

MEMORANDUM

Community Development Department
City of Royal Oak, Michigan

Meeting Date: June 14, 2016
211 Williams St. / P.O. Box 64
Royal Oak, MI 48068-0064
Phone: (248) 246-3280
Fax: (248) 246-3005
www.romi.gov

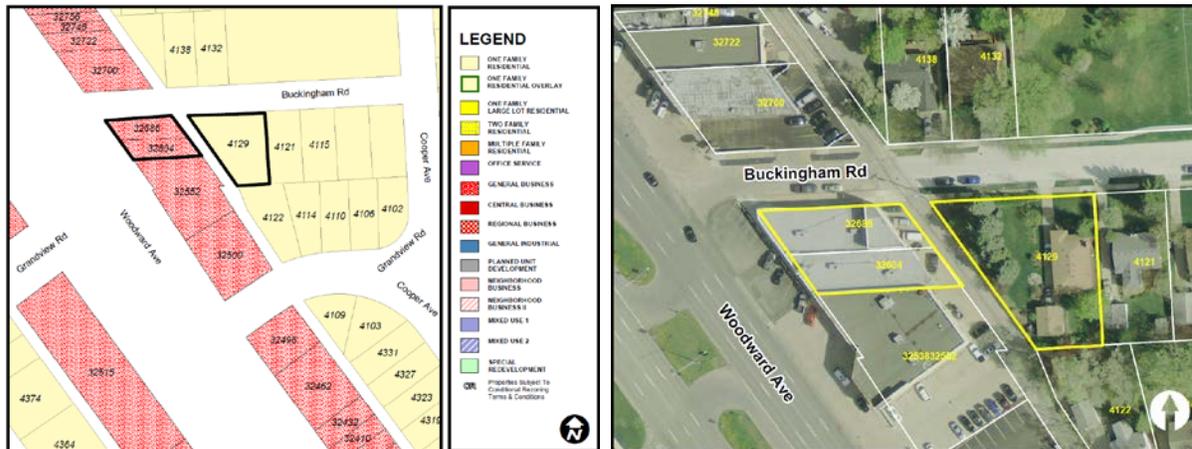
DATE: May 26, 2016

TO: Planning Commission

FROM: Planning Division

SUBJECT: Special Land Use & Site Plan (SP 16-06-14) to establish medical office and retail store within existing building (Women's Excellence Medi-Spa & Nutrition Store) and construct second story for two dwelling units at **32604-32686 Woodward Ave.** (parcel nos. 25-06-129-001 & 25-06-129-002)
Chajonkim, LLC, Petitioner & Owner
Krieger-Klatt Architects, Inc., Architect

1. Zoning Map & Aerial Photograph



2. Zoning Ordinance Provisions

ARTICLE IV Zone Regulations & General Provisions – § 770-41 General Business, (B) Permitted Uses, and (C) Special Land Uses: Medical offices and retail stores are permitted uses in the General Business zoning district under subparagraph (B)(1) of § 770-41. Dwelling units above any permitted use other than off-street parking are a special land use under subparagraph (C)(10) of that same section.

3. Compatibility with Master Plan

The planned future use for the property is designated as “General Commercial” on the Future Land Use map of the city’s Master Plan. Areas planned as General Commercial are intended to provide suitable locations for commercial establishments typically developed along major roads that rely on a market area larger than that of the city. This designation is meant to include uses such as large supermarkets, shopping centers, and automobile dealerships. Most properties along the Woodward Avenue corridor are designated as General Commercial.

4. Previous Actions

SP 15-01-02 – 4129 Buckingham Rd.: On January 13, 2015, the Planning Commission recommended approval of a special land use permit and site plan by the City Commission to construct a residential accessory off-street parking lot at 4129 Buckingham Road (parcel no. 25-06-129-006). The special land use permit and site plan were approved by the City Commission on February 2, 2015.

5. Other Findings

A. Location & Site Characteristics. The site is located at the southeast corner of Woodward Avenue and Buckingham Road and consists of two separate parcels (25-06-129-001 and 25-06-129-002). Together both parcels have a total lot width and frontage along Woodward Avenue of 85 feet, a lot depth and frontage along Buckingham Road of 120 feet, and 10,200 square feet of lot area. A public alley with a width of 20 feet runs along the northeast rear lot line. There is a three-unit, one-story building across both parcels that was previously occupied by various commercial uses.



The site also includes a former residential lot on the south side of Buckingham Road at the northwest corner of the public alley (4129 Buckingham Road). A special land use permit and site plan were approved in 2015 to develop this property into a residential accessory off-street parking lot for the existing commercial building at 32604 and 32686 Woodward Avenue.



- B. Proposed Uses & Construction. The petitioner proposes to construct a second story addition onto the existing commercial building. The upper level would be developed into two residential dwelling units. The ground level would be divided into two separate lease spaces, one for a medical office (Women’s Excellence Medi-Spa), and the other for an undetermined retail store. The previously-approved residential accessory off-street parking lot at 4129 Buckingham Road would be completed and used to meet required off-street parking for the expanded building.

While medical offices and retail stores are permitted uses in the General Business zoning district, dwelling units on an upper floor above other permitted uses require a special land use permit from the Planning Commission.

- C. Vehicular Access. All access to the accessory parking lot would be from the public alley. No direct vehicular access would be provided from Buckingham Road or Woodward Avenue. The curbed island at the southeast corner of Woodward Avenue and Buckingham Road would be reconfigured, rebuilt, and landscaped in a manner similar to the other developments along Woodward Avenue in accordance with the required standards of the Engineering Division and MDOT.

- D. Off-Street Parking. As calculated by staff the proposed uses would need 32 off-street parking spaces to meet the minimum required amount under § 770-107 of the Zoning Ordinance. The site plan for the residential accessory parking lot provides 32 off-street parking spaces. The usable floor area and minimum required amount of off-street parking for the proposed uses as calculated by the Planning Division are as follows:

	Gross Floor	Usable Floor	Dwelling		Required
Use	Area	Area	Units	# Per	Spaces
Retail	2,948	2,491	-	250	11
Medical Office	4,083	3,390	-	200	17
Dwelling Units	-	-	2	2	4
Total Parking Required					32
Existing Parking Spaces					32
Surplus / (Deficiency)					-

The petitioner has not provided a detailed floor plan for the retail area. The usable floor area used in our calculations is based on a previous floor plan from the petitioner where most of that space was to be another medical office. Using that space for a medical office would have required a variance from the Zoning Board of Appeals for the minimum required amount of off-street parking. The petitioner proposed to use the area for retail sales instead to avoid the need for a variance.

The retail area will need to contain the same amount or less of usable floor area. If a detailed floor plan is submitted that contains more usable floor area, as calculated by staff, then a variance from the Zoning Board of Appeals for the minimum required amount of off-street parking may be necessary. Other uses could be proposed for the retail area after construction (i.e., dine-in or carry-out restaurants, convenience stores, professional or medical offices, etc.) that could also require a variance.

- E. Parking in Right-of-Way. Nine on-street parking spaces are shown on the site plan within the Woodward Avenue and Buckingham Road rights-of-way that comply with dimensions for angled and parallel parking required in § 770-109 (F). Six angled spaces are shown within the Woodward Avenue right-of-way at the front of the building while three parallel spaces are shown on Buckingham Road on the north side of the building.

- F. Loading & Refuse Disposal. The retail area would be located in the front of the building with frontage along Woodward Avenue. The medical office would be at the rear of the building with frontage only along the public alley. The retail area would have no direct access to the public alley. The petitioner will need to provide an acceptable means of access from the retail area to the public alley for loading, unloading, and waste disposal. Those activities are not allowed from Woodward Avenue or Buckingham Road.
- G. Landscaping & Screening. No additional landscaping or screening is proposed other than what was approved previously for the residential accessory parking lot at 4129 Buckingham Road. The landscaping plan provided for the accessory parking lot is identical to the one approved in 2015.
- H. Signage. Wall signs are proposed on the front building façade along Woodward Avenue for both the retail area and the medical office. However, the medical office has no frontage on or access to Woodward Avenue. These signs may therefore require variances from Sign Ordinance standards.
- I. Result of Approval. If the petitioner's request for a special land use permit is approved then site plan review may proceed.

6. Recommendations

The Planning Commission, at its discretion, may grant special land use permits. Following the required public hearing, the Commission may approve, approve with conditions, or deny a special land use permit. The basis for the Planning Commission's decision in the case of a special land use request is found in §770-11, Basis of Determination, which reads as follows:

The Planning Commission shall review the proposed special land use in terms of the standards stated within this Ordinance and shall establish that such use and the proposed location:

- (a) *Will be harmonious and in accordance with the general objectives or any specific objectives of the Master Plan.*
- (b) *Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area.*
- (c) *Will not be hazardous or disturbing to existing uses or uses reasonably anticipated in the future.*
- (d) *Will be an improvement in relation to property in the immediate vicinity and to the City as a whole.*
- (e) *Will be served adequately by essential public services and facilities or that the persons responsible for the establishment of the proposed use will provide adequately any such service or facility.*
- (f) *Will not create excessive additional public costs and will not be detrimental to the economic welfare of the City.*
- (g) *Will be consistent with the intent and purposes of this Ordinance, and comply with all applicable provisions and standards, which are established for said use by this Ordinance and other applicable codes.*

cc: Jonathan Baidan, MD, FACOG, Chajonkim, LLC
Ryan Kowalski, Krieger-Klatt Architects, Inc.

It is recommended that the petitioner or a representative attend the June 14, 2016 Planning Commission meeting. The meeting starts at 7:30 p.m. in the City Commission chambers on the 3rd floor of City Hall.

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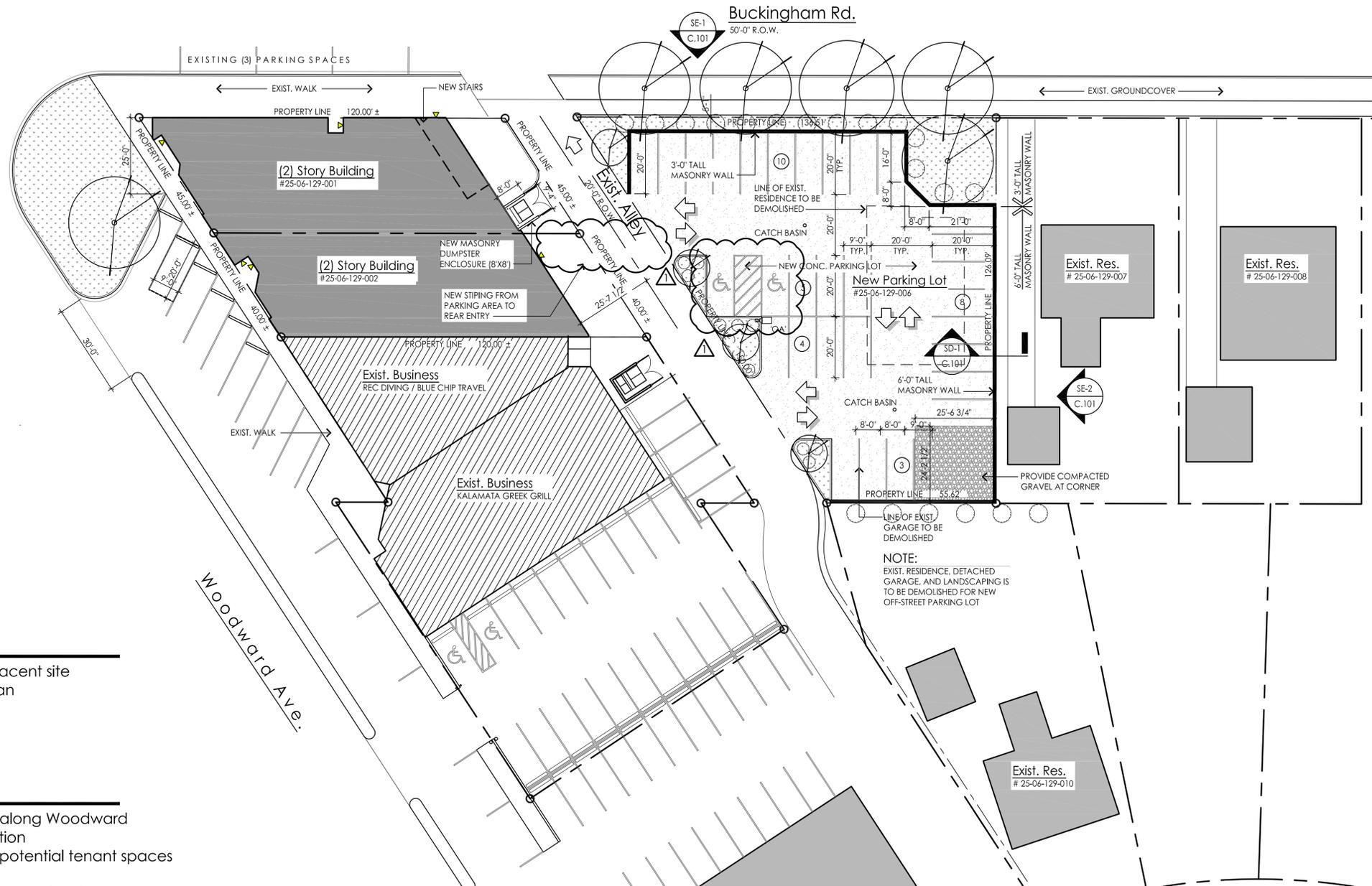
The above-referenced site plan and its associated special land use permit are scheduled for consideration by the Planning Commission at the next regular meeting. Should the Planning Commission wish to consider approval of the site plan, including all discretionary items, the Planning Division recommends the following contingencies:

1. Compliance with the previously-approved special land use permit and site plan for a residential accessory off-street parking lot at 4129 Buckingham Road shall be maintained including all required contingencies (SP 15-01-02).
2. A land division application shall be filed with the City Assessor to create one single parcel out of 32604 Woodward Avenue (parcel 25-06-129-002) and 32686 Woodward Avenue (parcel 25-06-129-001).
3. Direct access between the ground-floor retail sales area and the public alley shall be provided for loading, unloading, and waste disposal.
4. All improvements to the public right-of-way shall be in accordance with the specifications and standards of the City Engineer, including, but not limited to: reconfiguration of driveway approaches, on-street parking spaces, and curbed islands within the Woodward Avenue and Buckingham Road rights-of-way.
5. All exterior lighting 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 (15 feet) and illumination levels.
6. All signage shall comply with the Sign Ordinance (Chapter 607 Signs, Article II Sign Regulations) or receive necessary variances from the Planning Commission.
7. A performance bond shall be posted in an amount to be determined by the Building Official.
8. The site plan shall meet all other code and ordinance requirements, as determined by the Building Official and City Engineer, and 32604 Woodward Avenue and 32686 Woodward Avenue shall be combined into a single parcel, **prior** to the issuance of **any** building or right-

of-way permits. Such requirements include, but are not limited to, the Michigan Building Code and the Stormwater Detention Ordinance (Chapter 644).

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Scope of Work (Site):

1. Construction of new parking lot on adjacent site
2. Installation of new Landscaping per plan
3. New light fixtures as indicated

Scope of Work (Building):

1. Construction of new storefront glazing along Woodward
2. Construction of new second floor addition
3. Separation of existing first floor into (3) potential tenant spaces
4. New exterior finishes per elevations
5. Construction of (2) Residential Units on upper level

Zoning Information:

Zoning District:	General Business
Lot Area:	8,600 Sq. Ft.
Building Footprint:	Total Sq. Ft.: 7,103 sq. ft.
Lot Coverage:	7,103 Sq. Ft. / 8,600 sq. Ft. = 82.6%
Maximum Building Height Allowed:	50 ft.
Existing Building Height:	34'-2" ±
Side Setback Required:	N.A. (Not abutting Residential Zone)
Side Setback Required:	N.A. (Not abutting Residential Zone)
Rear Setback Required:	25 ft from center of alley

Architectural Site Plan

- General Site / Landscape Plan Notes**
1. INSTALL NEW LAWN IRRIGATION SYSTEM - VERIFY SCOPE WITH OWNER
 2. ALL WASTE IS TO BE STORED WITHIN THE EXISTING BUILDING UNTIL THE DAY OF TRASH PICK UP
 3. ALL PAVING, CURBS AND SITE ELEMENTS ARE TO BE INSTALLED PER THE CITY OF ROYAL OAKS ENGINEERING DEPARTMENT STANDARDS. COORDINATE WITH THE ENGINEERING DEPARTMENT AS REQUIRED.
 4. ALL LANDSCAPING (FROM ROYAL OAK ZONING ORDINANCE) TO BE PLANTED BEFORE OBTAINING A CERTIFICATE OF OCCUPANCY
 5. ALL LANDSCAPING AND LANDSCAPE ELEMENTS SHALL BE PLANTED, AND EARTHMOVING OR GRADING PERFORMED, IN A SOUND WORKMANLIKE MANNER, ACCORDING TO ACCEPTED PLANTING AND GRADING PROCEDURES. SALT TOLERANT SPECIES SHALL BE USED IN AREAS THAT ARE SUBJECT TO SALT SPRAY FROM ADJACENT ROADWAYS & PARKING AREAS
 6. ALL PLANT MATERIAL SHALL BE MAINTAINED IN GOOD CONDITION SO AS TO PRESENT A HEALTHY, NEAT & ORDERLY APPEARANCE & SHALL BE TRIMMED OR PRUNED IN SUCH A MANNER SO AS TO NOT ALTER THEIR NATURAL GROWTH POTENTIAL
 7. ALL MATERIALS USED TO SATISFY THE REQUIREMENTS OF CHAPTER 757, WHICH BECOME UNHEALTHY OR DEAD SHALL BE REPLACED WITHIN SIX MONTHS OF DAMAGE OR DEATH OR THE NEXT APPROPRIATE PLANTING PERIOD, WHICHEVER COMES FIRST
 8. ALL LANDSCAPED AREAS SHALL BE PROVIDED WITH A READILY AVAILABLE AND ACCEPTABLE WATER SUPPLY. UNDERGROUND SPRINKLER SYSTEMS SHALL BE INSTALLED, UTILIZED & MAINTAINED IN ORDER TO INSURE THE PROPER WATERING OF ALL PLANT MATERIALS

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 ARCHITECTS
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Client:
 Jonathan Zaiden
 1234 S. Lapeer Rd.
 Lake Orion, MI
 Project:
 Addition / Renovation
 32686 - 32604 Woodward
 Royal Oak, MI
 Issued:
 7-25-2015 Client Review
 10-16-2015 Site Plan Approval
 5-3-2016 Site Plan Approval
 5-23-2016 Site Plan Approval

Seal:



Note:

Do not scale drawings. Use calculated dimensions only. Verify existing conditions in field.

North Arrow:



Sheet Title:
 Architectural Site Plan

Scale:
 1" = 20'-0"

Project Number:
 15-101

Sheet Number:
C.100

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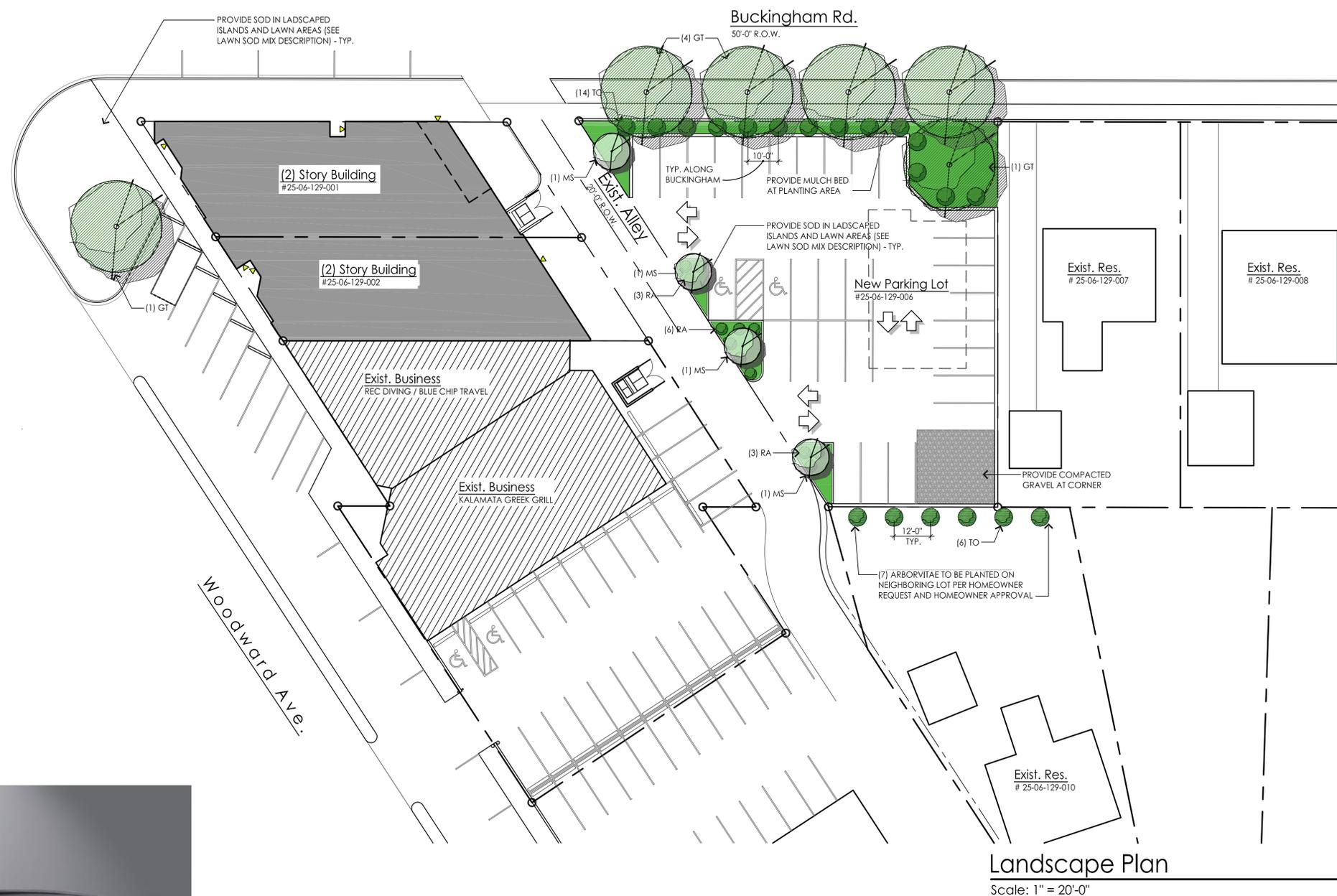


Sheet Title:
Landscape Plan

Scale:
 1" = 20'-0"

Project Number:
 15-101

Sheet Number:
L.100



Lighting Legend (Parking Lot)			
TYPE	LAMPS	DESCRIPTION	MANUFACTURER
OA	1A LIGHT SQUARES W/ (14) LEDS EA	GALLEON LED AREA AND ROADWAY LUMINAIRE (4) 70CRL 4000K, 1A LIGHT SQUARES AND V NARROW OPTICS	MCGRAW-EDISON #GLEON-AE-04-LED-E1-SL4HSS

Landscaping Calculations

Total Parking Spaces: 31 Spaces
 Interior Landscaping Required (per §770.90)
 1 Tree / (8) Parking Spaces
 (31) Spaces / 8 = (4) Trees Required
 Lot Area: 12,120 Sq. Ft.
 Required Landscaped Area:
 12,120 Sq. Ft. x .10 = 1,212 Sq. Ft.
 Proposed Landscaped Area: 1,353 Sq. Ft.

Landscape Legend				
KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE
TO	20	<i>Thuja occidentalis 'Techny'</i>	Techny Arborvitae	6' - 8' wide
GT	1	<i>Gleditsia triacanthos 'Skyline'</i>	Skyline Honeylocust (seedless)	2 1/2" cal.
RA	12	<i>Rhus aromatica 'Gro-Low'</i>	Grow-Low Sumac	24" hgt.
MS	4	<i>Malus sargentii</i>	Sargent Crabapple	12" wide, 8' hgt.

NOTES:

- ALL TREES ARE TO BE OF GENERALLY ACCEPTABLE VARIETIES AND SPECIES, FREE FROM INSECTS AND DISEASES, HARDY TO OAKLAND COUNTY, ARE TO CONFORM TO THE CURRENT MINIMUM STANDARD OF THE AMERICAN ASSOCIATION OF NURSERYMEN, AND SHALL HAVE PROOF OF ANY REQUIRED GOVERNMENTAL REGULATIONS AND/OR INSPECTIONS.
- Lawn Sod Mix:**
 30% PERENNIAL RYEGRASS
 20% PARK KENTUCKY BLUEGRASS
 45% CREEPING RED FESCUE
 5% ANNUAL RYEGRASS



Light Fixture 'OA'

Make: McGraw-Edison
 Model: Galleon
 Lamp: LED
 Finish: Bronze
 Height: 15'-0" A.F.G.
 6" Ø Aluminum Pole

