

ROYAL OAK PLANNING COMMISSION
CITY OF ROYAL OAK, MICHIGAN

Tuesday, May 10, 2016
7:30p.m.

AGENDA

A. Call to Order

B. Approval of Minutes for April 12, 2016

C. Public Comment on Non-Agenda Items

D. New Business

1. **Public Hearing – Conditional Rezoning** from **Mixed Use 2** to **General Business** and associated **Site Plan (SP 16-05-08)** to establish automobile dealership for classic and antique vehicles within existing building at **707-711 E. Fourth St.** (parcel no. 25-22-132-019)
LBI Limited, Petitioner
CG Emerson Real Estate Group, Owner
Roger J. Berent Architects, Architect
2. **Public Hearing – Special Land Use & Site Plan (SP 16-05-09)** to expand and renovate assisted-living senior housing facility (Assured Senior Living) at **1910 N. Washington Ave.** (parcel no. 25-09-480-017)
Assured Senior Living Group, Petitioner & Owner
Edmund London & Associates, Inc., Architect
3. **Public Hearing – Special Land Use & Site Plan (SP 16-05-10)** to expand showroom for automobile dealership with service center/repair garage (Village Jeep) at **31200 Woodward Ave.** (parcel no. 25-06-476-001)
Village Chrysler Jeep, Inc., Petitioner & Owner
Dorchen/Martin Associates, Inc., Architect
4. **Public Hearing – Special Land Use & Site Plan (SP 16-05-11)** to expand existing building and establish fitness center (Planet Fitness) within former grocery store at **2554-2616 Crooks Rd.** (parcel nos. 25-09-154-017 & 25-09-154-19)
Essco of Royal Oak, Petitioner & Owner
K&M Building, Inc., Contractor
Nowak & Frauss, Engineer
Daniel Biber Associates, Architect
5. **SP 16-05-12 – Site Plan** to construct 39 multiple-family dwelling units within four-story building (47-ft. 10-in. height) at **211-235 E. Harrison Ave.** (parcel nos. 25-22-303-024, 25-22-303-025, & 25-22-303-048)
KASCO Equities, Petitioner & Owner
Saroki Architecture, Architect
6. **SP 16-05-13 – Site Plan** to construct new seven-level municipal parking deck (80-ft. height) on **south side of W. Second St. between S. Washington Ave. and S. Center St.** (parcel no. 25-21-232-001)
City of Royal Oak, Petitioner & Owner
Rich & Associates, Inc., Engineer & Architect

E. Other Business

Present

Rebecca Black
Robert Bruner
Jeffrey Chase
Sharlan Douglas, City Commissioner
Jim Ellison, Mayor (@ 8:38 p.m.)
Clyde Esbri, Chairperson
Dan Godek
Gary Quesada
Anne Vaara, Vice-Chairperson

Absent

None

Staff

Tim Thwing, Director of Community Development

Other

A.J. Carter, Student Representative

A. Call to Order

Chairperson Esbri called the May 10, 2016 regular meeting of the Planning Commission to order at 7:30 p.m.

B. Approval of Minutes for April 12, 2016

Moved by Mr. Chase
Supported by Ms. Black

To approve the minutes of the April 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 – Conditional Rezoning from Mixed Use 2 to General Business** and associated **Site Plan (SP 16-05-08)** to establish automobile dealership for classic and antique vehicles within existing building at **707-711 E. Fourth St.** (parcel no. 25-22-132-019)

LBI Limited, Petitioner
CG Emerson Real Estate Group, Owner
Roger J. Berent Architects, Architect

Moved by Commissioner Douglas
Supported by Mr. Chase

Be it resolved, that the request to conditionally rezone **707-711 East Fourth Street** (parcel no. 25-22-132-019) from **Mixed Use 2 to General Business** in order to establish an automobile dealership for classic and antique vehicles within an existing building is hereby referred to the City Commission with a **recommendation for approval**, based upon the following:

- a. Although the requested General Business zone is not entirely consistent with the goals, policies, and future land use map of the Master Plan, the proposed automobile dealership for classic and antique vehicles is a unique, low-intensity use that is consistent with recent development trends along the Fourth Street corridor.
- b. The proposed automobile dealership is compatible with surrounding residential uses and One Family Residential and Mixed Use 2 zoning in terms of land suitability, impacts on the environment, traffic volumes, aesthetics, infrastructure, and potential influence on property values. The proposed automobile dealership will be a harmonious transition between more intense uses on Fourth Street and the surrounding residential neighborhood.
- c. The street system is capable of safely and efficiently accommodating expected traffic volumes generated by the proposed automobile dealership.
- d. The capacity of public utilities and services is sufficient to accommodate the proposed automobile dealership without compromising the city's health, safety, and welfare.

Be it further resolved, that **SP 16-05-08**, a site plan to establish an automobile dealership for classic and antique vehicles within an existing building at **707-711 East Fourth Street** (parcel no. 25-22-132-019), is hereby referred to the City Commission with a **recommendation of approval** with the following **contingencies**:

- a. Prior to review by the City Commission, a conditional zoning agreement between the petitioner and the city shall be submitted for review and approval by the City Attorney specifying all conditions voluntarily offered by the petitioner, including no outside storage or display of vehicles and no servicing or repair of vehicles, and all requested waivers from required Zoning Ordinance standards.
- b. Prior to review by the City Commission, a revised site plan and landscaping plan shall be submitted by the petitioner that includes the following:
 - 1) Pavement details for all off-street parking lots, driveways, curbs, gutters, etc.; and
 - 2) A detailed landscaping plan containing all elements required under § 770-90 (C)(1) through (7) of the Zoning Ordinance.
- c. All work and/or improvements within the public right-of-way shall be in accordance with the specifications and standards of the City Engineer.
- d. Any exterior waste receptacles must be screened in accordance with § 770-90 (I) of the Zoning Ordinance.
- e. 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.
- f. All signage shall comply with § 607-10, Permitted Signs in Sign Area 1, (A) Wall Signs, of the Sign Ordinance (Chapter 607 Signs, Article II Sign Regulations) or receive necessary variances from the Planning Commission.
- g. A performance bond shall be posted in an amount to be determined by the Building Official.
- h. The site plan shall meet all other code and ordinance requirements, as determined by the Building Official, Fire Marshall, and City Engineer, prior to issuance of any building permit. Such requirements include, but are not limited to, the Michigan Building Code, the Fire Prevention Ordinance (Chapter 340), and the Stormwater Detention Ordinance (Chapter 644).

Motion adopted unanimously.

2. **Public Hearing – Special Land Use & Site Plan (SP 16-05-09)** to expand and renovate assisted-living senior housing facility (Assured Senior Living) at **1910 N. Washington Ave.** (parcel no. 25-09-480-017)

Assured Senior Living Group, Petitioner & Owner
Edmund London & Associates, Inc., Architect

Moved by Mr. Quesada

Supported by Ms. Vaara

To approve a special land use permit to expand and renovate an assisted-living senior housing facility (Assured Senior Living) at **1910 North Washington Avenue** (parcel no. 25-09-480-017).

Motion adopted unanimously.

Moved by Mr. Quesada

Supported by Ms. Vaara

To approve SP 16-05-09, as site plan to expand and renovate an assisted-living senior housing facility (Assured Senior Living) at **1910 North Washington Avenue** (parcel no. 25-09-480-017), with the following **contingencies**:

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

Motion adopted unanimously.

3. **Public Hearing – Special Land Use & Site Plan (SP 16-05-10)** to expand showroom for automobile dealership with service center/repair garage (Village Jeep) at **31200 Woodward Ave.** (parcel no. 25-06-476-001)

Village Chrysler Jeep, Inc., Petitioner & Owner
Dorchen/Martin Associates, Inc., Architect

Moved by Mayor Ellison

Supported by Mr. Godek

To approve a special land use permit to expand a showroom for an automobile dealership with a service center/repair garage (Village Jeep) at **31200 Woodward Ave.** (parcel no. 25-06-476-001).

Motion adopted unanimously.

Moved by Mayor Ellison

Supported by Mr. Godek

To approve SP 16-05-10, a site plan to expand a showroom for an automobile dealership with a service center/repair garage (Village Jeep) at **31200 Woodward Ave.** (parcel no. 25-06-476-001), with the following **contingencies**:

- a. A license agreement for use of the Memorial Park municipal parking lot by the petitioner shall be approved by the City Commission.
- b. The petitioner shall maintain compliance with all required standards for automobile dealerships and repair garage in the Zoning Ordinance, including § 770-63 Vehicle Dealers and § 770-66 Automobile Repair Garages.
- c. A parallel parking pattern shall be established within the Woodward Avenue right-of-way in accordance with the specifications and standards of the City Engineer as presented on the site plan.
- d. 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.
- e. All signage shall comply with the Sign Ordinance (Chapter 607 Signs, Article II Sign Regulations) or receive the necessary variances from the Planning Commission.
- f. A performance bond shall be posted in an amount to be determined by the Building Official.
- g. The site plan shall meet all other code and ordinance requirements, as determined by the Building Official and City Engineer, including, but not limited to, the Michigan Building Code and the city's Stormwater Detention Ordinance (Chapter 644), and any outstanding code and ordinances issues must be resolved (i.e., unscreened waste receptacles, outdoor tire storage, etc.), **prior** to issuance of **any** building or right-of-way permits.

Motion adopted unanimously.

4. **Public Hearing – Special Land Use & Site Plan (SP 16-05-11)** to expand existing building and establish fitness center (Planet Fitness) within former grocery store at **2554-2616 Crooks Rd.** (parcel nos. 25-09-154-017 & 25-09-154-19)
Essco of Royal Oak, Petitioner & Owner
K&M Building, Inc., Contractor
Nowak & Frauss, Engineer
Daniel Biber Associates, Architect

Moved by Mr. Bruner

Supported by Mr. Quesada

To approve a special land use permit to expand an existing building and establish a fitness center (Planet Fitness) within a former grocery store at **2554-2616 Crooks Road** (parcel nos. 25-09-154-017 & 25-09-154-19).

Motion adopted 7 to 2

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

No: Mr. Godek, Ms. Vaara

Moved by Mr. Bruner

Supported by Commissioner Douglas

To approve SP 16-05-11, a site plan to expand an existing building and establish a fitness center (Planet Fitness) within a former grocery store at **2554-2616 Crooks Road** (parcel nos. 25-09-154-017 & 25-09-154-19), with the following **contingencies**:

- a. The petitioner shall combine both existing lots into a single parcel.
- b. Screening in the form of a new six-foot masonry wall shall be installed along the east rear lot line adjacent to 1217 West Webster Road (parcel 25-09-326-001) and 1216 West Webster Road (parcel 25-09-179-005), and also the portion of the north side lot line adjacent to 2720 Crooks Road (parcel 25-09-154-018), in accordance with § 770-90 (D) of the Zoning Ordinance. The wall shall be installed, and the parking lot on the south side of the building reconstructed, in such a manner that the deciduous tree at the southeast corner of the site labeled "#6" on the site plan will not be removed.
- c. The existing concrete panel wall along the west front lot line adjacent to Crooks Road between both driveways shall be replaced with a new 30-inch masonry wall in accordance with § 770-90 (E)(2) of the Zoning Ordinance.
- d. All roof-top HVAC units shall be screened in accordance with § 770-90 (J) of the Zoning Ordinance.
- e. All 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. All signage shall comply with the Sign Ordinance (Chapter 607 Signs, Article II Sign Regulations) or receive the necessary variances from the Planning Commission.
- h. A performance bond shall be posted in an amount to be determined by the Building Official.
- i. The site plan shall meet all other code and ordinance requirements, as determined by the Building Official and City Engineer, including, but not limited to, the Michigan Building Code and the city's Stormwater Detention Ordinance (Chapter 644), **prior** to issuance of **any** building or right-of-way permits.

Moved by Mayor Ellison
Supported by Mr. Chase

To amend the motion and revise contingency (c) to read as follows:

- c. All panels within the existing concrete panel wall along the west front lot line adjacent to Crooks Road between both driveways shall be replaced. Support posts that are still in good condition may remain.

Amendment adopted 6 to 3.

Yes: Ms. Black, Mr. Chase, Mayor Ellison, Mr. Esbri, Mr. Godek, Mr. Quesada.

No: Mr. Bruner, Commissioner Douglas, Ms. Vaara.

Moved by Mayor Ellison
Supported by Commissioner Douglas

To amend the motion and add contingency (j) to read as follows:

- j. The opening for pedestrian access to West Webster Road along the east rear lot line shall be closed.

Amendment adopted 8 to 1.

Yes: Ms. Black, Mr. Chase, Commissioner Douglas, Mayor Ellison, Mr. Esbri, Mr. Godek, Mr. Quesada, Ms. Vaara.
No: Mr. Bruner.

The amended motion now read as follows:

To approve SP 16-05-11, a site plan to expand an existing building and establish a fitness center (Planet Fitness) within a former grocery store at **2554-2616 Crooks Road** (parcel nos. 25-09-154-017 & 25-09-154-19), with the following **contingencies**:

- a. The petitioner shall combine both existing lots into a single parcel.
- b. Screening in the form of a new six-foot masonry wall shall be installed along the east rear lot line adjacent to 1217 West Webster Road (parcel 25-09-326-001) and 1216 West Webster Road (parcel 25-09-179-005), and also the portion of the north side lot line adjacent to 2720 Crooks Road (parcel 25-09-154-018), in accordance with § 770-90 (D) of the Zoning Ordinance. The wall shall be installed, and the parking lot on the south side of the building reconstructed, in such a manner that the deciduous tree at the southeast corner of the site labeled "#6" on the site plan will not be removed.
- c. All panels within the existing concrete panel wall along the west front lot line adjacent to Crooks Road between both driveways shall be replaced. Support posts that are still in good condition may remain.
- d. The opening for pedestrian access to West Webster Road along the east rear lot line shall be closed.
- e. All roof-top HVAC units shall be screened in accordance with § 770-90 (J) of the Zoning Ordinance.
- f. All work within public rights-of-way shall be in accordance with the specifications and standards of the City Engineer.
- g. 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.
- h. All signage shall comply with the Sign Ordinance (Chapter 607 Signs, Article II Sign Regulations) or receive the necessary variances from the Planning Commission.
- i. A performance bond shall be posted in an amount to be determined by the Building Official.
- j. The site plan shall meet all other code and ordinance requirements, as determined by the Building Official and City Engineer, including, but not limited to, the Michigan Building Code and the city's Stormwater Detention Ordinance (Chapter 644), **prior** to issuance of **any** building or right-of-way permits.

Amended motion adopted 6 to 3.

Yes: Ms. Black, Mr. Chase, Commissioner Douglas, Mayor Ellison, Mr. Esbri, Mr. Quesada.

No: Mr. Bruner, Mr. Godek, Ms. Vaara.

5. **SP 16-05-12 – Site Plan** to construct 39 multiple-family dwelling units within four-story building (47-ft. 10-in. height) at **211-235 E. Harrison Ave.** (parcel nos. 25-22-303-024, 25-22-303-025, & 25-22-303-048)

KASCO Equities, Petitioner & Owner
Saroki Architecture, Architect

Moved by Mr. Bruner

Supported by Mr. Chase

To approve SP 16-05-12, a **site plan** to construct 39 multiple-family dwelling units within a four-story building (47-foot 10-inch height) at **211-235 East Harrison Avenue** (parcel nos. 25-22-303-024, 25-22-303-025, & 25-22-303-048), with the following **contingencies**:

- a. A density bonus of 85.71% is granted to construct 39 multiple-family dwelling units as permitted under § 770-46 (B)(3) of the Zoning Ordinance.
- b. A land division and combination application shall be filed with the City Assessor to create two separate parcels out of 226 East Hudson Avenue (parcel 25-22-303-048), 211 East Harrison Avenue (parcel 22-22-303-024), and 217 East Harrison Avenue (parcel 22-22-303-025), described as follows:
 - 1) Lots 6, 7, 8, 9, and 10, inclusive, Assessor's Plat No. 16 (211-235 East Harrison Avenue); and
 - 2) Lots 13, 14, 15, 16, and 17, inclusive, and the easterly 40 feet of Lot 18, Baldwin Addition (226 East Hudson Avenue).
- c. The pedestrian and overhead doors on the south rear façade of the building at 226 East Hudson Avenue shall be closed and replaced with a three-hour rated fire wall in accordance with the Michigan Building Code.
- d. All paving, utilities, and other improvements, including work within public rights-of-way, shall be in accordance with the specifications and standards of the City Engineer.
- e. 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.
- f. All signage shall comply with the Sign Ordinance (Chapter 607 Signs, Article II Sign Regulations) or receive the necessary variances from the Planning Commission.
- g. A performance bond shall be posted in an amount to be determined by the Building Official.
- h. The site plan shall meet all other code and ordinance requirements, as determined by the Building Official and City Engineer, including, but not limited to, the Michigan Building Code and the city's Stormwater Detention Ordinance (Chapter 644), and a land division and combination application creating the two separate parcels described above shall be approved and recorded, prior to issuance of any building or right-of-way permits.

Motion adopted unanimously.

6. **SP 16-05-13 – Site Plan** to construct new seven-level municipal parking deck (80-ft. height) on **south side of W. Second St. between S. Washington Ave. and S. Center St.** (parcel no. 25-21-232-001)
City of Royal Oak, Petitioner & Owner
Rich & Associates, Inc., Engineer & Architect

Moved by Mr. Chase

Supported by Mr. Godek

To approve SP 16-05-13, as **site plan** to construct a new seven-level off-street municipal parking deck (80-foot approximate height) on the **south side of West Second Street between South Washington Avenue and South Center Street** (parcel no. 25-21-232-001), with the following **contingencies**:

- a. All work within public rights-of-way shall be in accordance with the specifications and standards of the City Engineer.
- b. The site plan shall meet all code and ordinance requirements, as determined by the Building Official, prior to issuance of any permits, including, but not limited to, the Michigan Building Code.

Motion adopted unanimously.

E. Other Business

Moved by Mayor Ellison
Supported by Ms. Vaara

To request that staff no long send full-size, printed copies of site plans to commission members for meeting agendas.

Motion adopted unanimously.

F. Adjournment

Mr. Carter thanked the commission for a warm welcome to his first meeting and asked Chairperson Esbri to adjourn the meeting. Chairperson Esbri then adjourned the May 10, 2016 regular meeting of the Planning Commission at 11:05 p.m.

Clyde Esbri
Chairperson, Planning Commission



Timothy E. Thwing
Director of Community Development