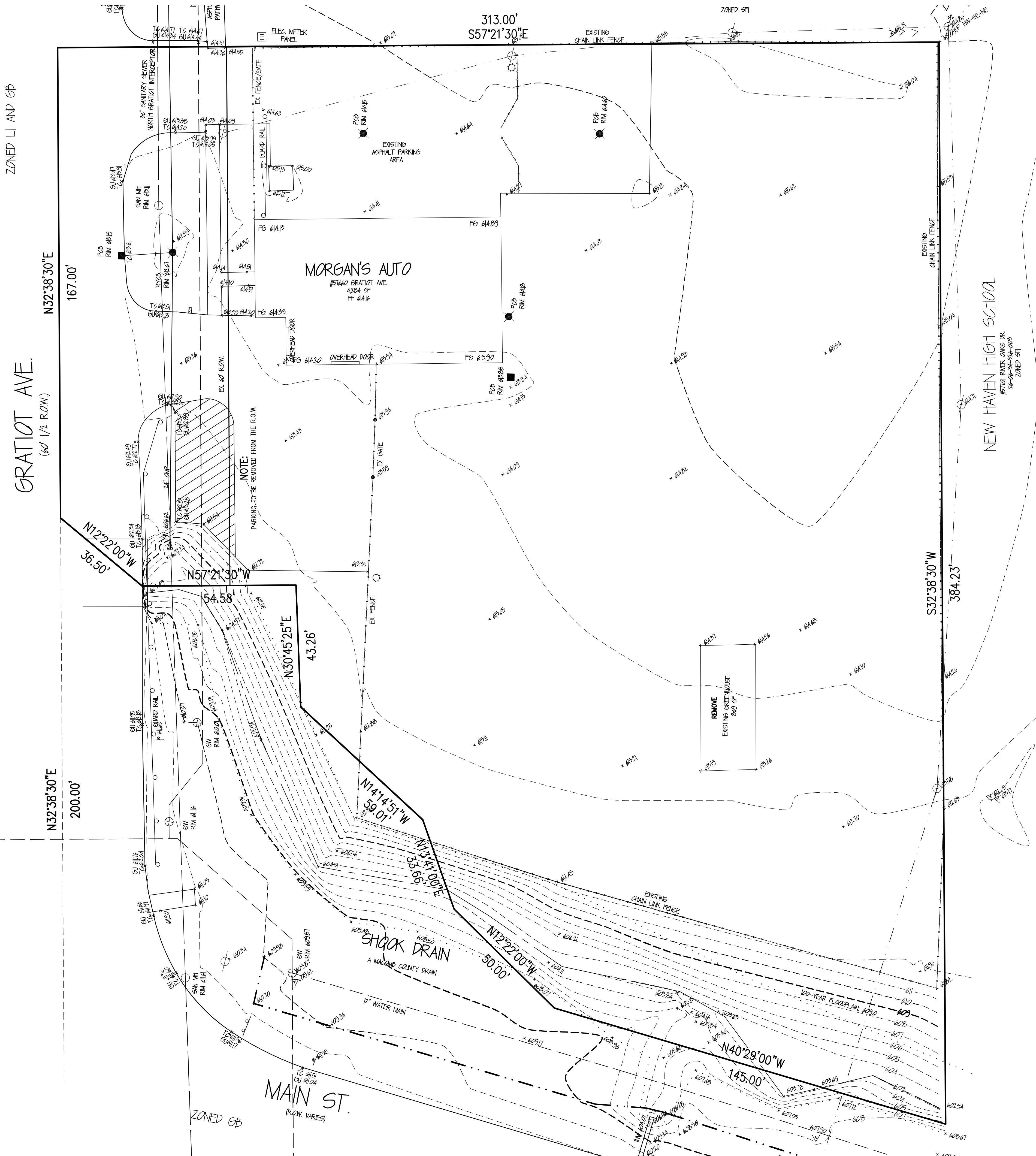
PRELIMINARY SITE PLAN

- SITE DATA:**
- EXISTING SITE INFORMATION:
PART OF PARCEL NO. 06-33-430-009
ADDRESS: 57660 GRATIOT AVE.
 - ZONING: L1
 - EXISTING BUILDING: 4,284 SF AUTO SERVICE
6 SERVICE BAYS
PROPOSED BARN: 3,477 SF WAREHOUSE
 - PARKING:
5 SPACES MINIMUM PLUS 4 SPACES FOR EACH ADDITIONAL SERVICE BAY
5 SERVICE BAYS X 4 SPACES = 20 SPACES
25 SPACES REQUIRED
25 SPACES PROVIDED
- NOTE: THE SHOP CURRENTLY HAS 6 EMPLOYEES.





LOCATION MAP
NOT TO SCALE



NOTE:
THE ROUTE OF THE STORM SEWER PIPES STILL
NEEDS TO BE VERIFIED.



REV. 8/28/2024



COMMUNITY E.S.
CIVIL ENGINEERING & SURVEYING

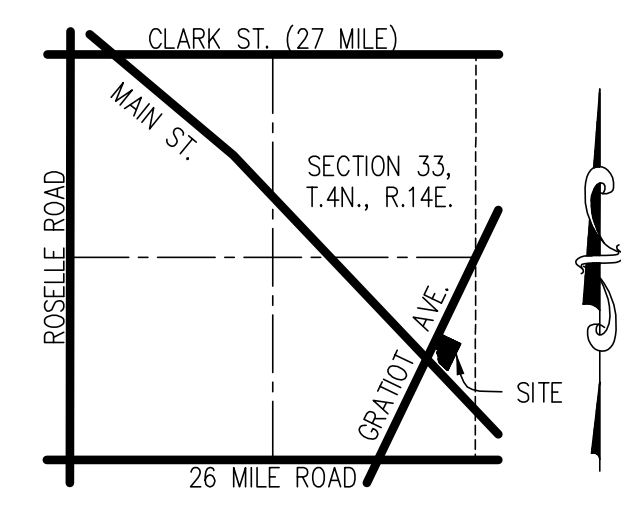
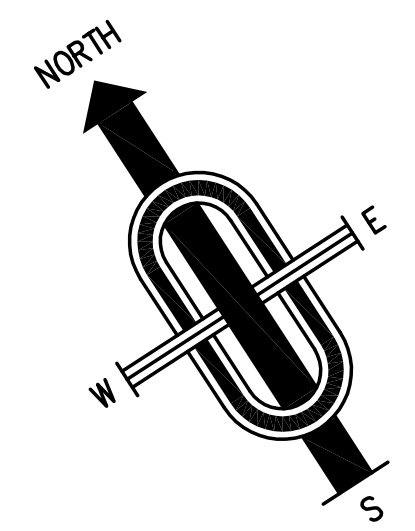


DATE **Jan. 3, 2024** SCALE **1" = 20'**
DRAWN BY **R.S.H.** SHEET **2 OF 3**
CHECKED BY **R.S.H.** DRAWING **Z-24-152**

TOPOGRAPHIC SURVEY



Image © 2024 Airbus



LOCATION MAP
NOT TO SCALE

NOTE:
THE RADIUS OF THE CURVED DRIVE PERS STILL
NEEDS TO BE REVIEWED.



REV. 8/28/2024



COMMUNITY E.S.
CIVIL ENGINEERING & SURVEYING



<small> Civil Engineering and Surveying 5805 24 Mile Road, Suite B Shelby Twp., Michigan 48316 Telephone (586) 677-4081 www.communityeng.com </small>	MORGAN'S AUTO PART OF SECTION 33, T.4N., R.14E., VILLAGE OF NEW HAVEN, MACOMB COUNTY, MICHIGAN.
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DATE Jan. 3, 2024	SCALE 1"=50'
DRAWN BY R.S.H.	SHEET 3 OF 3
CHECKED BY R.S.H.	DRAWING Z-24-152

AERIAL MAP