

ROYAL OAK PLANNING COMMISSION
CITY OF ROYAL OAK, MICHIGAN

Tuesday, June 14, 2016

AGENDA

7:00 P.M.

Brownfield Redevelopment Authority

- A. Call to Order
- B. New Business
 - 1. **Brownfield Plan (BP 16-06-01) & Reimbursement Agreement** to demolish and reconstruct automobile filling station with convenience store (Shell) at **31786 Woodward Ave.** (parcel no. 25-06-428-001)
MLL Properties, LLC, Petitioner & Owner
Advanced Redevelopment Solutions, Engineer
- C. Public Comment on Non-Agenda Items
- D. Adjournment of Brownfield Redevelopment Authority

7:30 P.M.

Regular Meeting

- A. Call to Order
- B. Approval of Minutes for May 10, 2016
- C. Public Comment on Non-Agenda Items
- D. New Business
 - 1. **Public Hearing – 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
 - 2. **Public Hearing – Special Land Use & Site Plan (SP 16-06-15)** to modify outdoor dining area of restaurant (Detroit Dogs) at **200 W. Fifth St.** (parcel no. 25-21-237-007)
DDC Devco, Petitioner
D.S. Jean, LLC, Owner
Krieger-Klatt Architects, Inc., Architect
 - 3. **SP 16-06-16 – Site Plan** to construct new accessory structure for financial office (RWS Financial) at **1918 N. Main St.** (parcel no. 25-10-351-034)
RWS Financial, Petitioner & Owner
Krieger-Klatt Architects, Inc., Architect
- E. Other Business

- SV 16-06-04 – Sign Variance** request to install monument sign for multiple-tenant building at **332 E. Lincoln Ave.** (parcel no. 25-22-302-032) with variance to allow prohibited freestanding sign in Sign Area 4.
6300 Hughes, LLC, Petitioner & Owner
Signs & Engraving II, Inc., Contractor
- Notices from Oakland County on Master Plans for City of Troy and City of Southfield**

Brownfield Redevelopment Authority

Present

Rebecca Black
Jeffrey Chase
Sharlan Douglas, City Commissioner
Jim Ellison, Mayor
Clyde Esbri, Chairperson
Dan Godek
Gary Quesada
Anne Vaara, Vice-Chairperson

Absent

Robert Bruner

Staff

Tim Thwing, Director of Community Development

Other

A.J. Carter, Student Representative

A. Call to Order

Chairperson Esbri called the June 14, 2016 meeting of the Brownfield Redevelopment Authority to order at 7:00 p.m.

B. New Business

- Brownfield Plan (BP 16-06-01) & Reimbursement Agreement** to demolish and reconstruct automobile filling station with convenience store (Shell) at **31786 Woodward Ave.** (parcel no. 25-06-428-001)
MLL Properties, LLC, Petitioner & Owner
Advanced Redevelopment Solutions, Engineer

Moved by Mayor Ellison
Supported by Mr. Godek

To **recommend approval** by the **City Commission** of **BP 16-06-01**, a **brownfield plan** for MLL Properties, LLC, at **31786 Woodward Avenue** (parcel no. 25-06-428-001), and request that the City Commission set a public hearing for the proposed brownfield plan, provided the brownfield plan has a maximum duration of no more than 20 years (15-year reimbursement period) with total costs eligible for reimbursement not to exceed \$ 485,839 for the following activities:

Baseline Environmental Assessments	\$ 13,245
Due Care Activities	\$ 35,811
Additional Response Activities	\$ 401,108
Demolition	\$ 17,850
Lead & Asbestos Abatement	\$ 2,825
Brownfield Plan Preparation	\$ 15,000
TOTAL	\$ 485,839

Motion adopted unanimously.

Moved by Mayor Ellison
Supported by Mr. Chase

To **approve** a **reimbursement agreement** for **BP 16-06-01**, a **brownfield plan** for MLL Properties, LLC, at **31786 Woodward Avenue** (parcel no. 25-06-428-001), with no applicable interest rate on costs eligible for reimbursement, contingent upon final approval of the brownfield plan by the City Commission and any recommended revisions to the reimbursement agreement by the City Attorney; and also to **authorize** the Board's **Executive Director** to sign the reimbursement agreement.

Motion adopted unanimously.

C. Public Comment

Chairperson Esbri invited members of the audience to comment on any issues that were not part of the Brownfield Redevelopment Authority's agenda. As no members of the audience came forward, Chairperson Esbri closed the public comment portion of the agenda.

D. Adjournment

Moved by Ms. Vaara
Supported by Mr. Quesada

To **adjourn** the June 14, 2016 meeting of the Brownfield Redevelopment Authority at 7:30 p.m.

Motion adopted unanimously.

Regular Meeting

Present

Rebecca Black
Jeffrey Chase
Sharlan Douglas, City Commissioner
Jim Ellison, Mayor
Clyde Esbri, Chairperson
Dan Godek
Gary Quesada
Anne Vaara, Vice-Chairperson

Absent

Robert Bruner

Staff

Tim Thwing, Director of Community Development

Other

A.J. Carter, Student Representative

A. Call to Order

Chairperson Esbri called the June 14, 2016 regular meeting of the Planning Commission to order at 7:30 p.m.

B. Approval of Minutes for May 10, 2016

Moved by Mr. Chase

Supported by Mr. Godek

To approve the minutes of the May 10, 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 Planning Commission's agenda. As no members of the audience came forward Chairperson Esbri closed the public comment portion of the agenda.

D. New Business

- 1. Public Hearing – 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

Moved by Mayor Ellison

Supported by Commissioner Douglas

To approve a special land use permit to establish a medical office and a retail store within an existing building (Women's Excellence Medi-Spa & Nutrition Store) and construct a second story for two dwelling units at **32604-32686 Woodward Avenue** (parcel nos. 25-06-129-001 & 25-06-129-002).

Motion adopted unanimously.

Moved by Commissioner Douglas

Supported by Mr. Godek

To approve SP 16-06-14, a site plan to establish a medical office and a retail store within an existing building (Women's Excellence Medi-Spa & Nutrition Store) and construct a second story for two dwelling units at **32604-32686 Woodward Avenue** (parcel nos. 25-06-129-001 & 25-06-129-002), with the following **contingencies**:

- 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).
- A land division/combination 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).
- Direct access between the ground-floor retail sales area and the public alley shall be provided for loading, unloading, and waste disposal.
- 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.

- e. 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.
- f. All signage shall comply with 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 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).

Motion adopted unanimously.

- 2. **Public Hearing – Special Land Use & Site Plan (SP 16-06-15)** to modify outdoor dining area of restaurant (Detroit Dogs) at **200 W. Fifth St.** (parcel no. 25-21-237-007)
DDC Devco, Petitioner
D.S. Jean, LLC, Owner
Krieger-Klatt Architects, Inc., Architect

Moved by Mr. Godek

Supported by Mr. Quesada

To approve a special land use permit to modify an outdoor dining area of a restaurant (Detroit Dogs) at **200 West Fifth Street** (parcel no. 25-21-237-007)

Motion adopted unanimously.

Moved by Mr. Godek

Supported by Ms. Vaara

To approve SP 16-06-15, a site plan to modify an outdoor dining area of a restaurant (Detroit Dogs) at **200 West Fifth Street** (parcel no. 25-21-237-007), with the following **contingencies**:

- a. A three-foot high metal railing shall be attached to the south front façade of the building along the base of the overhead door to prevent chairs, tables, and patrons from spilling over onto the sidewalk and blocking pedestrian traffic.
- b. Stormwater run-off from the roof of the outdoor dining area shall be contained on site through the use of gutters, downspouts, etc.
- c. All food preparation shall take place inside the establishment.
- d. No music, intercom, or other noise shall be permitted that impacts adjacent properties.
- e. 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.
- f. All exterior lighting fixtures shall comply with § 770-96 (B) of the Zoning Ordinance and other city codes and ordinances. No string lights shall be permitted.

- 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.

Motion adopted unanimously.

- 3. **SP 16-06-16 – Site Plan** to construct new accessory structure for financial office (RWS Financial) at **1918 N. Main St.** (parcel no. 25-10-351-034)
RWS Financial, Petitioner & Owner
Krieger-Klatt Architects, Inc., Architect

Moved by Mr. Quesada

Supported by Commissioner Douglas

To approve SP 16-06-16, a site plan to construct a new accessory structure for a financial office (RWS Financial) at **1918 North Main Street** (parcel no. 25-10-351-034), with the following contingencies:

- a. The accessory structure may have a north side yard setback of 10.17 feet and a south side yard setback of 9.07 feet as presented on the site plan. The accessory structure shall have an east rear yard setback greater than 2.98 feet in order to preserve the existing mature deciduous tree along the east rear lot line, unless the tree is not of a generally accepted species according to § 770-90 (K)(1) of the Zoning Ordinance as determined by the Planning Division.
- b. Stormwater run-off from the roof of the accessory structure shall be contained on site through the use of gutters, downspouts, etc.
- c. Compliance with the previous site plan approval shall be maintained including all required contingencies (SP 14-10-23).
- 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.
- 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), **prior** to issuance of **any** building or right-of-way permits.

Motion adopted unanimously.

E. Other Business

1. **SV 16-06-04 – Sign Variance** request to install monument sign for multiple-tenant building at **332 E. Lincoln Ave.** (parcel no. 25-22-302-032) with variance to allow prohibited freestanding sign in Sign Area 4.

6300 Hughes, LLC, Petitioner & Owner
Signs & Engraving II, Inc., Contractor

Moved by Mayor Ellison
Supported by Mr. Chase

To grant SV 16-06-04, a sign variance request to install a monument sign for a multiple-tenant building at **332 East Lincoln Avenue** (parcel no. 25-22-302-032) with a variance to allow a prohibited freestanding sign in Sign Area 4.

Motion adopted unanimously.

2. **Notices from Oakland County on Master Plans for City of Troy and City of Southfield**

Notices from Oakland County regarding proposed Master Plans for the City of Troy and the City of Southfield were presented as required by state law. No further action was taken.

F. Adjournment

Moved by Mr. Godek
Supported by Ms. Vaara

To **adjourn** the June 14, 2016 regular meeting of the Planning Commission at 9:10 p.m.

Motion adopted unanimously.

Clyde Esbri
Chairperson, Planning Commission



Timothy E. Thwing
Director of Community Development