

ROYAL OAK PLANNING COMMISSION
CITY OF ROYAL OAK, MICHIGAN

August 9, 2016
7:00 p.m.

AGENDA

A. Call to Order

B. Approval of Minutes for July 12, 2016

C. Public Comment on Non-Agenda Items

D. New Business

1. **Public Hearing – Rezoning from One Family Residential to Planned Unit Development (PUD) and associated Preliminary Site Plan / Site Condominium Plan (SP 16-08-20)** to (a) subdivide portion of former municipal golf course (Normandy Oaks Golf Course) into 50 individual lots for single-family dwellings, and (b) construct 73 multiple-family dwelling units in 22 buildings, at **4234 Delemere Blvd.** (parcel no. 25-05-251-002)
Robertson Bros. Homes, Petitioner
City of Royal Oak, Owner
Nowak & Fraus, PLLC, Engineer
Alexander V. Bogaerts & Associates, PC, Architect
2. **Public Hearing – Special Land Use & Site Plan (SP 16-08-21)** to install drive-through ATM for bank (Huntington Bank) in parking lot of large-scale retail store (Meijer) at **5150 Coolidge Hwy.** (parcel no. 20-32-301-026)
Christopher J. Humphrey, AIA, Petitioner & Architect
Meijer, Inc., Owner
3. **SP 16-08-22 – Site Plan** to construct new convenience store and retail units for automobile filling station (Mobil) at **1617 E. Twelve Mile Rd.** (parcel no. 25-10-480-013) and **1815 N. Campbell Rd.** (parcel no. 25-10-480-012)
Sara Corp. / Makki Investments, LLC, Petitioner & Owner
Ziad El-Baba Engineering, Engineer

E. Other Business

1. **SV 16-08-05 – Sign Variance** request to re-use nonconforming monument sign for institutional use (Unity Church of Royal Oak) at **2500 Crooks Rd.** (parcel no. 25-09-326-007) with following variances:
 - (a) Waive 4.1 sq. ft. from maximum permitted 25-sq. ft. monument sign area; and
 - (b) Waive 2.5 ft. of minimum required 10-ft. monument sign setback.Unity Church of Royal Oak, Petitioner & Owner
Aver Sign Co., Contractor
 2. **SV 16-08-06 – Sign Variance** request to install wall signs for large-scale retail facility (Meijer) at **5150 Coolidge Hwy.** (parcel no. 20-32-301-026) with following variances:
 - (a) Allow 4 wall signs on south front façade;
 - (b) Waive 327.12 sq. ft. from maximum permitted 150 sq. ft. wall sign area for south façade; and
 - (c) Allow wall sign for use with no street frontage.Anchor Sign, Inc., Petitioner & Contractor
Meijer, Inc., Owner
 3. **Notice of Intent to Amend City of Berkley Master Plan**
-

Present

Robert Bruner (at 7:25 p.m.)
Jeffrey Chase
Sharlan Douglas, City Commissioner
Jim Ellison, Mayor
Clyde Esbri, Chairperson
Dan Godek
Gary Quesada

Absent

Rebecca Black
Anne Vaara, Vice-Chairperson

Staff

Tim Thwing, Director of Community Development

Other

A.J. Carter, Student Representative

A. Call to Order

Chairperson Esbri called the August 9, 2016 regular meeting of the Planning Commission to order at 7:05 p.m.

B. Approval of Minutes for July 12, 2016

Moved by Mr. Chase
Supported by Commissioner Douglas

To approve the minutes of the July 12, 2016 regular meeting of the Planning Commission as presented.

Motion adopted unanimously.

C. Public Comment on Non-Agenda Items

Chairperson Esbri invited members of the audience to comment on any issues that were not part of the meeting's agenda. After all members of the audience came forward Chairperson Esbri closed the public comment portion of the agenda.

D. New Business

- 1. Public Hearing – Rezoning from One Family Residential to Planned Unit Development (PUD) and associated Preliminary Site Plan / Site Condominium Plan (SP 16-08-20) to (a) subdivide portion of former municipal golf course (Normandy Oaks Golf Course) into 50 individual lots for single-family dwellings, and (b) construct 73 multiple-family dwelling units in 22 buildings, at 4234 Delemere Blvd. (parcel no. 25-05-251-002)**

Robertson Bros. Homes, Petitioner
City of Royal Oak, Owner
Nowak & Fraus, PLLC, Engineer
Alexander V. Bogaerts & Associates, PC, Architect

Mr. Bruner arrived at 7:25 p.m.

Moved by Mr. Bruner
Supported by Mayor Ellison

To approve SP 16-08-20, a preliminary planned unit development (PUD) site condominium plan to subdivide a portion of a former municipal golf course (Normandy Oaks Golf Course) into 50 individual lots for single-family dwellings, and a preliminary PUD site plan to construct 73 multiple-family dwelling units in 22 buildings, at 4234 Delemere Boulevard (parcel no. 25-05-251-002), with the following contingencies:

- a. The petitioner shall prepare and submit an application for final PUD plan review by the Planning Commission within six months containing all information required under § 770-99 (C) of the Zoning Ordinance, including a draft development agreement.
- b. The final PUD plans shall comply with the Zoning Ordinance (Chapter 770), as well as all other applicable codes and ordinances, except for the following:
 - (1) No more than 50 single-family lots shall be permitted. Interior lots shall have a minimum lot width of 42 feet, a minimum lot depth of 110 feet, and a minimum lot area of 4,620 square feet. Corner lots shall have a minimum lot width of 50 feet, a minimum lot depth of 110 feet, and a minimum lot area of 5,750 square feet.
 - (2) A minimum front yard setback of 14 feet shall be permitted for all single-family dwellings. A minimum setback of 10 feet shall be permitted from the side street for single-family dwellings and accessory structures on corner lots 1, 13, 35, and 36. A minimum setback of 14 feet shall be permitted from the side street for single-family dwellings and accessory structures on corner lots 19 and 50.
 - (3) A minimum rear yard setback of 30 feet shall be permitted for all single-family dwellings.
 - (4) A maximum lot coverage percentage of 37.5% shall be permitted for all single-family dwellings and accessory structures.
 - (5) Accessory structures with direct vehicular access at a right angle to a rear alley shall be permitted a setback of 5 feet from the alley.
 - (6) No more than 73 multiple-family dwelling units shall be permitted.
 - (7) Multiple-family dwellings shall be permitted a minimum setback of 17.5 feet from Normandy Road, 14.3 feet from Delemere Boulevard, and 7 feet from the corner right-of-way line at the intersection of Normandy Road and Delemere Boulevard.
 - (8) A minimum setback of 15 feet shall be permitted between multiple-family buildings.
 - (9) A maximum building height of 33 feet 8 1/16 inches shall be permitted for multiple-family buildings.
- c. Prior to review by the Planning Commission, the final PUD plans shall be revised to include the ordinance deviations listed above and the following:
 - (1) The access for the 20-foot wide alley to Delemere Boulevard shall be eliminated.
- d. The final PUD plans shall include a specific schedule of the intended development and construction details, including phasing or timing, and a specific schedule of general improvements, including, without limitation, lighting, signage, the mechanisms designed to reduce noise, utilities, and visual screening features.
- e. All paving, utilities, and work within public rights-of-way shall be in accordance with the specifications and standards of the City Engineer.
- f. All exterior lighting fixtures shall comply with § 770-96 (B) of the Zoning Ordinance and other city codes and ordinances, including being directed downward and shielded so as not to shine on adjacent property, and within maximum permitted fixture heights and illumination levels.

- g. Signage shall be as depicted on the preliminary PUD plans, and any additional signage shall comply with the Sign Ordinance (Chapter 607 Signs, Article II Sign Regulations) or receive necessary variances from the Planning Commission.
- h. Prior to issuance of any building permits:
 - (1) Performance bonds shall be posted in amounts to be determined by the Building Official;
 - (2) The final PUD plans shall meet all other code and ordinance requirements, including, but not limited to, the Michigan Building Code and the city's Stormwater Detention Ordinance (Chapter 644), as determined by the Building Official and City Engineer;
 - (3) The City Commission shall rezone the site to PUD and approve the associated development agreement; and
 - (4) All right-of-way improvements, utilities, and infrastructure shall be completed for each designated phase.

Moved by Mayor Ellison
Supported by Mr. Bruner

To amend the motion to allow the 20-foot alley to connect to Delemere Boulevard.

Motion adopted 6 to 1.

Yes: Mr. Bruner, Mr. Chase, Commissioner Douglas, Mr. Godek, Mayor Ellison, Mr. Quesada

No: Mr. Esbri

The amended motion now reads:

To approve SP 16-08-20, a preliminary planned unit development (PUD) site condominium plan to subdivide a portion of a former municipal golf course (Normandy Oaks Golf Course) into 50 individual lots for single-family dwellings, and a **preliminary PUD site plan** to construct 73 multiple-family dwelling units in 22 buildings, at **4234 Delemere Boulevard** (parcel no. 25-05-251-002), with the following **contingencies**:

- a. The petitioner shall prepare and submit an application for final PUD plan review by the Planning Commission within six months containing all information required under § 770-99 (C) of the Zoning Ordinance, including a draft development agreement.
- b. The final PUD plans shall comply with the Zoning Ordinance (Chapter 770), as well as all other applicable codes and ordinances, except for the following:
 - (1) No more than 50 single-family lots shall be permitted. Interior lots shall have a minimum lot width of 42 feet, a minimum lot depth of 110 feet, and a minimum lot area of 4,620 square feet. Corner lots shall have a minimum lot width of 50 feet, a minimum lot depth of 110 feet, and a minimum lot area of 5,750 square feet.
 - (2) A minimum front yard setback of 14 feet shall be permitted for all single-family dwellings. A minimum setback of 10 feet shall be permitted from the side street for single-family dwellings and accessory structures on corner lots 1, 13, 35, and 36. A minimum setback of 14 feet shall be permitted from the side street for single-family dwellings and accessory structures on corner lots 19 and 50.
 - (3) A minimum rear yard setback of 30 feet shall be permitted for all single-family dwellings.
 - (4) A maximum lot coverage percentage of 37.5% shall be permitted for all single-family dwellings and accessory structures.
 - (5) Accessory structures with direct vehicular access at a right angle to a rear alley shall be permitted a setback of 5 feet from the alley.
 - (6) No more than 73 multiple-family dwelling units shall be permitted.

- (7) Multiple-family dwellings shall be permitted a minimum setback of 17.5 feet from Normandy Road, 14.3 feet from Delemere Boulevard, and 7 feet from the corner right-of-way line at the intersection of Normandy Road and Delemere Boulevard.
 - (8) A minimum setback of 15 feet shall be permitted between multiple-family buildings.
 - (9) A maximum building height of 33 feet 8 1/16 inches shall be permitted for multiple-family buildings.
- c. Prior to review by the Planning Commission, the final PUD plans shall be revised to include the ordinance deviations listed above.
 - d. The final PUD plans shall include a specific schedule of the intended development and construction details, including phasing or timing, and a specific schedule of general improvements, including, without limitation, lighting, signage, the mechanisms designed to reduce noise, utilities, and visual screening features.
 - e. All paving, utilities, and work within public rights-of-way shall be in accordance with the specifications and standards of the City Engineer.
 - f. All exterior lighting fixtures shall comply with § 770-96 (B) of the Zoning Ordinance and other city codes and ordinances, including being directed downward and shielded so as not to shine on adjacent property, and within maximum permitted fixture heights and illumination levels.
 - g. Signage shall be as depicted on the preliminary PUD plans, and any additional signage shall comply with the Sign Ordinance (Chapter 607 Signs, Article II Sign Regulations) or receive necessary variances from the Planning Commission.
 - h. Prior to issuance of any building permits:
 - (1) Performance bonds shall be posted in amounts to be determined by the Building Official;
 - (2) The final PUD plans shall meet all other code and ordinance requirements, including, but not limited to, the Michigan Building Code and the city's Stormwater Detention Ordinance (Chapter 644), as determined by the Building Official and City Engineer;
 - (3) The City Commission shall rezone the site to PUD and approve the associated development agreement; and
 - (4) All right-of-way improvements, utilities, and infrastructure shall be completed for each designated phase.

Motion adopted 5 to 2.

Yes: Mr. Bruner, Mr. Chase, Commissioner Douglas, Mayor Ellison, Mr. Quesada

No: Mr. Esbri, Mr. Godek

2. **Public Hearing – Special Land Use & Site Plan (SP 16-08-21)** to install drive-through ATM for bank (Huntington Bank) in parking lot of large-scale retail store (Meijer) at **5150 Coolidge Hwy.** (parcel no. 20-32-301-026)
Christopher J. Humphrey, AIA, Petitioner & Architect
Meijer, Inc., Owner

Moved by Mr. Chase

Supported by Mayor Ellison

To approve a special land use permit to install a drive-through automated teller machine (ATM) for a bank (Huntington Bank) in the parking lot of a large-scale retail store (Meijer) at **5150 Coolidge Highway** (parcel no. 20-32-301-026).

Motion adopted unanimously.

Moved by Mr. Chase
Supported by Mr. Godek

To approve SP 16-08-21, a **site plan** to install a drive-through automated teller machine (ATM) for a bank (Huntington Bank) in the parking lot of a large-scale retail store (Meijer) at **5150 Coolidge Highway** (parcel no. 20-32-301-026), with the following **contingencies**:

- a. All paving, utilities, and work within public rights-of-way shall be in accordance with the specifications and standards of the City Engineer.
- b. All exterior lighting fixtures shall comply with § 770-96 (B) of the Zoning Ordinance and other city codes and ordinances, including being directed downward and shielded so as not to shine on adjacent property, and within maximum permitted fixture heights and illumination levels.
- c. All signage shall comply with the Sign Ordinance (Chapter 607 Signs, Article II Sign Regulations) or receive the necessary variances from the Planning Commission.
- d. A performance bond shall be posted in an amount to be determined by the Building Official.
- e. The site plan shall meet all other code and ordinance requirements, as determined by the Building Official, including, but not limited to, the Michigan Building Code, **prior** to issuance of **any** building permits.

Motion adopted unanimously.

3. **SP 16-08-22 – Site Plan** to construct new convenience store and retail units for automobile filling station (Mobil) at **1617 E. Twelve Mile Rd.** (parcel no. 25-10-480-013) and **1815 N. Campbell Rd.** (parcel no. 25-10-480-012)
Sara Corp. / Makki Investments, LLC, Petitioner & Owner
Ziad El-Baba Engineering, Engineer

Moved by Commissioner Douglas
Supported by Mr. Quesada

To approve SP 16-08-22, a **site plan** to construct a new convenience store and retail units for an automobile filling station (Mobil) at **1617 East Twelve Mile Road** (parcel no. 25-10-480-013) and **1815 North Campbell Road** (parcel no. 25-10-480-012), with the following **contingencies**:

- a. A land combination application shall be filed with the City Assessor to combine both lots into a single parcel.
- b. All paving, utilities, and work within public rights-of-way shall be in accordance with the specifications and standards of the City Engineer, including, but not limited to: (a) closure of both driveways nearest the intersection of East Twelve Mile Road and North Campbell Road and restoration of the right-of-way; and (b) installation of stormwater detention or submission of a stormwater detention lien.
- c. All lighting underneath the fuel pump canopy shall be recessed and down-shielded according to § 770-64 (K) of the Zoning Ordinance. All exterior lighting fixtures including those underneath the fuel pump canopy shall comply with § 770-96 (B) of the Zoning Ordinance and other city codes and ordinances, including being directed downward and shielded so as not to shine on adjacent property, within maximum permitted fixture heights (15 feet), and within maximum permitted illumination levels (0.1 foot-candles along the west rear lot line; 0.5 foot-candles along all other lot lines; and 10 foot-candles at any point within the site).
- d. All signage shall comply with the Sign Ordinance (Chapter 607 Signs, Article II Sign Regulations) or receive the necessary variances from the Planning Commission.

- e. A performance bond shall be posted in an amount to be determined by the Building Official.
- f. The site plan shall meet all other code and ordinance requirements, as determined by the Building Official, Fire Marshall, and City Engineer, including, but not limited to, the Michigan Building Code, the Fire Prevention Ordinance (Chapter 340), and the city's Stormwater Detention Ordinance (Chapter 644), **prior** to issuance of **any** building or right-of-way permits.

Motion adopted unanimously.

E. Other Business

1. **SV 16-08-05 – Sign Variance** request to re-use nonconforming monument sign for institutional use (Unity Church of Royal Oak) at **2500 Crooks Rd.** (parcel no. 25-09-326-007) with following variances:
 - (a) Waive 4.1 sq. ft. from maximum permitted 25-sq. ft. monument sign area; and
 - (b) Waive 2.5 ft. of minimum required 10-ft. monument sign setback.Unity Church of Royal Oak, Petitioner & Owner
Aver Sign Co., Contractor

Moved by Mr. Godek
Supported by Mayor Ellison

To grant SV 16-08-05, a sign variance request to re-use a nonconforming monument sign for an institutional use (Unity Church of Royal Oak) at **2500 Crooks Road** (parcel no. 25-09-326-007) with following variances:

- a. Waive 4.1 square feet from maximum permitted 25-square foot monument sign area; and
- b. Waive 2.5 feet of minimum required 10-foot monument sign setback.

Motion adopted unanimously.

2. **SV 16-08-06 – Sign Variance** request to install wall signs for large-scale retail facility (Meijer) at **5150 Coolidge Hwy.** (parcel no. 20-32-301-026) with following variances:
 - (a) Allow 4 wall signs on south front façade;
 - (b) Waive 327.12 sq. ft. from maximum permitted 150 sq. ft. wall sign area for south façade; and
 - (c) Allow wall sign for use with no street frontage.Anchor Sign, Inc., Petitioner & Contractor
Meijer, Inc., Owner

Moved by Mayor Ellison
Supported by Mr. Bruner

To grant SV 16-08-06, a sign variance request to install wall signs on the south front façade of a large-scale retail facility (Meijer) at **5150 Coolidge Highway** (parcel no. 20-32-301-026) with following variances:

- a. Allow 4 wall signs;
- b. Waive 327.12 square feet from maximum permitted 150- square foot wall sign area; and
- c. Allow a wall sign for a use with no street frontage.

Motion adopted unanimously.

3. Notice of Intent to Amend City of Berkley Master Plan

A notice from the City of Berkley declaring that city's intent to amend their master plan was presented as required by state law. No further action was taken.

F. Adjournment

Moved by Mr. Chase
Supported by Mr. Godek

To **adjourn** the August 9, 2016 regular meeting of the Planning Commission at 9:12 p.m.

Motion adopted unanimously.



Clyde Esbri
Chairperson, Planning Commission



Timothy E. Thwing
Director of Community Development